dian reservations to the individual Indian, this on the theory that the Indian was found on the land and it was assumed that all of them should be farmers and live from the soil.

For years the tendency of the Department of the Interior, which was given guardianship over the property of the individual Indian, was to increase the freedom of the Indian. The Indian was given the right to lease his land and to use the proceeds of such lease rental to help provide his livelihood. When the Department of Interior determined that he was competent to handle his own affairs, he was permitted to sell and dispose of his allotment and to use the proceeds thereof as any individual would.

Then under the so-called New Deal there came a strange philosophy into this free Nation, a move back toward the totalitarian state from which the forefathers had come. The plan of subjection of the individual to the state was slower among the non-Indians because with the return of crops and production and good times, the individual demanded a return of his freedom. The return of that freedom has become a political issue and is the dominant issue in the present election. The voters in the November 1960 election shall decide whether they wish "security with conformity" or whether they want "individual freedom with opportunity."

The Indian, however, has no alternative, he must accept "security with conformity" at least so long as he chooses to live on or near an Indian reservation, or until the Congress repeals the Wheeler-Howard Act enacted in the early days of the New Deal.

EXAMPLE

The Bureau of Indian Affairs at the Washington level is adamant in their stand that an Indian allottee is free to handle his own land so long as he conforms to the regulations, the regulations being that he himself must work his own land unless he turns complete authority to the Bureau.

Under the policies of the Bureau all land on the reservation is classified to determine the best "use" to which such land shall be put. In grazing areas, all land in a certain tract, whether it is tribal or allotted, goes into a "grazing unit" and the allottees in that area must sign a power of attorney authorizing the Department to handle the rental of their land for them.

If an allottee—who by the way is supposed to be a free American—refuses to conform, refuses to give a power of attorney or attempts to revoke one already given, he is required to fence his own land out of the unit and handle the use of that land himself. He dare not rent it. He cannot contract to have the hay put up and sold. He cannot contract to have the work done on shares so that he gets his portion of the crop. He must do the work himself, or he must hire the work done and pay the cost himself out of his own pocket. Then he can sell the crop and pay the cost of having someone who does have the harvesting machinery do the work. If he refuses to conform, the Bureau steps in and forces conformity.

Yesterday, I received a frantic call from an Indian allottee on one reservation in my congressional district. I shall not mention his name or the name of the reservation for fear of reprisals either upon the Indian or the employees involved. The allottee told me he had hired a non-Indian rancher to cut and bale the hay on his allotment, which he had refused to put into a grazing unit because it was an especially good hay quarter and was worth more for hay than the normal rental for grazing purposes. Those allottees who conform in a grazing unit receive the same rental as all other allottees in the grazing area, regardless of the productivity of the allotment, because under this system, as in all totalitarian states, "equal compensation shall be provided for all."

The allottee told me that he did not have the cash to pay for the cutting and baling of the hay, so he had contracted with the non-Indian to do the work with the understanding he would sell the hay to the non-Indian who owned the haying equipment for $15 per ton, first to pay the cost of harvest and the remainder to be his cash rental return for the production of his allotment.

He told me that the Department had stepped in, taken over the baled hay and was selling it to someone else, proposing to deposit the proceeds of his account in the Agency office to be paid to him as they decided it should be disbursed. He asked me what chance an Indian had to establish his own credit, to get started in the ranching business, if his contracts were to be summarily revoked by the Great White Father at the will of the Great White Father.

When I called the Superintendent I was advised that it appeared the contract with the non-Indian was a fraud, that instead of the Indian making a contract to hire the hay cut and baled, then sold to the rancher at the price of $15 per ton to pay the cost of harvesting the hay and the balance to go in cash to the allottee, it was apparent to the Department that the contract had been made to harvest the hay on a share basis with the rancher taking a certain share for harvesting the hay and then buying the share of the allottee, which, the Bureau official advised, was strictly against the regulations of the Department.

I was told that the Bureau was having trouble with this Indian "because he refuses to conform."

I was also advised that this procedure becomes necessary because the Bureau has the "responsibility of protecting the property and the income of the Indian people."

When the Founding Fathers established a system of government which provided the utmost of individual freedom and opportunity, they failed to take into account that certain forces would in later years be at work guaranteeing security to certain groups and that with that guarantee of security comes the responsibility of the "work norm," or the "rental norm" in this case, which compels "conformity" of all, and that with this compelled conformity, individual rights, individual privileges and individual opportunity is sacrificed. Socialism? Totalitarianism? Where? Here in America.

SENATE

THURSDAY, AUGUST 25, 1960

(Legislative day of Wednesday, August 24, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by Senator RUSSELL B. LONG, of Louisiana.

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

O God, who hast given us this good land for our inheritance, deepen our gratitude, this day, that so much is bestowed upon us. We are grateful for its sheer beauty, all decked in summer glory—hills and valleys, fields, meadows and woodlands, lakes and mountains, and wide rivers carrying their commerce to the seas.

Yet, we thank Thee more for the heritage our fathers have bestowed upon us—with liberty, justice, and the sacredness of human rights.

In the joy and blessedness of this time, daily fenced about with devotion, make quiet our fears and revive our spirits within us. Let no ungenerous thought find lodgment in our minds today as we deal one with another.

May no intent or purpose that would unduly hurt or wound a comrade's spirit be given room. Let no motive sit in the saddle of our words or deeds, for which we would blush with shame if it stood revealed before all men.

Stay our hands when we attempt to postpone into the future the justice waiting to be done today.

So may we work today, for the night cometh when we can no longer work. Amen.

THE JOURNAL

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

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 25, 1960.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. RUSSELL B. LONG, a Senator

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from the State of Louisiana, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. LONG of Louisiana thereupon took the chair as Acting President pro tempore.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session,

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the joint resolution (S.J. Res. 170) to authorize the participation in an international convention of representative citizens from the North Atlantic Treaty nations to examine how greater political and economic cooperation among their peoples may be promoted, to provide for the appointment of U.S. delegates to such convention, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12619) making appropriations for mutual security 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. PASSMAN, Mr. GARY, Mr. CANNON, Mr. TABER, and Mr. FORD were appointed managers on the part of the House at the conference.

LIMITATION OF DEBATE DURING MORNING HOUR

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

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

The Chief Clerk proceeded to call the roll.

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

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. SMATHERS. Mr. President, reserving the right to object——

Mr. GOLDWATER. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. No debate is in order. If there is objection, the quorum call will continue.

Mr. GOLDWATER. Is there to be a morning hour?

Mr. JOHNSON of Texas. We will have a morning hour as soon as we finish the quorum call.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Arizona?

Mr. SMATHERS. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Chief Clerk resumed the call of the roll.

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

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that we have a morning hour, with a limitation on statements of 3 minutes, and that the morning hour precede the call of the calendar.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON AGREEMENTS CONCLUDED UNDER AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT OF 1954

A letter from the Administrator, Foreign Agricultural Service, Department of Agriculture, reporting, pursuant to law, on agreements concluded during July 1960, under title I of the Agricultural Trade Development and Assistance Act of 1954, with the Governments of Poland, Iran, and India (with accompanying papers); to the Committee on Agriculture and Forestry.

REPORTS ON REAPPORTIONMENT OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans Administration for "Maintenance and operation of supply depots," for the fiscal year 1961, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans Administration for "Inpatient care," for the fiscal year 1961, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

REPORT ON OVEROBLIGATION OF APPROPRIATIONS

A letter from the Assistant Secretary of Agriculture, reporting, pursuant to law, on four overobligations of appropriations in the Forest Service; to the Committee on Appropriations.

REPAIR AND REHABILITATION OF CERTAIN NAVAL RESERVE TRAINING CENTERS

A letter from the Assistant Secretary of Defense, reporting, pursuant to law, on the repair and rehabilitation of berthing piers and installation of dockside utilities at U.S. Naval Reserve Training Centers, Everett, Wash., and Jersey City and Perth Amboy, N.J., and U.S. Coast Guard Station, Atlantic City, N.J., at an estimated cost of $24,700, $40,400, $18,300, and $25,830, respectively; to the Committee on Armed Services.

PROPOSED TRANSFER OF BOAT TO DOUGLAS COUNTY FAIR, ROSEBURG, OREG.

A letter from the Assistant Secretary of the Navy (Material), reporting, pursuant to law, on the proposed transfer of a 42-foot Retriever Boat to the Douglas County Fair, Roseburg, Oreg.; to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN VANADIUM ORE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 4,310 short tons of low-grade vanadium ore, approximately 2,950 short tons of lead vanadate concentrates, and approximately 35,350 pounds of subgrade fuses vanadium oxide (pentoxide), now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

PUBLICATION OF NOTICE OF PROPOSED DISPOSITION OF CERTAIN QUININE

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 13,860,000 ounces of quinine now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT ON DEFENSE PRODUCTION

A letter from the Attorney General, transmitting, pursuant to law, his report on activities under the Defense Production Act of 1950, as amended, as of August 9, 1960 (with an accompanying report); to the Committee on Banking and Currency.

EXTENSION OF SUGAR ACT OF 1948

A letter from the Secretary of Agriculture, transmitting a draft of proposed legislation to amend and extend the provisions of the Sugar Act of 1948, as amended (with an accompanying paper); to the Committee on Finance.

REPORT ON GIFTS AND BEQUESTS RECEIVED FOR THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

A letter from the Acting Secretary, Department of State, transmitting, pursuant to law, a report on gifts and bequests received by the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization, fiscal year 1960 (with an accompanying report); to the Committee on Foreign Relations.

AUDIT REPORT ON CHECK PAYMENT AND RECONCILIATION FUNCTIONS, OFFICE OF THE TREASURER OF THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, an audit report on the check payment and reconciliation functions, Office of the Treasurer of the United States, Treasury Department, December, 1959 (with an accompanying report); to the Committee on Government Operations.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAME

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, withdrawing the name of Elias Alvanos, also known as Louis Alven, from a report relating to aliens whose deportation has been suspended, transmitted to the Sen-

ate on September 1, 1959 (with an accompanying paper); to the Committee on the Judiciary.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a report of the Archivist of the United States on a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. JOHNSTON of South Carolina and Mr. CARLSON members of the committee on the part of the Senate.

PETITIONS

The ACTING PRESIDENT pro tempore laid before the Senate a resolution adopted by the board of directors of the Houston, Tex., Junior Chamber of Commerce, relating to a repeal of the so-called Connally amendment, which permits the United States to determine matters which it deems to be under the jurisdiction of the World Court, which was referred to the Committee on Foreign Relations.

RESOLUTION OF EXECUTIVE BOARD, COUNCIL OF POLISH SOCIETIES AND CLUBS OF STATE OF DELAWARE

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have incorporated in the RECORD, a resolution adopted by the executive board of the Council of Polish Societies and Clubs in the State of Delaware, and of the Delaware division of the Polish-American Congress on June 28, 1960.

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

The executive board of the Council of the Polish Societies and Clubs in the State of Delaware and of the Delaware division of the Polish American Congress at its meeting held on Tuesday evening, June 29, 1960, have passed the following resolution:

"We continue to oppose the seating of Communist China in the United Nations, thus upholding international morality and keeping faith with the thousands of American youths who gave their lives fighting Communist aggression in Korea.

"To seat a Communist China which defies, by word and deed, the principles of the U.N. Charter would be to betray the letter, violate the spirit, and subvert the purposes of that charter.

"We further continue to oppose U.S. diplomatic recognition or any other steps which would build the power and prestige of the Chinese Communist regime, to the detriment of our friends and allies in Asia and of our national security.

"Any such action would break faith with our dead and the unfortunate Americans still wrongfully imprisoned by Communist China and would dishearten our friends and allies in Asia whose continued will to resist Communist China's pressures and blandishments is so vital to our security interests in that part of the world.

"That a copy of this resolution be sent to the U.S. Senators JOHN J. WILLIAMS, J. ALLEN FREAR, JR., and to Congressman HARRIS B. MCDOWELL, JR."

CASIMIR CHETKOWSKI,
President.
VINCENT J. KOWALEWSKI,
Secretary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

H.R. 4384. An act to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes (Rept. No. 1911);

H.R. 10841. An act to amend the Tariff Act of 1930 to place bamboo pipe stems on the free list (Rept. No. 1912); and

H.R. 12659. An act to suspend for a temporary period the import duty on heptanoic acid (Rept. No. 1913).

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

H.R. 11573. An act to provide for the free entry of an electron microscope for the use of William Marsh Rice University of Houston, Tex., and an electron microscope for the use of the University of Colorado Medical Center, Denver, Colo. (Rept. No. 1914).

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

S. 3830. A bill to provide for the establishment of the Roger Williams National Monument (Rept. No. 1917).

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

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

Charles R. Burrows, of Ohio, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Honduras;

Robert Newbegin, of New Hampshire, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Haiti;

Roy Richard Rubottom, Jr., of Texas, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to Argentina;

Edwin M. Martin, of Ohio, a Foreign Service officer of class 1, to be an Assistant Secretary of State;

Christian M. Ravndal, of Iowa, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to Czechoslovakia;

Henry S. Villard, of New York, a Foreign Service officer of the class of career minister, to be Ambassador Extraordinary and Plenipotentiary to the Federation of Mali;

Fraser Wilkins, of Nebraska, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Republic of Cyprus;

Frederic P. Bartlett, of New York, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary to the Malagasy Republic;

Daniel M. Braddock, of Michigan, and sundry other persons, for appointment and promotion in the Foreign Service.

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

Arthur S. Lane, of New Jersey, to be U.S. district judge for the district of New Jersey.

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

Gen. Nathan F. Twining (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade of general.

BILLS INTRODUCED

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

By Mr. CHAVEZ (by request):

S. 3886. A bill to authorize the making and enforcement of regulations at water supply projects in the District of Columbia and environs, and for other purposes; to the Committee on Public Works.

By Mr. HUMPHREY:

S. 3887. A bill for the establishment of a Commission on Science and Technology; to the Committee on Government Operations.

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

By Mr. BYRD of West Virginia:

S. 3888. A bill for the relief of Dr. Alberto Gagan Capinpin; to the Committee on the Judiciary.

By Mr. ANDERSON:

S. 3889. A bill amending section 809(g) of the National Housing Act, providing for insurance of certain mortgages; to the Committee on Banking and Currency.

RESOLUTIONS

AMENDMENT OF RULE RELATING TO PREVIOUS QUESTION IN DEBATE

Mr. CLARK submitted a resolution (S. Res. 372) providing for the previous question in debate, which was referred to the Committee on Rules and Administration.

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

AMENDMENT OF SENATE RESOLUTION 155, 86TH CONGRESS, 1ST SESSION

Mr. MCCLELLAN submitted a resolution (S. Res. 373) authorizing the payment of additional obligations incurred by the Select Committee on Improper Activities in the Labor or Management Field, which was considered and agreed to.

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

COMMISSION ON SCIENCE AND TECHNOLOGY — AMENDMENTS AND BILL

Mr. HUMPHREY. Mr. President, although but a relatively short time remains prior to the recess of the 86th Congress, it is not too late for us to take action on a subject which could, I believe, become regarded as one of the great landmarks of this Congress.

I refer to the possibility of the approval of long-considered legislation for the establishment of a Federal Commission on Science and Technology.

I do not believe that any factor of a personal, political, private, or vested nature should interfere with the prompt authorization of such a Commission.

COMMISSION FREE TO REPORT AS IT SEES FIT

It would be entirely free to report as it saw fit within the broad mandate laid down within the legislative authority.

No reasonable individual scientist or layman need fear if such a distinguished body of men as is proposed were to be authorized and directed to come to grips with the great challenge of how the U.S. Government should in the future organize its science and technology program.

The chips could follow wherever they might in this objective review.

In any event, precious time could be saved toward the ultimate meeting of this challenge.

To lose the remaining months of 1960 and much of 1961 by delaying all action on this subject would in my judgment, represent a serious loss of time.

That is why I am introducing today this measure in a way which will, I hope, overcome the objections which have been previously encountered on this subject, for example, as regards the size and composition of its membership.

I believe, moreover, that any further reasonable compromise should be considered in order not to lose this opportunity to take decisive action.

Let me remind my colleagues that this is no new subject.

THREE YEARS OF INTENSIVE STUDY

Let me point out that the Senate Committee on Government Operations has given 3 years of intensive study to the issue of the Federal organization of science and, in particular, the organization and management of scientific information.

Those years of effort were culminated in part by the issuance on July 28, 1960, of Senate Document 113, 86th Congress on "Documentation, Indexing, and Retrieval of Scientific Information." This has been one of the best received Senate documents within my experience. It represents the fruits of careful study by members of the committee and by the professional staff under its staff director—chief clerk, Mr. Walter Reynolds.

This then may serve as an introduction to my action today.

TWO ACTIONS TODAY

I am offering now:

First, amendments to the bill, S. 1851, providing for the establishment of a Commission on a Department of Science and Technology, which is presently pending on the Senate Calendar; and

Second, a "clean bill"—identical to the amendment—for the same purpose.

Both the amendments and the clean bill represent modifications of S. 1851. These modifications are made in order to meet objections which have been raised. But, the points previously at issue are not, I believe so substantive as to merit further disagreement or delay.

The original bill was drafted under my direction by the staff of the Committee on Government Operations to conform to recommendations made to the Subcommittee on Reorganization and International Organizations at its hearings in 1959 on the bill, S. 676, to create a Department of Science and Technology and to transfer certain agencies and functions to such department, and was reported unanimously from the committee on June 18, 1959.

The original bill has been held to be somewhat restrictive and has been misinterpreted as a sort of mandate to the effect that its creation would indicate that the Congress, by approving it in its present form, favored the creation of a Department of Science and Technology, even before the commission had submitted its findings and recommendations. I assure Members of the Senate that was not the intent of the committee.

The president and the vice president of the Engineers Joint Council and the executive secretary of the American Chemical Society recommended to the committee at the subcommittee hearings that there was an urgent need for the appointment of a commission patterned along the lines of the Hoover Commission to conduct a study as to whether or not a Department of Science should be created, and, if such a department was found to be desirable, that the proposed Commission should recommend to the President and to the Congress which functions now being performed by other departments and agencies of the Government should be transferred to such department.

It was suggested that the Commission should be composed of eminent authorities in the field of science and who are recognized leaders of the scientific community, representatives of the Federal Government agencies which were engaged in basic civilian science activities, and of members of the legislative branch of the Government.

Practically every witness who testified at the first 2 days of hearings on S. 676 were in agreement that, in order to insure the establishment of a workable and acceptable program for the proper coordination of Federal science activities, drastic reorganizations in existing Federal agencies dealing with science, technology, or engineering would be required. Some of the witnesses supported the objectives of S. 676, and others expressed opposition to the creation of a Department of Science and Technology, primarily because the proposal did not have the approval of the administration or of some of the leaders of the scientific community. There was also general disagreement as to what agencies of the Federal Government should be incorporated in the proposed new department or in any agency that may be established for the centralization of such activities.

In testifying before the subcommittee, in opposition to S. 676 as drafted by the staff of the Committee on Government Operations, the then Secretary of Commerce, Lewis L. Strauss, in reply to a question which I directed to him as to his views on the proposal to create "an impartial commission along the lines of the Hoover Commission formula," stated:

> I think it would be an excellent idea. * * * I would say that such a survey * * * would be a very salutary thing.

In supporting the bill, Dr. Wallace Brode, chairman of the board and past president of the American Association for the Advancement of Science, and now the science adviser to the Secretary of State, stated that—

> Two major decisions are required, one as to whether a Department of Science should be formed, and, second, as to the composition of such a department. A commission of governmental and nongovernmental experts in science and nonscience areas, similar to a Hoover Commission type, might consider these problems, and especially the second phase; if a Department of Science is inevitable, just what activities of the Government should be included.

The bill, S. 1851, which I filed in the Senate last year on behalf of the Committee on Government Operations would have established such a commission. Its authority would provide that the Commission would conduct two basic studies: First, the desirability of establishing a Department of Science and Technology, and second, what functions should be transferred to such department if established; and to submit its report and recommendations to the Congress and to the President.

In drafting S. 1851 the subcommittee gave consideration to extending the authority of the proposed Commission to include specific requirements in the declaration of policy and in the section dealing with the duties of the Commission, that the Commission should also study and report on problems relating to, first, the need for strengthening American science and technology as one of our essential resources for national security and welfare; second, the promotion of better centralization and coordination of Federal science programs and operations through necessary and desirable reorganizations of existing departments and agencies which relate directly to Federal science and research; and third, to formulate effective policies for training, recruiting, and utilization of scientific and engineering manpower.

These and other areas of great importance to the Federal science program, such as meteorology, oceanography, and so forth, were not specifically outlined in the bill. For instance, I stated at the time of introduction that oceanography certainly should come within the purview of the studies to be conducted by the Commission if a complete review is to be made of all Federal science activities. The importance of this program is set forth in the subcommittee's report to the Senate—Senate Report No. 120, 86th Congress, pages 51–57—which includes the text of a report submitted by the Subcommittee on Oceanography of the National Academy of Sciences—National Research Council. Also, Dr. L. B. Berkner, president, Associated Universities, Inc., in recommending the creation of a Department of Science, proposed specifically that a division or bureau of oceanography should be incorporated within such department.

While these directives are not specifically spelled out in the bill as introduced, nor in the amendment I am now proposing, it was and is the view of the sub-

committee that studies would be made into these areas of Federal science activities since this type of information would be essential to members of the Commission before a report and recommendations could be made to the President and the Congress.

The substitute I am now proposing for consideration of the Senate has expanded section 1 of the bill so that, should such a commission be created, its authority would be broad enough to insure coverage of all areas of Federal science activities. The objectives have also been amended so as to permit the Commission full latitude relative to determining whether or not a Department of Science and Technology should be created, or whether other types of reorganization of Federal science activities would be considered to be preferable.

Section 3 of S. 1851, as reported by the Committee on Government Operations, relating to the membership of the Commission, deviates from the composition of the Hoover Commissions in that it would provide for the appointment of 16 members—8 by the President and 4 each by the Senate and House of Representatives—whereas the Hoover Commission consisted of 12 members—4 by the President and 4 each by the Senate and House of Representatives.

The objectives in recommending the increased number of members to be appointed by the President was, primarily, first, to give recognition to the desirability of having the President initiate any program calling for the creation of a Department of Science and Technology, and, second, to permit the President to designate at least four members from the executive branch who are responsible for the operations of major Federal science programs—for instance, the special assistant to the President and head of the Council on Science and Technology, and the heads of Atomic Energy Commission, the National Aeronautics and Space Administration, and the National Science Foundation, may wish to be represented—and to permit him to appoint four members who are outstanding in the scientific community, in addition to four eminent scientists who would be appointed by the legislative branch. This authority for appointment of not less than 16 members, 8 of whom would represent the scientific community, would permit a wider selection of qualified representatives of the sciences involved. It was the view of the subcommittee that, before any Department of Science is created, the scientists themselves should actively participate in the development of any program that may be recommended by the proposed Commission.

My amendment would provide for the appointment of 12 members—on exactly the same basis as were the Hoover Commissions—4 by the President, 4 by the Senate, and 4 by the House of Representatives; two from the executive branch and two members from the Senate and House, with two scientists to be named by the President and two each by the President of the Senate and the Speaker of the House.

The amendments I am offering, which are in the nature of a substitute for S. 1851, in no way conflicts or changes the purpose and objectives of the original bill as reported by the committee. They are submitted only for the purpose of clarification, and to overcome some objectives which have arisen as to the areas to be covered by the proposed Commission and as to the composition of its membership.

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

The bill (S. 3887) for the establishment of a Commission on Science and Technology, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Government Operations.

The amendments intended to be proposed by Mr. HUMPHREY to the bill (S. 1851) for the establishment of a Commission on a Department of Science and Technology, were received, ordered to be printed, and to lie on the table.

PROPOSED REVISION OF RULE XII RELATIVE TO VOTING

Mr. CLARK. Mr. President, I send to the desk for appropriate referral an amendment to rule XII of the Standing Rules of the Senate, relative to voting.

Under the proposed new rule a majority of the Senate could decide to take action on any matter pending before the Senate after it had been debated for not less than 15 hours by voting to "move the previous question." The proposed rule would permit the Senate to take action on a pending bill, resolution, or amendment, after 15 hours of debate. It is my opinion that the Senate can no longer afford the luxury of unlimited debate, if we are to attend to the legislative business of the country.

All Senators are aware of the frequent use in this body of the motion to table to put off indefinitely further consideration of a pending measure. My plea is for a countervailing motion to allow a vote on the merits of a pending matter after reasonable debate.

The Senate has thoroughly explored during both the 85th and 86th Congresses amendments to rule XXII dealing with cloture of debate. In my judgment, tinkering with this rule will get us nowhere.

I believe the proper course is to restore the rule providing for moving the previous question which was one of the procedures recognized in the Senate rules during the first six Congresses. The U.S. Senate from 1789 to 1806 recognized the motion for the previous question. Extensive research by the eminent American historian Irving Brant, supplemented by the research of Senator DOUGLAS and his staff, has shown that the motion was used on four occasions during those early years. On two of those occasions the motion was made for the purpose of closing debate and bringing a vote on the pending business. On one of those two occasions that actually happened, and on the other occasion the motion, though not voted upon, achieved the same result.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a summary of research by Mr. Irving Brant and Senator DOUGLAS on the development and use of the previous question motion in American and British practice.

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

SUMMARY OF RESEARCH BY MR. IRVING BRANT AND SENATOR PAUL H. DOUGLAS ON THE DEVELOPMENT AND USE OF THE PREVIOUS QUESTION MOTION IN AMERICAN AND BRITISH PRACTICE [1]

The motion for the previous question originated in the British Parliament at the beginning of the 17th century. It was used in the American Continental Congress late in the 18th century and appeared in the first rules of both Houses of the U.S. Congress in 1789, but was dropped by the Senate in 1806 after being invoked on four occasions. The previous question rule was first used to close debate in the House of Representatives in 1811 and since then it has been invoked innumerable times in the House. Today the motion for the previous question procedure is set forth in rule XVII of the rules of the House of Representatives.

A. SENATE PROCEDURE, 1789–1806

Senate rule IX adopted on April 15, 1789, stated as follows: "The previous question being moved and seconded, the question from the chair shall be, 'Shall the main question be now put?' And if the nays prevail, the main question shall not then be put."

The previous question was used four times in the U.S. Senate from 1789 to 1806. It was phrased in the negative as well as the affirmative, although the rule stated only the latter form. The negative form of the motion was: "Shall the main question be not now put?" When the motion was put affirmatively and a majority of the Senators voted yea, they could close debate and the pending matter could be brought to an immediate vote. On the other hand, when the majority voted nay when the motion was put in the affirmative, this had the effect of postponing consideration. When the motion was put in the negative, a majority yea vote had the effect of postponing consideration, while a majority nay vote closed the debate.

On two of the four occasions on which the motion was put in the Senate, the purpose and effect of the motion was to postpone debate. On the other two occasions the motion was moved for the purpose of closing debate and bringing a vote. On one of those two occasions that actually happened, and on the other the motion—thought not voted on—achieved the same result. A brief synopsis of the four occasions follows:

1. In August of 1789 the Senate had before it a bill entitled, "An act providing for the expenses which may attend negotiations or treaties with the Indian tribes." On August 17 and 18, 1789, the previous question was moved on each day and put in the form provided in the rules: "Shall the main question be now put?" On both occasions the motion was defeated, and the effect was to postpone the main question.

2. The second occasion on which the previous question motion was used was on January 12 and 16, 1792. The Senate had before it the consideration of various Presidential nominations of U.S. ministers at foreign courts, and specifically the nomination of William Short of Virginia to be Minister

[1] CONGRESSIONAL RECORD, vol. 103, pt. 5, pp. 6669–6686.

Resident at The Hague. The Senate disregarded its rules and put the previous question in the negative: "That the main question be not now put." The motion carried, and this resulted in postponement.

3. On the third occasion when the previous question was moved, on February 26, 1799, it was moved in the form prescribed by the rules. The Senate had before it the nomination of William Bans Murray to be Minister of the United States to France. The previous question motion was moved in the words: "Shall the main question be now put?" On this vote the yeas prevailed. The debate was then stopped and the main question was put to an immediate vote. It was a clear instance of the use of the previous question motion in the affirmative form to stop debate.

4. On March 10, 1804, the Senate was sitting as a court of impeachment in the trial of Judge Pickering, and under the rules all motions had to be voted on by yeas and nays in open session. Debate on motions was forbidden except in closed sessions. The previous question was moved, phrased in the affirmative, as the rules required. Written evidence shows that the minority Senators felt that the majority's purpose was cloture—to cut off debate and force the main question to an immediate vote. The Senate was in closed session debating a resolution offered by Senator White of Delaware when Senator Jackson, of Georgia, moved the previous question. To vote on it, it was necessary to open the doors. As indicated, opening the doors stopped the debate, and that was the purpose of moving the previous question. With the doors open, nothing remained except to take the yeas and nays on the controversial resolution, which was thereupon defeated by the same Senators who had cut off the debate.

B. HOUSE OF COMMONS

In the 17th and 18th centuries—from 1604, when it was first used, to 1789, when it was adopted by the first Senate—the previous question was moved on 899 occasions in the British House of Commons. Its effect was to close debate 539 times and postpone 360 times.

From 1790 to 1882—when the House of Commons adopted a specific cloture rule—the previous question motion actually limited debate on no less than 67 occasions. In this later period the motion resulted in postponement on something like 294 occasions.

C. CONTINENTAL CONGRESS

In 1778 a majority of the Continental Congress voted "nay" on a previous-question motion, phrased in the negative—i.e., "That the main question be not now put"—which had been made for the ostensible purpose of postponing debate until the next day. After the vote on the motion a move was made to postpone action on the substantive matter until the next day. A question was then raised if the Congress were not required to proceed to a vote since the previous question was in the negative. The question was put before the Congress itself, and by a 7-to-3 vote it decided that when the negative form of the previous question was passed in the negative they were required to proceed to a vote on the substantive issue before them. In other words, two negatives made an affirmative, and the debate was therewith closed.

D. HOUSE OF REPRESENTATIVES

The House of Representatives has always had the previous-question motion available. From 1789 to 1880 it was the same form as that provided by the early rules of the Senate; namely, "Shall the main question be now put?" In 1880 it was decided that the Speaker on motion should ask for yeas and nays on the ordering of the previous question.

In the House of Representatives the filibuster was used in an effort to prevent a vote in 1811. When the crisis reached its peak on February 27, 1811, it was effectively dealt with when the motion to move the previous question was used six times in one night to force a crucial question to a vote. The event which occasioned its use as a cloture motion was a bitter contest over foreign policy which preceded the War of 1812, and the filibuster was being used to defeat the nonintercourse bill.

The present procedure for invoking the motion for the previous question is set forth in rule XVII of the Rules of the House of Representatives. The annotations to the rule show how it has been developed to its present use as an effective instrument to terminate debate, a procedure in constant use in House deliberations.

Mr. CLARK. Mr. President, I wish to pay a special tribute to the Senator from Illinois [Mr. DOUGLAS] for his efforts in trying to modernize Senate procedure. I am confident that he will be reelected in November and will return to the Senate for 6 more valuable years. He is one of our most valued Senators, and I am sure that he will take a leading part in the effort to bring our Senate rules up to date.

The motion has been used frequently in the House of Representatives for the purpose of ending debate ever since 1811 and is specifically incorporated in House rule XVII. Research done for me by the Library of Congress shows that the same procedure is permitted in practically all of the senates of the State legislatures of the country.

Thomas Jefferson pointed out that this kind of procedure was used in the British Parliament as long ago as 1604. Certainly it cannot be considered a practice alien to sound Anglo-Saxon parliamentary procedure.

Vital senatorial business in the 1960's cannot be handled at the same leisurely pace that has characterized our deliberations in the past. Full and fair debate is desirable, even essential, to the democratic process. Unlimited debate is an abnegation of those processes. Fifteen hours of debate on a given issue, especially if the debate were required to be germane as I have previously proposed, would provide an ample opportunity for the Senate to determine whether it has exhausted the possibilities of productive debate. If not, a majority vote against the previous question motion would permit additional debate. If a majority wished to come to a vote on the pending business, and the motion were approved, there would still be an opportunity for 1 hour of additional debate on each amendment covered by the motion and 4 hours of additional debate on the passage of the bill or resolution.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a memorandum giving a brief summary of State senate rules on limitation of debate. I call particular attention to the rules of the State senates of Florida, Georgia, and Mississippi, in which the previous question may be moved as a matter of course. In Florida and Georgia there is a limitation of 30 minutes on debate under this procedure.

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

THE LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, D.C., August 24, 1960.

To: Hon. JOSEPH S. CLARK.

From: American Law Division.

Subject: Brief summary of State senate rules on limitation of debate. (Taken from latest rules available. Rules for Hawaii and Alaska not available.)

SUMMARY

The motion for the previous question is recognized in the rules of State senates in 37 States, and adoption by majority vote, terminates debate. In 4 other States, like procedure is recognized to permit a majority to bring the pending business to a vote.

Alabama (1957): Debate may be limited by a vote of two-thirds of all elected members (rule 19). Members limited to twice the number of times to speak on one measure and limited to 1 hour each time (rule 37).

Arizona (1958): Previous question authorized rule XVIII. Presumably requires majority vote.

Arkansas (1951): Previous question authorized if seconded by at least five members (rule XV). Presumably requires majority vote. Dilatory motions forbidden (rule XIV, sec. 19).

California (1957): Previous question authorized by majority vote (rule 41).

Colorado (1958): Previous question authorized by majority vote (rule IX). Debate may be limited not less than 1 hour after adoption of motion to that effect by majority vote (rule IX, 3).

Connecticut (1957): When yeas and nays have been ordered by one-fifth of members present, each Senator when his name is called shall declare openly his assent or dissent (rule 10).

Delaware (1957): "Roberts Rules of Order" to settle all parliamentary procedure (rule 24).

Florida (1957): Members may not speak longer than 30 minutes nor more than twice on any one question without leave of the senate (rule 20).

Georgia (1957): Previous question authorized by majority vote (rule 58). Speeches are limited to 30 minutes unless by leave of senate (rule 15).

Idaho (1947): Previous question authorized (rule 4). Presumably by majority vote.

Illinois (1958): Previous question authorized (rule 54). Presumably by majority vote. Members are limited to 15 minutes at any one time without consent of senate (rule 33).

Indiana (1949): Previous question authorized (rule 17). Presumably by majority vote.

Iowa (1957): Previous question authorized by majority vote (rule 12).

Kansas (1957): Previous question authorized (rule 28) presumably by majority vote. No senator may speak more than twice on same subject on same day (rule 15).

Kentucky (1958): Previous question may be ordered by majority of Senators elected (rule 12). Members are limited to one 30 minute speech on a measure until all members desiring to be heard have spoken (rule 21).

Louisiana (1958): Previous question authorized by majority vote (rule 17). Debate may be limited by majority vote so that no senator shall speak longer than 1 hour at one time without leave of senate (rule 9).

Maine (1957): Members are limited to one speech on a measure to the exclusion of any other member without leave of senate (rule 10). Reed's Rules and Cushing's Law and Practice govern whenever applicable (rule 37).

Maryland (1958): Members are limited to one speech on any measure to the exclusion

of any other member. Each member is required to confine himself to the subject (rule 14). Jefferson's Manual governs when not inconsistent with standing rules (rule 92).

Massachusetts (1958): Debate may be closed not less than 1 hour after adoption of motion to that effect (rule 47). Presumably by majority vote. Cushing's Manual and Crocker's Principles of Procedure shall govern when not inconsistent with standing rules (rule 62).

Michigan (1958): Previous question authorized by majority vote of members present and voting (rule 65). Members are limited to two speeches in any one day on the same measure (rule 23).

Minnesota (60th session): Previous question authorized by majority vote (rule 24).

Mississippi (1956): Previous question authorized (rule 112). Presumably by majority vote.

Missouri (1957): Previous question authorized by majority vote of members elected (rule 76). Members are limited to one speech on same question without leave of senate (rule 72).

Montana (1951): Previous question authorized by majority vote (rule XIV). Members are limited to two speeches in any one debate on same day in exclusion of others (rule XII).

Nebraska (1957): Previous question authorized by a vote of a majority of elected members (rule 10). Members are limited to two speeches in any one debate during a legislative day without leave of legislative (rule 1).

Nevada (1951): Previous question authorized by majority of members present (rule 18). Members are limited to two speeches on one question on the same day (rule 44).

New Hampshire (1951): Previous question authorized (rule 9). Presumably by majority vote. Members are prohibited from speaking more than twice on the same day on a measure without leave (rule 4).

New Jersey (1958): Previous question is authorized (rules 41, 43). Presumably by majority vote. Prohibits any members from speaking more than three times on same subject without leave (rule 47).

New Mexico (1958): Permits debate to be closed after 6 hours debate by a majority vote of members present (rule 68). Previous question authorized when demanded by a majority of members present (rule 58). Members are prohibited from speaking more than twice in any one debate on same day (rule 12).

New York (1959): Debate may be limited by majority vote of those present whenever any bill, resolution, or motion shall have been under consideration for 2 hours (rule XIV, sec. 3).

North Carolina (1951): Previous question authorized (rule 57). Presumably by majority vote.

North Dakota (1957): Previous question is authorized (rules 18, 21). Presumably by majority vote. Ordinary members are limited to speak only 10 minutes on same subject, then 5 minutes, until every member choosing to speak has spoken (rule 13).

Ohio (1957): Previous question is authorized on demand of three members (rule 89). Presumably by majority vote. Members are prohibited from speaking more than twice on same question (rule 74).

Oklahoma (1955): Previous question authorized by majority vote of members voting (rule 39).

Oregon (1951): Previous question authorized by majority vote (rule 69). Members are limited to speaking on any question to two times (rule 25).

Pennsylvania (1958): Previous question authorized (rules 9, 10). Presumably by majority vote. Mason's Manual to govern when applicable (rule 34).

Rhode Island (1958): Motion to close debate authorized after consideration for 2 hours (rule 23). Presumably by majority vote. Members are limited to speaking on a measure to two speeches without leave of senate (rule 18).

South Dakota (1957–58): Previous question authorized, if seconded by one-seventh of the members-elect, and adopted by majority vote will end debate (rule 53).

South Carolina (1957): Previous question is authorized if seconded by at least one-seventh of members elected and requires a vote of a majority of members present to carry (rule 53).

Tennessee (1949): Previous question authorized by vote of two-thirds of members present; if rejected, committee of rules may, upon demand of a majority of the members, submit rule fixing of limiting time for debate for adoption by majority of senate (rule 20).

Texas (1949): Previous question authorized by majority vote (rule 101).

Utah (1957): Previous question specifically forbidden (rule 45). Provides that no member speak more than twice in any one debate on same day without leave (rule 42).

Vermont (1957): Previous question specifically forbidden (rule XVIII, 55). Provides that no member shall speak more than twice on same question without leave (rule X, 66).

Virginia (1958): Previous question authorized if seconded by majority of members present (rule 50). Prohibits members from speaking more than twice on same subject without leave (rule 56).

Washington (1957): Previous question authorized by majority vote of members present (rule 30). Prohibits members from speaking more than twice on same subject on same day without leave (rule 16).

West Virginia (1957): Previous question authorized by majority vote (rule 53). Prohibits members from speaking more than twice on same subject without leave (rule 17).

Wisconsin (1957): Previous question authorized on demand of five members (rules 76, 77). Presumably by majority vote. Prohibits members from speaking more than twice on same subject without leave (rule 59).

Wyoming (1957): Previous question authorized when seconded by three members (rule 43). Presumably by majority vote. Prohibits members from speaking more than twice on same subject on same day without leave (rule 32).

GROVER S. WILLIAMS,
Legislative Attorney.

Mr. CLARK. Mr. President, I have submitted five proposed rule changes during the August session of the Senate. I hope very much that they will receive the very careful consideration of the Committee on Rules and Administration, and that they will be reported to the Senate, probably when we come back next January.

I ask unanimous consent that the resolution may lie on the table for 2 days in order that Senators who may desire to do so may have an opportunity to cosponsor it.

The ACTING PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the resolution will lie on the desk, as requested by the Senator from Pennsylvania.

The resolution (S. Res. 372) was referred to the Committee on Rules and Administration as follows:

Resolved, That Rule XII of the Standing Rules of the Senate (relating to voting) is amended by adding at the end thereof the following paragraph:

"4. Whenever any measure, motion or other matter pending before the Senate has received consideration for a total of not less than fifteen hours, any Senator may move the previous question with respect thereto. When such a motion is made and seconded, and a quorum is present, it shall be submitted immediately to the Senate by the Presiding Officer, and shall be determined without debate by yea-and-nay vote. A previous question may be asked and ordered with respect to one or more pending measures, motions or matters, and may embrace one or more pending amendments to any pending measure, motion or matter described therein and the passage or rejection of the pending bill or resolution. If the previous question is so ordered as to any measure, motion or matter, that measure, motion or matter shall be presented immediately to the Senate for determination. One hour of debate, equally divided between opponents and proponents, shall be allowed on any measure, motion or matter, other than the passage or rejection of the bill or resolution on which the previous question has been ordered, and four hours of debate, divided in the same manner, shall be allowed on the passage or rejection of the bill or resolution covered by such order."

COMMISSION ON PRESIDENTIAL OFFICE SPACE—AMENDMENT

Mr. CASE of South Dakota submitted an amendment, intended to be proposed by him, to the bill (S. 3524) to provide for a Commission on Presidential Office Space, which was ordered to lie on the table and to be printed.

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. MOSS:

Address entitled "Water Resources Development: Key to Tomorrow," delivered by Senator GALE W. MCGEE at the Western Resources Conference, Boulder, Colo., August 22, 1960.

By Mr. CANNON:

Address delivered by Senator Moss at the 11th annual summer conference of the National District Attorneys' Association, Boston, Mass., August 13, 1960.

By Mr. HUMPHREY:

Article entitled "America's Way of Hope—Family Farming," written by Senator HUMPHREY and published in the July 1960 issue of Catholic Rural Life.

OBSERVATIONS CONCERNING SOUTH AFRICA

Mr. ERVIN. Mr. President, one of my constituents, Mrs. Gladys Childs, of Lincolnton, N.C., who was born of English ancestry in South Africa, wrote me an interesting letter on August 4, 1960, setting forth her first-hand observations concerning that distant land. Believing as I do that her observations may aid us in appraising realistically some of the problems confronting South Africa, I ask unanimous consent that her letter be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD.

LINCOLNTON, N.C., *August 4, 1960.*

Senator SAM ERVIN,
Morganton, N.C.

DEAR SENATOR ERVIN: This may be a long letter which you may or may not find time to read, but one I feel compelled to write.

To introduce myself, I was born in South Africa. My parents were British born South Africans. My late father was head of the highway division in Natal, South Africa.

Because of these facts, and the unrest presently in South Africa, I would like to pass along some firsthand knowledge of the natives over there.

I grew up alongside of the Zulus. I know their temperament. Americans cannot possibly understand the thought of the Africans, because they are not there long enough to absorb the depths of their brand of thinking, and of course I refer to the 80 million blacks compared with the some 2 million whites in southern Africa.

Ironically enough, my two sisters and I learned the Zulu language before we even perfected our own, due mostly to our colored servants who did not learn our language, so we learned theirs. I played with the children of our colored servants. There was never any question of integrated social life however. We respected them. They respected us. There was a bond of understanding. This was the domestic side of my early growing up years. My father provided good living quarters for our servants. They did not live in grass shacks. The natives of Africa differ according to their area environment. They speak some 300 different dialects, according to those areas, which affect their thinking.

While I was still very young there was a native uprising, a native rebellion. My father came home at 7 o'clock one evening and said we just had time to pack some personal clothing and catch the 9 p.m. train to Durban, the only train out of Vryheid where we were living. He was called out to fight. He was in the Natal Carbineers, similar to the National Guard here.

It was many, many months later when we returned to our home and found it to be in beautiful order, with table resplendent with silver appointments like it used to be, thanks to the faithful colored servants.

The tales my dad told about that native rebellion still make my hair curl. How the blacks speared the whites to trees, eyeballs hanging out and tongues protruding. They used assegais, and attacked en masse. If they had had organized modern procedures I would not be writing this letter. Your stories on American Indians could probably match above. They were so true.

We have again in South Africa Indians from India. The coolie who is more or less in the agriculture field, growing vegetables, selling them by hawking them from door to door. The Indian cooks, excellent ones, and then the Moslems. I came mostly in contact with these while working in a law firm in my teens in another town we had moved to. The latter Indians were the rich merchants who could afford the most expensive cars. The caste system was much in evidence, and despite contrary opinion I believe still exists in India.

The Indian merchants serviced the colored race and some whites. They did try on many occasions to outdo the blacks and friction resulted.

After the sudden deaths of my parents, 6 months apart, and the return from northern Nigeria from the Ropp Tin Mines of my fiance, a school romance, I married and went to live on a Winterton Settlement farm purchased by my husband and his two brothers.

Here I came in contact with the more or less heathen type native, some 100 of them. They lived in mud rondavels with thatched roofs, very clean mud floors. Their cooking consisted of a three-legged black pot over a small wood fire. In it they would place some water, a little salt, when it boiled they threw in a handful or two of corn meal and stirred it for a few minutes. This they made into cones with their hands and ate it, drinking cold clear water from the spring. At times they would mix pumpkin with the meal, or eat it with sour thick milk. We called this "pootu and marse" (I spell it like it is pronounced). In fact many a time my husband bypassed lunch for a plate of pootu and marse. I liked the meal cones and the soured milk separate.

One thing the Zulus loved was "dead" meat. If anything died they would unearth it, cook it and eat it before we could intervene. Heaven knows how they survived other than a stomach ache from gorging. The Zulus were strong, husky, healthy, had strong white teeth, were never sick, never needed a doctor, did not wear clothes, other than skin skirts or a blanket for the women, and brief strategic covering for the men. They were a happy, contented people, very, very superstitious. They loved to steal, rather than ask for what they wanted. Tea and lard were the things they loved to steal most. The lard was used to grease their legs. We treated them kindly but firmly. They respected us. We knew their language and could converse with them and make them understand. I made uniforms for my house servants as I did not want them serving meals too unclad, although we never thought of them as "naked." We grew up with it and it was not an issue.

Our settlement farms adjoined. We had 365 acres. Top lands of 200 acres in corn, cotton, etc., and 65 acres under irrigation. We planted wheat, tobacco, vegetables, and always had a fruit orchard. We had cows, and oxen for the plows. We sold milk and butter to the dairies, and raised chickens and hogs, and had pets.

The Zulus did not respect a farmer who could not speak their language or who was too soft with them. An elderly Scotch couple had a farm on our right. A family from the goldfields on our left. A little further on a family, white, from India, and then there was another lovely family about 20 minutes walk away from us. The last-named farmer had occasion to use a sjambok on an umfaan for some misdeed. He was a little strict. The next day 30 of Laurie's best $150 each cows lay dead side by side in the kraal.

The natives tried to burn out the Scotch couple twice and each time we saved them. The natives poisoned five of their donkeys. They put enough arsenic of soda in the milk of the farmer who had the settlement post office to kill off his whole family, but by the grace of God it was discovered in time. Our stock was unharmed, we were the only ones who did not come under the poison session. Primarily because the natives knew my husband, although a young man, was boss, kind but firm, no monkey business, and so they respected him.

Zulus ridiculed farmers who could not effectively speak their language and who were soft with them, that is letting them have their own way too much.

In the cities the situation was different. The semieducated native who learned the white man's language was dangerous. The groups were called "lighter gangs." No one dared leave a door or window open at night. An intruder would take advantage of it. Heavy hail guards on windows served a double purpose. Keeping out hail and blacks. Screens were most inadequate.

I have returned to Africa for visits since coming to the States with my South African husband (now deceased). We pioneered in the Everglade swamps before coming to Lincolnton to the tin mine.

I was appalled at the change in South Africa. Since the war thousands of natives have moved from the farms to the cities. Being housed in rooms, eating the white man's foods, tasting of unprepared civilization, thousands find themselves in TB hospitals. Now they are expecting to take over the white man's possessions. Freedom to them means walking in and taking over the white man's home, his possessions, and his wife, living like kings, and when it is all over then what? They are too unprepared for the meaning of freedom. Instead of being proud of their own race, building a life for themselves, which I am sure clear thinking people would respect, they want it handed to them on a silver platter because their minds are not yet conditioned to what makes a way of life.

Before the black man is entitled to freedom he must first educate his thinking, and discipline his emotions, and earn the respect of the white man, who I am sure would help him more voluntarily.

Many Americans see the situation in Africa emotionally. The poor blacks, they say, and those cruel whites. People from England thought the same way—until they lived 6 months in Africa, and then they quickly reversed their thoughts. These things I know first hand.

Today Durban, the most beautiful city in the world to me (my paternal grandfather once owned a big slice of the center of the city) is being overrun with semi- and uneducated blacks. A little knowledge is very dangerous used wrongly. There is not enough housing or work for whites, and the coloreds want to bypass the menial jobs for the top rung of the ladder, rather than climb it. They will kill to have.

Now there is another side to this Africa of mine. The Dutch government. Most of this white race is on a par with the great Mr. K. Need I say more? They are a little on the cruel side in dealing with the hordes of blacks, and at the same time do not have a great love for the British born South African who has been responsible for the beauty of the progress down the years. The Dutch, most of them, are crude and more or less uncultured. In the beginning, as you know the blacks had Africa, the Dutch took it away from them in the Boer War, at least prior thereto, and the British took it from the Dutch in the Boer War. My father and his four brothers were in the siege of Ladysmith. They received recognition from Lord Roberts. Now the Dutch want to get the country back from the British and the blacks want it back from the Dutch, and we are going back to the dark ages if a constructive solution is not brought about pretty soon.

Actually the male South African native has been the worst offender on down through the years. He is the one who breaks into people's homes, robs, and sometimes kills.

There are native beer canteens in the cities which do not help emotions. On the farms the natives make their own "Twali" from mabela. It is a reddish color and the taste may appeal to some.

We did not want to be killjoys. When there was a celebration of a native wedding we let the natives have their "Twali," but, we supervised the quantity they drank, otherwise emotions would have turned into savagery.

Now there are many cultured and educated South African natives, but they are in the minority group. To be true leaders they must use their heads and their understanding, and not lose themselves emotionally.

I spent a night in the Belgian Congo, at Leopoldville, en route home for a visit by KLM airlines. French is the main language spoken in that section, and I do not know French.

I regret when the Supreme Court ruling did not say when passing the civil rights bill, "First you colored peoples must educate your thinking and discipline your emotions and prepare yourselves to take your place on a white level, prepare yourselves by making your own schools and churches strong, make

your own way of life in the business and social world, make of yourselves a race to be respected, rather than wholesale integration—running before you can walk." Why would God make the colors of the races different if He meant them to be as one?

Before the passage of that drastic ruling, the whites and blacks of Lincolnton got along fine, one with the other. There is no language barrier between whites and blacks. The color was not recognized as an issue until the ruling. Now the white youth here are antagonistic and hurl insults at a white woman if she is seen talking to an old faithful colored person she has known for years. This happened a few days ago to a young, lovely teenage girl who was speaking to an old colored servant. The servant was embarrassed and apologized to the white girl, who was gracious and sympathetic to the situation and ashamed of her race at that moment. The blacks here have been made very conscious of their color, which they had accepted before. Now there is fear—fear of being seen together, white and black.

I am president of the Lincolnton Little Theater, Inc., and direct its variety shows. Because of this coming integration in schools, Mrs. James R. Sigmon, my dance instructress, and I have been going out to the colored school here each Wednesday afternoon for an hour or so and giving them free training in how to walk, etc., and teaching them tap dancing and other routines. During the summer, these children, small to teenage size, have been having supervised recreation under the city schools program. We are encouraging them to perfect their own way of life, to be proud of their race enough to be prepared for what may come. We also encourage them to train for variety shows, to put on at their own schools, to make money for their schools, which, incidentally, here are almost better than the white schools. Then, too, they will have their own officers and their own little theater. We feel bringing out the best in them may prevent delinquency. I have 44 young people in our junior theater and about 20 in the adult theater (white).

I am a lone wolf, so to speak; no relatives here other than an American-born son whom I have not seen in 10 years—and I can't just sit and cry in my soup. I work for a justice of the peace and am the Lincolnton correspondent for the Charlotte News. I was with the Lincoln County News for 7 years and covered your speeches when you were in this area. I am a hundred-percent Democrat in my thinking and thoroughly enjoyed the two conventions, especially the Democratic one. I loved every minute, because I learned face to face on TV more about the top executives in this country. I watched the Republican convention because I wanted to know something about their procedures. Theirs seemed so cut and dried—no competition, actually. I think Senator KENNEDY has a very tough campaign, and I think people who make an issue of religion are stupid. I was given to understand that this country was founded on "freedom of worship," so why censor a man for his choice and call him a heathen because he chose to be a Catholic? My own son, an Episcopalian, attended Belmont Abbey College, and they certainly did not try to make a Catholic out of him. Catholic schools and hospitals are very efficient. I grew up with Jews and Catholics and coloreds, and I have learned a great deal down the years.

Excuse me, Mr. Senator; I did not mean to write a book. I am concerned about South Africa and I read an article of yours on the situation in the Congo, and you made very good sense, so maybe you can help others to understand that we whites in South Africa—now sleeping with guns under the pillows—have a side, too, which needs understanding. All my family live in the various danger spots, and I know them all firsthand. The British South Africans are the ones who most need sympathy; they like peace, and they built South Africa culturally. They are kinder to the black man, and the black man has more respect for the British South African.

End of page and end of me.

Sincerely,

MRS. GLADYS CHILDS.

SENATOR KENNEDY AND THE EDUCATIONAL DEVELOPMENT OF AFRICA

Mr. LONG of Hawaii. Mr. President, there has been pointed discussion in this Chamber of the case of the African students. One of our colleagues from across the aisle has felt moved to criticize the Kennedy Foundation for undertaking to pay the transportation costs of 250 students from several countries of east Africa who have received scholarships and fellowships to attend American universities.

The criticism implied that the transportation grants, amounting to $100,000 for a year, were offered to attract political support for the Senator from Massachusetts [Mr. KENNEDY] in his campaign for the Presidency of the United States. It was further implied that this interest in the education of African students was a sudden one, stemming perhaps from the Los Angeles convention of the Democratic Party.

Mr. President, only eyes blinded by the dust of partisan politics can see in this grant—unpublicized until this cry was raised on the floor of the Senate last week—anything but a desire to promote the interests of the new countries of Africa and to better our relationships with them. As the junior Senator from Montana, the junior Senator from Minnesota, and the junior Senator from New York then indicated, it is reprehensible to seek, in the actions of charitable and civic foundations, political motivation.

The record is clear that the Senator from Massachusetts [Mr. KENNEDY], through his experience as chairman of the Senate Foreign Relations Subcommittee on Africa, has for some time been concerned with the critical need for assisting the emerging young leaders of Africa to get the training they want in American universities.

The other evening I was going through the Senator's new book, "The Strategy of Peace," and read with special interest his speech on this very subject, given at Wesleyan University, Lincoln, Nebr., on October 13, 1959. Other Members may not yet have seen this statement, and I therefore ask unanimous consent that it be printed at this point in the RECORD.

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

STATEMENT BY SENATOR JOHN KENNEDY

Regardless of what Africa has been in truth or in myth, she will be that no longer. Call it nationalism, call it anticolonialism, call it what you will, Africa is going through a revolution.

Africans want a higher standard of living. Seventy-five percent of the population now lives by subsistence agriculture. They want opportunity to manage and benefit directly from the resources in, on, and under their land. They want to govern their own affairs believing that political freedom is the precondition to economic and social development. Most of all, they want education—for education is in their eyes the backbone to gaining and maintaining the political institutions they want. Education is the means to personal and national prestige. Education is, in truth, the only key to genuine African independence and progress.

I believe that most Americans are sympathetic to these desires of the African people. After all, it was in our schools that some of the most renowned African leaders learned about the dignity and equality of men, and saw in practice the virtues of representative government, widespread education, and economic opportunity. These are the ideas and ideals that have caused a revolution—a largely bloodless revolution, but no less far reaching for that.

But having been the catalyst to many of these changes, do we see the implications to ourselves? We cannot simply sit by and watch on the sidelines. There are no sidelines. Under the laws of physics, in order to maintain the same relative position to a moving body, one cannot stand still. As others change, so must we, if we wish to maintain our relative political or economic position.

The African peoples believe that the science, technology, and education available in the modern world can overcome their struggle for existence. They believe that their poverty, squalor, ignorance, and disease can be conquered. This is their quest and their faith. To us the challenge is not one of preserving our wealth and our civilization—it is one of extension. Actually, they are the same challenge. To preserve, we must extend. And if the scientific, technical, and educational benefits of the West cannot be extended to all the world, our status will be preserved only with great difficulty—for the balance of power is shifting, shifting into the hands of the two-thirds of the world's people who want to share what the one-third has already taken for granted. Within 10 years, for example, African nations alone may control 25 percent of all U.N. votes.

To thus extend ourselves will require a political decision. But such a decision will take economic and educational forms. For what Africa needs and wants first is education, to know how to develop the resources and run the industries and administer the government; and second, capital, for without the initial capital—to develop the resources and spur the trade—they will never generate sufficient capital themselves to provide for expanding services and development. An initial injection of capital, personnel to train others, and scholarship opportunities is necessary to start this spiral on its way.

As chairman of the Senate Foreign Relations Subcommittee on Africa, I have proposed that we in the United States establish an Educational Development Fund for Africa, and that, in cooperation with many nations, there should be established a multinational Economic Development Fund for Africa. These, or better proposals to accomplish the same purposes, must be carried through while the initiative for constructive and peaceful action is still open to us.

If African progress falters because of lack of capital and education, if these new states and emerging peoples turn bitter in their taste of independence, then the reason will be that the Western powers, by indifference or lack of imagination, have failed to see that it is their own future that is also at stake. As Economist Barbara Ward stated it, "The profoundest matter at stake in Africa is the quality and capacity of Western society itself." Will we accept this challenge—or will it be that some future historian will say of us, as of previous civilizations, that "where there is no vision the people perish"?

PROJECTS APPROVED BY THE COMMITTEE ON PUBLIC WORKS AND SUMMARY OF THE WORK OF THE COMMITTEE DURING THE 2D SESSION, 86TH CONGRESS

Mr. CHAVEZ. Mr. President, in order that the Members of the Senate and other interested parties may be advised of projects approved by resolution of the Committee on Public Works, in accordance with existing law, I submit for inclusion in the CONGRESSIONAL RECORD information on this matter.

The first is a list of six building projects approved by the committee on August 16, 1960, under authority of the Public Buildings Act of 1959. Approval of these buildings is based on prospectuses submitted by the Administrator of General Services.

The committee also approved three small watershed projects under the provisions of Public Law 566, 83d Congress, as amended.

On August 22, 1960, I wrote a letter to the Senator from Texas [Mr. JOHNSON], the majority leader of the U.S. Senate, transmitting to him a report of the legislative accomplishments of the Committee on Public Works for the 2d session of the 86th Congress. I ask unanimous consent that the letter be printed in the RECORD, together with a summary of the activities of the Committee on Public Works, U.S. Senate, 86th Congress, 2d session.

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

Projects under Public Buildings Act (Public Law 249, 86th Cong.) approved by committee Aug. 16, 1960

Location	Type	Estimated cost
Des Moines, Iowa.	Construction	$10,335,000
Alexandria, La.	Alteration and extension	2,515,000
Boston, Mass.	Construction	4,970,000
Detroit, Mich.	Alteration	4,340,000
Fayetteville, N.C.	Construction	2,690,000
Fort Worth, Tex.	do	20,600,000
Total		45,450,000

Projects under the Watershed Protection and Flood Prevention Act, Public Law 566, 83d Cong., as amended, approved by committee Aug. 16, 1960

Project	Estimated Federal cost
Fourche Maline Creek, Okla.	$2,682,260
Leader-Middle Clear Boggy Creek, Okla.	1,230,454
Plum Creek, Tex.	2,284,068
Total	6,196,782

AUGUST 22, 1960.

Hon. LYNDON B. JOHNSON,
Majority Leader, U.S. Senate,
Washington, D.C.

DEAR LYNDON: It is with a measure of great pride that I transmit to you a report on the legislative accomplishments of the Committee on Public Works for the 2d session of the 86th Congress.

Ours is a committee which authorizes the truly creative projects for a whole Nation and thus fulfills the most vital of economic necessities. You will note that 58 measures were referred to the committee of which 11 became law together with 12 other bills which were included in other legislation that became law. Of these, we authorized over $1 billion for each of fiscal years 1962 and 1963 to advance our ABC system of highways, park roads and trails, parkways, Indian reservation roads, and public lands highways. The omnibus flood control—river and harbors bill which when signed into law authorized over $1.4 billion for flood control projects, river and harbor improvement, and navigational improvement and development. Pursuant to the Public Buildings Act of 1959, the committee authorized the construction of $919,885,000 in new Federal buildings across the Nation, and $37,176,050 worth of alterations for old Federal buildings was approved. Unfortunately, the efforts of the committee and Congress to amend and expand the Water Pollution Control Act were for naught as the President vetoed the legislation. You will also note that the committee approved various watershed protection and flood prevention projects in critical areas. Many other local projects are manifest in this session's work of the committee.

I think you readily understand why I have always considered this committee to be one of the most vital to our Nation, and one which, I am happy to say, escapes the criticism of partisanship. I feel certain that all Americans can take pride in the activities of this committee for this session.

Committee activities for the 1st session, 86th Congress, appear in the CONGRESSIONAL RECORD, volume 105, part 15, pages 19637 to 19640.

With kindest regards, I am,

Sincerely,

DENNIS CHAVEZ,
Chairman.

SUMMARY OF ACTIVITIES OF THE COMMITTEE ON PUBLIC WORKS, U.S. SENATE, 86TH CONGRESS, 2D SESSION

Under the provisions of the Legislative Reorganization Act, the Committee on Public Works of the U.S. Senate has jurdisdiction over legislation relating to flood control, improvements of rivers and harbors for navigation, public buildings, public roads, water power, bridges over navigable waterways, pollution control of navigable and interstate waters, and public reservations and parks in the District of Columbia.

During the 2d session of the 86th Congress there were 58 measures referred to the committee. The committee approved 27 bills, of which 12 were passed by both Houses, and 11 became public law. In addition, 12 measures referred to the committee were included in other bills and became law.

Among the measures approved by the committee was the very important legislation such as the Federal-Aid Highway Act of 1960; the Omnibus River and Harbor and Flood Control Act; authority for the General Services Administration to construct, alter, and acquire public buildings for the Federal Government; and amendments to the Water Pollution Control Act of 1956, which was vetoed by the President.

In compliance with the provisions of Public Law 1018, 84th Congress, the committee approved 15 watershed protection and flood prevention projects. These projects involve a total cost of more than $43 million, of which about $26 million would be Federal cost.

Under the provisions of the Public Buildings Act of 1959, Public Law 249, 86th Congress, the committee approved the construction of 79 public buildings having an estimated Federal cost of $919,885,000, and alterations, extensions, and remodeling of 37 existing Federal buildings having an estimated cost of $37,176,050.

Hearings were held by the committee and subcommittees for 14 days. Survey reports on flood control and navigation projects were received and reviewed. Reviews of previous reports covering 50 basins and localities were authorized by resolutions of the committee. Surveys of buildings projects by GSA at eight locations were authorized by resolutions of the committee.

Four nominations were approved.

There follows herewith a tabulation of measures reported by the committee, with their final disposition, and a discussion of the important measures that were approved by the committee.

Bills and resolutions enacted into law as of Aug. 22, 1960

Public Law No.	Date approved	Provisions	Estimated cost	Public Law No.	Date approved	Provisions	Estimated cost
	1960				*1960*		
388	Feb. 20	Amending the act relating to rail transit crossing across the Bay of San Francisco.	0	469	May 14	To authorize preliminary study and review of proposed additional building for the Library of Congress.	$75,000
395	Mar. 28	Authorizing purchase of certain property in the District of Columbia and conveyance to the Pan American Health Organization for use as a headquarters site.	$875,000	477	May 26	Authorizing Architect of Capitol to permit certain temporary and permanent construction work on the Capitol Grounds.	0
399	Mar. 31	Authorize the construction of the Bardwell Reservoir, Waxahachie Creek, Tex.	6,992,000	608	July 7	To permit conveyance of certain real property of United States to States, municipalities, etc., for highway purposes.	0
458	May 13	Provide for conveyance to Orange County, Calif., right, title, and interest of the United States to certain real property.	0	645	July 14	To authorize construction of public works on rivers and harbors for navigation, flood control, beach erosion control, and other purposes.	1,445,694,300
462	do	To change the name of locks and dam No. 41 on the Ohio River to McAlpine locks and dam.	0	657	do	To authorize appropriations for fiscal years 1962 and 1963 for construction of certain highways (the Federal-Aid Highway Act of 1960).	2,089,500,000
466	do	To provide better facilities for enforcement of the customs and immigration laws, to increase amounts authorized to be expended.	0				

Bills reported by Committee on Public Works and passed by Senate

Bill No.	Date approved	Provisions	Estimated cost
	1959		
S. 219	Apr. 29	To provide for construction of a fireproof annex building for use of the Government Printing Office.	$5,251,000
S. 846	May 20	To rename the lock and dam on the Ohio River near Cannelton, Ind., as the George Ewing lock and dam.	
	1960		
S. 1511	Apr. 11	To provide for the annual audit of bridge commissions and authorities created by act of Congress, for the filling of vacancies in the membership thereof, and for other purposes.	
S. 2919	June 18	To provide that the Secretary of the Smithsonian Institution shall study and investigate the desirability and feasibility of establishing and maintaining a national tropical botanical garden.	10,000
	1960		
S. 3108	June 28	To provide for public hearings on air pollution programs of more than local significance, and to extend the duration of the Federal air pollution control law.	0
S. 3260	do	To authorize the Secretary of the Army to modify certain leases entered into for the provision of recreational facilities in reservoir areas.	0
S. Res. 247	Mar. 24	To authorize the Committee on Public Works to employ additional temporary personnel, and providing additional funds for the committee.	$125,000

Bills reported by the Committee on Public Works

Bill No.	Date approved	Provisions	Estimated cost
	1960		
S. 3324	June 30	Authorizing the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, to the Pioneer National Monument Association.	0
S. 3625	Aug. 11	To establish a Wabash Basin Interagency Water Resources Commission.	0
S. 3524	Aug. 18	To provide for a Commission on Presidential Office Space.	$17,850,000
H.R. 900	do	To validate certain overpayments inadvertently made by the United States to several of the States.	72,452
H.R. 2178	do	To authorize the Secretary of the Army to make certain changes in the road at Whites Branch, Grapevine Reservoir, Tex.	180,000
	1960		
H.R. 9377	Aug. 18	Providing for the protection of forest cover for reservoirs under jurisdiction of the Secretary of the Army.	0
H.R. 12530	do	Authorizing adjustment of rentals under leases for commercial facilities at the John H. Kerr Reservoir, Va. and N.C.	0
S. 3681	do	Authorizing the Rhode Island Turnpike and Bridge Authority to combine for financing purposes bridge across West Passage Narragansett Bay with the Newport Bridge.	0

Bills vetoed by the President

Bill No.	Date vetoed	Provisions	Estimated cost
H.R. 3610	Feb. 22, 1960	Amending the Federal Water Pollution Control Act to increase grants for construction of sewage treatment works. Veto message in H. Doc. 346.	$400,000,000

FEDERAL-AID HIGHWAY ACT OF 1960

(Public Law 657, 86th Cong.)

The Federal-Aid Highway Act of 1960 provides for a continuation of the regular Federal-aid highway program for an additional 2-year period, for fiscal years 1962 and 1963, as well as for certain of the road systems on the public domain. It also changes the sliding scale ratio of Federal-aid participation in public land States; provides for advance reimbursement on Federal-aid projects undertaken by a Federal agency; permits Federal participation in approach roads to ferry facilities; provides for inclusion of the estimated cost of completing the additional 1,000 miles of the Interstate System in the future cost estimates; and makes technical changes in the Federal-aid highway laws.

The act authorizes $925 million for the regular Federal-aid systems for each of fiscal years 1962 and 1963. These funds are available for expenditure on the Federal-aid highways as follows:

System	Fiscal years	
	1962	1963
Primary (45 percent)	$416,250,000	$416,250,000
Secondary (30 percent)	277,500,000	277,500,000
Urban (25 percent)	231,250,000	231,250,000
Total	925,000,000	925,000,000

Apportionment to the several States will be in the manner now provided by law. Matching for these categories is on a 50–50 basis, adjusted for the sliding scale for public land States.

The law also provides other authorizations for roads on Federal lands and reservations as follows:

Forest highways, $33 million for each of fiscal years 1962 and 1963.

Forest development roads and trails, $35 million for fiscal year 1962, and $40 million for fiscal year 1963.

Roads and trails in national parks, monuments, and other areas administered by the National Park Service, $18 million for each of fiscal years 1962 and 1963.

Parkways, $16 million for each of fiscal years 1962 and 1963.

Indian reservation roads and bridges, and roads and bridges to provide access to Indian reservations and Indian lands, $12 million for each of fiscal years 1962 and 1963.

Public land highways, $3.5 million for fiscal year 1962, and $3 million for fiscal year 1963.

Public Law 657 amends the existing law to provide for the use of both reserved and unreserved lands in the public domain, and nontaxable Indian lands, individual and tribal, but exclusive of national forests and national parks and monuments, in computing the State matching share on Federal-aid highway projects in public lands States. Existing law permits only the use of unappropriated and unreserved public lands and nontaxable Indian lands. The Federal share payable on account of projects in States containing areas of such lands in excess of 5 percent of the total area of such States, is increased by a percentage of the remaining cost equal to the percentage that the area of the public lands is to total area of the State. The Federal share on the regular ABC systems which is normally 50 percent is thus increased above that percentage in the public lands States, being highest in Alaska where the reserved and unreserved public domain lands are 89.86 percent of the total area of the State, and the Federal participation in Federal-aid highway projects is 94.93 percent. On the Interstate System the Federal participation is normally 90 percent, but the sliding scale ratio adjustment in public lands States cannot permit the Federal share to exceed 95 percent.

Public Law 657 also provides for the inclusion of the cost of completing the 1,000 additional miles of the Interstate System authorized by the Federal-Aid Highway Act of 1956, in the next estimate of cost of completing the Interstate System to be submitted to the Congress, which will be in January 1961.

RIVERS AND HARBORS AND FLOOD CONTROL

(Public Law 645, 86th Cong.)

The second session of the 86th Congress approved a comprehensive rivers and harbors, beach erosion control, and flood control bill, the first general authorization bill since the Flood Control Act of 1958. This act will carry forward the important programs for development and improvement of the rivers and harbors of our Nation, for protection of our citizens against the rav-

ages of flood waters, and for general development of the water resources of our country.

It is believed that additional authorization is advisable at this time to continue the unified basin water resources development now in progress, to modify basin programs where changing conditions have shown the necessity for additional or altered improvements, and to provide for individual projects found to be feasible and justified. Completion of the projects authorized in Public Law 645 will contribute substantially to the economic expansion of the Nation.

In addition, Public Law 645 declares the policy of Congress that owners and tenants whose property is acquired by the Federal Government for public works projects shall be paid a just and reasonable compensation therefor, and authorizes the payment of a purchase price, after full and complete negotiation with the property owners, which will take into consideration this established policy. It also authorizes the Secretary of the Army to keep the owners and occupants advised as to the probable timing for the acquisition of project lands and other matters affecting them, after initial appropriations are made for a project, public meetings at convenient locations will be held in order to advise the owners and tenants to be displaced of the proposed plans for acquisition of their property. The Chief of Engineers is required to issue regulations for the dissemination of information to those affected on appraisals, legal rights, condemnation proceedings, payments, removal, easements, use of land, and other pertinent matters.

The Omnibus Act further amends the existing law relative to beach erosion control; provides for the expenditure of $2 million annually for construction of small navigation projects where justified, with a limitation of $200,000 for a project at any single locality; provides for the utilization and improvement of existing roads for access to public works projects, and clarifies the responsibility of the Chief of Engineers with respect to replacement of existing public roads necessitated by construction of water resource development projects; provides for the sale of surplus land for port development at water resource projects; and provides for the expenditure of $1 million annually for the compilation and dissemination of information on floods, flood damages, and flood hazards in the flood plains of the streams of the Nation.

The total authorizations contained in the omnibus bill is $1,445,694,300 for 120 projects located in 37 States, including $60 million for the Bureau of Reclamation in the Missouri River Basin. It also authorizes 19 new navigation and 11 flood control surveys to be carried out in 14 States. The authorizations divided by major categories are as follows:

Monetary summary of Public Law 645—(cost of new work)

Navigation (56 projects)	$203,519,300
Flood control (44 projects)	277,589,200
Beach erosion control (9 projects)	22,345,800
Basin authorizations (11 projects)	942,240,000
Total	1,445,694,300

WATER POLLUTION CONTROL

The Water Pollution Control Act Amendments of 1956 authorized the Surgeon General to make grants to any State, municipality, or interstate agency for the construction of necessary treatment works to prevent the discharge of untreated or inadequately treated sewage or other waste into any waters, and for preparation of reports, plans, and specifications in connection therewith. These grants are made to appropriate State agencies for allocation to projects, are limited to 30 percent of the estimated cost of the project, or $250,000, whichever is the smaller, the grantee to pay the remaining cost. Apportionments are made to the States on the basis of 50 percent on ratio of population and 50 percent on the ratio of per capita income.

The grant program authorized an appropriation of $50 million for each fiscal year, or an aggregate of $500 million, with at least 50 percent of the funds to be used for construction of treatment works serving municipalities with populations of 125,000 or less.

The act established a Water Pollution Control Advisory Board composed of the Surgeon General and nine members appointed by the President, none of whom shall be Federal officers or employees.

The act also includes provision for enforcement measures against pollution of interstate waters in or adjacent to any State or States which endangers the health or welfare of persons in a State other than that in which the discharge originates. This will be done by conferences, discussions, hearings, notices of remedial action necessary, study by appointed board, and court action.

The water pollution control program has proved very popular all over the Nation, and has served to stimulate construction of municipal waste-treatment facilities, and its success has resulted in construction which will clean up over 14,000 miles of our streams for a large number of water uses. Considerable expansion of the program is necessary to eliminate the huge backlog of construction needs and provide for plant obsolescence and population growth.

In matching the Federal funds, experience has shown that for each dollar of Federal aid received, local agencies spend $4 of their own. In the first 5 fiscal years of the program, authorizations have totaled $250 million and appropriations have been $230 million. In the President's budget for 1960 he recommended an appropriation of $25 million, and for 1961 an appropriation of $20 million for the program, but Congress appropriated $45 million for each of those fiscal years.

Recognizing the tremendous value of this program and the need for further stimulating construction of waste-treatment facilities, the Congress passed H.R. 3460, which would have increased the grant limitation on projects from $250,000 to $450,000; the annual authorization for appropriations from $50 million to $90 million; the total authorization from $500 million to $900 million; and would permit construction of joint facilities to serve more than one municipality with each community obtaining the appropriate Federal grant. It would also increase from 12 to 18 months the period during which a State must obligate funds allotted to it, and would make the provisions of the Davis-Bacon Act applicable to these projects.

On February 22, 1960, the President vetoed H.R. 3460, stating that the primary responsibility for solving the water pollution problem rests with State and local governments, rather than with the Federal Government, and that the promise of a large-scale program of long-term Federal support would tempt municipalities to delay essential water pollution abatement efforts while they waited for Federal funds. The Congress failed to override the President's veto of H.R. 3460.

PUBLIC BUILDINGS

Public Law 249, 86th Congress, vests authority and responsibility in the Administrator of General Services for acquiring, constructing, altering, improving, or extending public buildings and acquiring the necessary sites or additions to sites in connection therewith. It recodified existing public building laws, retains many of the desirable features of the Public Buildings Act of 1926, and deletes many features of various laws no longer applicable or desirable.

The act establishes a logical method of securing approval of public building projects unquestionably needed throughout the country. Approval by resolutions of the Committee on Public Works of the Senate and the House of Representatives is required for construction or acquisition of any building involving an expenditure of $100,000, or alteration of an existing building which costs in excess of $200,000. For securing consideration of such approval, the Administrator of General Services is required to submit a prospectus to Congress outlining the details of the proposed project. The estimated maximum cost of any approved project could be increased by a percentage increase in construction or alteration costs over that set forth in the prospectus, but not to exceed 10 percent of such estimated maximum cost.

The committees may rescind by resolution their approval of any project for construction, alteration, or acquisition, for which an appropriation has not been made within 1 year after the date of such approval, at any time thereafter before such an appropriation has been made. The committees cannot approve any project when there are 30 or more projects costing in excess of $100,000 which have been approved for more than 1 year but for which appropriations have not been made, until approval has been rescinded or appropriations have been made which results in there being less than 30 such projects.

The act authorizes the Administrator to carry out any authorized construction or alteration by contract if deemed advantageous; to temporarily employ by contract or otherwise, the services of architectural or engineering corporations, firms, or individuals, to the extent such services are required for any authorized public building project; and places the responsibility for approval and administration of contracts, vouchers, and payments, in the Administrator.

The Administrator of General Services and the Postmaster General are authorized to make such building project surveys as may be requested by resolution of either Committee on Public Works, and make a report thereon to the Congress containing the information included in a public building prospectus. The Administrator is required to submit a report to Congress each January on the status and progress on uncompleted projects approved under the act, and is authorized to make a continuing investigation and survey of the public building needs of the Federal Government, with the advice, cooperation, and assistance of all Federal agencies, and to submit to Congress prospectuses on projects deemed necessary and distributed equitably throughout the United States, with due regard to the comparative urgency of the need for each particular building. The act also authorized the Administrator to enter into leases of public buildings or office space for periods of 20 years instead of 10 years under existing law.

The act defines various terms used therein such as Federal agency, executive agency, alter, and construct, and defines the term "public building" to include single or multitenant occupancy buildings, grounds, approaches, and appurtenances, generally suitable for office or storage space, such as Federal office buildings, post offices, customhouses, courthouses, warehouses, etc., but not to include buildings and construction projects on the public domain, on properties of the United States in foreign countries, on Indian and native Eskimo lands held in trust, on lands in connection with Federal programs, on military installations, on Veterans' Administration installations, and other projects specifically excluded.

The act does not apply to construction of small public buildings outside the District of Columbia authorized by the Public Buildings Act of 1926; to projects authorized in the Independent Offices Appropriation Act, 1959, including Federal office buildings Nos. 6 and 7 in the District of Columbia and the U.S. mission to the United Nations building; to lease-purchase projects under construction; to public buildings for which an appropriation for direct construction by an executive agency other than the General Services Administration has been made prior to the date of enactment of this act; and it also exempts smaller buildings of the Customs and Immigration and Naturalization Services, and buildings constructed with unappropriated funds.

To date the committee has approved 79 Federal building projects in 42 States and the District of Columbia, with an estimated cost of $919,885,000, and 37 projects for alterations to existing Federal buildings, having an estimated Federal cost of $37,176,050. Reports were received by the committee on eight authorized surveys and seven of those projects authorized. There were only three prospectuses submitted to the committee on which no action was taken.

COMMISSION ON PRESIDENTIAL OFFICE SPACE

(S. 3524)

The committee approved a bill to establish a Commission on Presidential Office Space and authorized it to carry out a program of construction and remodeling in accordance with recommendations (a) and (c) of plan 1 of the report of the President's Advisory Commission on Presidential Office Space, printed as House Document No. 211, 85th Congress, including remodeling of the east wing of the White House and construction of the necessary tunnels.

The Commission would be composed of seven members, of which two would be Members of the Senate, two would be Members of the House of Representatives, and three persons appointed by the President from the executive branch or private life. The Commission would appoint the necessary staff to assist in carrying out its duties.

It would be the duties of the Commission, after consultation with the President occupying the White House at that time, to approve all design and construction plans, determine the methods for selecting and approve the selection of the architect, and to utilize the services of the Chief of Engineers to the maximum practicable extent, in awarding contracts for the construction work and in supervising the progress of the design and construction work. Measures would be taken to assure that all lumber, fixtures, and other materials removed from the Executive Mansion or other buildings are carefully examined to determine their historical value, and their proper preservation and distribution.

The proposals of plan 1 that would be authorized by S. 3524 are:

(a) Provide a new building to house only the White House Office on the site of the existing Old State, War and Navy Building, extend the White House Grounds to include the site and building, and connect it to the White House by tunnel.

(b) Remodel the West Wing of the White House for use as quarters for visting dignitaries.

The authorization would also include remodeling of the east wing of the White House, to be occupied by the social staff of the President and First Lady, the White House Police, for gallery and museum purposes, and similar activities not directly related to operations of the White House Office.

Construction of Federal Office Building No. 7, to be located on the square north of Pennsylvania Avenue between Jackson Place and 17th Street, has been authorized to be used for other organizational units of the White House Office. It will be connected with the White House Office Building by tunnel.

The estimated cost of the work authorized by S. 3524 is $17,850,000.

For many years the offices of the President were housed in a structure designed and intended for residential purposes. Official business activities were intermingled with personal and family activities. The temporary west wing was constructed in 1902 and rebuilt in 1934. The east wing was constructed and occupied in 1942. The State Department activities were removed from the Old State, War and Navy Building in 1947, and the building reassigned for use by the offices of the President. The building is in bad condition, deficient in design and space arrangement, and does not solve the problem of housing the President's Office with its attendant functions.

It is considered of utmost importance to provide adequate space and facilities for Executive Mansion and the Executive Office commensurate with the dignity and importance of the high position of the President of the United States. The authorization provided will fulfill the needs of the White House Office, provide security and privacy for the President and his Office, and retain and enhance the traditional character of the White House and its surroundings.

WATERSHED PROTECTION AND FLOOD PREVENTION PROJECTS

Public Law 566, 83d Congress, as amended by Public Law 1018, 84th Congress, requires approval by committee resolution of any watershed plan involving an estimated Federal cost in excess of $250,000, or which includes any structure providing more than 2,500 acre-feet of total storage capacity. Such approval of any plan containing a single structure of less than 4,000 acre-feet total capacity is the responsibility of the Committee on Agriculture, and those in excess of such capacity require approval by the Committee on Public Works.

The program has proved to be extremely popular and is very beneficial for water conservation, watershed protection, and flood prevention in many areas of the Nation. A large number of these projects have been approved, many of them are under construction, and others are being planned.

The following watershed projects were approved by the committee during this session of the Congress, in compliance with the provisions of existing law.

Watershed protection and flood prevention projects

Watershed	Federal cost	Non-Federal cost	Total cost	Benefit-cost ratio
Terrapin Creek, Ala. and Ga	$1,316,154	$946,875	$2,263,029	1.8
Big Prairie and French Creeks, Ala	2,402,972	2,603,285	5,006,257	1.4
East Fork Point Remove Creek, Ark	1,406,991	490,854	1,897,845	1.3
West Fork Point Remove Creek, Ark	2,952,289	958,728	3,911,017	1.5
Upper Verdigris River, Kans	4,385,483	657,568	5,043,057	1.5
Beaver Creek, Ky	173,050	341,380	514,430	1.5
Misteguay Creek, Mich	702,638	3,040,896	3,743,534	9.6
Town Fork Creek, N.C	1,168,348	800,042	1,968,390	1.4
Fourche Maline Creek, Okla	2,682,260	880,345	3,562,605	1.2
Leader-Middle Clear Boggy Creek, Okla	1,230,454	1,300,094	2,530,548	3.3
Upper Black Bear Creek, Okla	2,627,739	1,781,771	4,409,510	1.5
Mill Run, Pa	339,318	130,750	470,068	1.7
Reelfoot-Indian Creeks, Tenn. and Ky	1,773,365	1,048,911	2,822,276	2.6
Olmitos and Garcias Creeks, Tex	995,664	1,268,221	2,263,885	1.3
Plum Creek, Tex	2,284,068	1,161,701	3,445,769	1.4
Total	26,440,793	17,411,421	43,852,214	

MEDICAL CARE LEGISLATION

Mr. McNAMARA. Mr. President, this morning two of America's greatest newspapers, the Washington Post and Times Herald and the New York Times, carried editorials about the medical care legislation voted on by the Senate last Tuesday.

These editorials contain clear explanations why liberal Democrats, who considered the medical care provisions inadequate, nevertheless voted for final passage of the social security bill.

I ask unanimous consent that the editorials be printed in the RECORD at this point.

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

[From the Washington Post, Aug. 25, 1960]

PATENT MEDICINE

The Senate's action Tuesday on medical care for the elderly is an object lesson in the folly of legislating under pressure and in haste. The bill finally passed by the Senate is an unhappy hodgepodge, unsatisfactory to the Democratic leadership, unsatisfactory to the Republican leadership, and unlikely to give the country's senior citizens realistic or adequate protection against the health hazards of old age.

First, in an almost straight party line vote, the Democratic majority defeated the Javits bill which would have financed a reasonably generous and comprehensive program through Federal grants to the States on a flexible matching basis. Next, a coalition of Republicans and southern Democrats defeated the Anderson bill which would have financed a modest yet heartening program through an increase in the social security tax. And then, surveying the wreckage, all the Senators—save two who seem to consider all governmental activity socialistic—voted for what nobody really wanted, a bill providing niggardly Federal participation in State relief medical payments to the needy aged.

The only justification for support of the bill by the Democratic leadership and Senator Kennedy is that it contained some desirable provisions not related to medical care for the aged. It affords no solution to the medical care problem. The issue will have to be taken to the electorate in the fall election campaign; and it will have to be resolved finally in the new Congress which will convene next year.

It seems to this newspaper essential, as a matter of principle, that a medical care program be made a part of the social security system. This is the only way in which the benefits of the program can be given as a matter of earned right, rather than as a matter of charity subject to a degrading means test. It is the only way in which the standards of the program can be made uniform throughout the country without debasing variations by some of the States. It is the only way to assure financing for the future against the contingency that State legislatures may refuse or be unable to appropriate needed funds.

Here is a good issue for the coming campaign. We hope that the flabby bills passed in the House and the Senate will not be allowed to obscure it.

[From the New York Times, Aug. 25, 1960]

HEALTH AID FOR THE ELDERLY

Few issues have aroused such prolonged and warm debate during this session of Congress as has the question of providing adequate financing for the medical needs of persons over 65. Among the various alternatives available we favored the principle of attaching to the social security system a mechanism for accomplishing this end. This principle the Senate has now rejected, and whatever plan emerges from conference with the House is bound to be less than adequate.

The arguments for the social security approach may be briefly summarized. It would avoid anything resembling a means test for eligibility, a kind of test we believe Americans find abhorrent. It could have taken effect nationally in short order because the apparatus required already exists in the existing administrative arrangements for social security measures. There is no objectionable element of compulsion involved because Americans already accept the principle of paying social security taxes, and the change involved would only be a slight increase in those taxes accompanied by corresponding benefits for those meeting eligibility requirements. And we believe there is no real element of socialism attached since hospitals, doctors, and others involved in giving medical care to beneficiaries would not be controlled by the State as they are where systems of socialized medicine exist.

By now the use of the social security system as the means by which our society attempts to provide a minimum cushion and protection for the elderly is a well-established part of our American tradition and practice. Its extension to medical care for this same group seems logical and beneficial. We hope and believe it will ultimately prevail.

The increased number of our people in the elderly population bracket and the steadily rising cost of medical care combine to present a problem that must for human reasons be solved, and before too much time has passed. The Congress will have to come to grips more realistically with this problem when it reconvenes in January after the political season.

HIGH ROAD? LOW ROAD?

Mr. YOUNG of Ohio. Mr. President, in the weeks to come we shall witness a presidential campaign of ever-increasing intensity. As the election draws nearer and the ranks close behind the respective candidates, the temptation on the part of some to adopt degrading tactics and in some instances to make entirely untruthful statements may be too great to be resisted by them. It is my fervent hope that the campaign will be fought on the highest plane upon vital issues which confront the Nation. These must be resolved by the next President.

Unfortunately, Mr. President, at this early date there are those who have already begun the campaign somewhat below the pavement level. These attempts have met with little success. In fact, they encountered rebuke and embarrassing refutation. However, they are indicative of what can be expected unless they are challenged and dealt with immediately.

I ask unanimous consent to embody as a part of my remarks to be printed at this point in the RECORD an editorial of August 24 in the Washington Post and Times Herald, one of the Nation's great newspapers, entitled "The Battered Truth."

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

[From the Washington Post and Times Herald, Aug. 24, 1960]

THE BATTERED TRUTH

Congratulations are in order to the Saturday Evening Post for condemning a distortion by the Republican political magazine Battle Line. An article by Stewart Alsop about Senator KENNEDY's victory at Los Angeles had mentioned the theory that Mr. KENNEDY's father had masterminded his son's ambitions. Battle Line gleefully picked this up for rebroadcast but carefully omitted the next sentence which added: "The only thing wrong with this mastermind theory is that it simply isn't true."

Enough undocumented charges about campaign finances and "vote buying" are already circulating to make one despair of ever learning the relatively full truth. Most of the charges so far have come from the Republicans, as in the instance of the cheap accusations by Senator HUGH SCOTT on the issue of help to the African students. They add little luster to the GOP's appeal. Does Mr. NIXON, zooming along his elevated highway, condone this reckless driving on the lower level?

Of course the Democrats have no patent on virtue; perhaps they will yield to a similar urge. It remains for fairminded persons to help bring these hit-and-run tactics to book wherever they may occur.

Mr. YOUNG of Ohio. This editorial points out clearly that it is the duty of all fairminded Americans to bring these hit-and-run tactics to book whenever and wherever they may occur.

My view is that most Americans are so fairminded and intelligent they will discard and disregard innuendoes, irrelevancies, and downright falsehoods when these tactics rear they ugly heads in this political campaign.

Mr. President, in the same issue of the Washington Post and Times Herald was an incisive article written by one of America's most respected journalists, Marquis Childs. I reaffirm and reiterate the statements made in his article and ask unanimous consent that they may be inserted in the RECORD at this point.

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

[From the Washington Post and Times Herald, Aug. 24, 1960]

A POOR TARGET FOR POLITICAL MUD

(By Marquis Childs)

In the political quarrel Senator HUGH SCOTT stirred up over whether the Kennedy Foundation or the State Department should get credit for initiating an airlift of African students to this country the only loser seems likely to be the whole program of student exchange. Unless, it may be added, it is Senator SCOTT himself.

There is much to be proud of in the student exchange program, which has grown in recent years to truly remarkable proportions. The Institute of International Education in its report for 1960 said that 48,486 foreign students were in this country. This compares with the 15,000 reported last year by the Soviet Union as studying in Soviet educational institutions.

One of the remarkable things about the American program is the wide range of areas from which they come. The largest number, 17,175, continued as in the past years to come from the Far East. The second largest total, 9,428, was made up of students from Latin America. They attended universities and colleges in every State in the Union.

What is particularly impressive is the percentage—27.7—supported through scholarships provided by private organizations. Another 38.3 percent are studying on their own funds, and U.S. Government grants cover only 5.5 percent of the total foreign student population.

This last relates directly to the Scott charge that the Kennedy Foundation at the instigation of Senator KENNEDY, the Democratic candidate, sought to outbid the State Department in bringing 250 African students to this country. As the report of the Institute of International Education makes abundantly clear, the pressure of students from all over the free world to come to America to study is so great that there can be no question of public or private sources of support outbidding each other.

The number of students coming here, many of them on their own, has multiplied so rapidly that in many instances they are lost in the shuffle. As Delia and Ferdinand Kuhn, specialists in this field, pointed out in the New York Times, too often the foreign student has no supervision or assistance in finding his way through our great impersonal universities. Often his English is deficient. The result is that the effort and money he expends are not merely wasted but he becomes resentful and bewildered, and he may go home with a strong anti-American bias.

The picture that SCOTT gave of the State Department and the Kennedy Foundation fighting to see who could bring in the African students as a political coup is an illustration of how the program can be distorted. One fortunate consequence of what has been otherwise an unhappy episode is that at the request of the Kennedy Foundation a team of experts is going to Kenya to make sure that the students who come here are qualified to benefit from education in this country. However fine the motives behind a mass movement of young Africans, more harm than good is done if they cannot take advantage of what the diverse American system has to offer.

The foreign student coming to this country is given almost complete freedom. This is in marked contrast, as young Westerners going to Moscow have discovered, with the Soviet approach. There the student's life is regimented and he is likely to discover that fraternizing with his fellow Soviet students comes under the head of espionage.

Exciting things are happening in this field in which the competition between East and West should serve in the long run to bring widespread gains to the underdeveloped countries. The Senate has passed and a Senate-House conference is now considering Senator LYNDON JOHNSON's bill to create an East-West institute in Hawaii.

As evidence of the interest, while the State Department asked for an appropriation of $8 million, the Senate Appropriations Committee recommended and the Senate approved $10 million a year for 3 years. In the State Department proposal the institute could take only 200 students. At the end of 3 years, as approved by the Senate, it will have a capacity of 2,000.

Money alone will not bring light and learning to the students coming here from every corner of the globe. There is a great demand growing greater every year for truly trained teachers at every level for our own rapidly expanding school population. It is a first step to recognize the dimension of the need at home and abroad.

Mr. YOUNG of Ohio. Mr. President, in his column, Mr. Childs discusses how

political irresponsibility can do serious harm to the Nation, in this instance our foreign student exchange programs.

As the distinguished junior Senator from Arkansas [Mr. FULBRIGHT], who is chairman of the Committee on Foreign Relations, pointed out on the floor of the Senate on August 17, 1960, a great deal of time has been spent trying to protect the exchange programs, some of which bear his name, from any political influence.

To inject this issue or similar nonpolitical ones into the presidential campaign can do irreparable harm not only to these programs, but also to our prestige abroad. I commend this article to my colleagues in the Senate.

ORDER OF BUSINESS

Mr. GOLDWATER. Mr. President, I am glad that the majority leader is present this morning. I only wish that the distinguished junior Senator from Massachusetts [Mr. KENNEDY] would have found it possible to remain. I wish to ask some questions about our date of adjournment, because some of the statements I have been hearing lately lead me to believe that we might be heading for adjournment on Saturday night. I have plans to make, and I should like to get the advice of the majority leader as to what his feelings are.

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

Mr. GOLDWATER. When I finish.

Mr. JOHNSON of Texas. The Senator does not want me to answer his question.

Mr. GOLDWATER. I have to ask the question first.

Mr. President, in the RECORD of August 23, 1960, I read the remark of the Senator from Massachusetts:

> We might as well determine whether this Congress is going to move in this session or whether perhaps we should go home, whether we then should put it up to the people to make their determination, and come back in January and commit ourselves on that occasion to the social security principle.

Mr. President, I read on the ticker:

> KENNEDY told newsmen that Congress should go home and let the voters voice their feelings if medical care and minimum-wage legislation were to be hopelessly inadequate.

On the other wire Mr. KENNEDY is reported as having said:

> If all we can do is pass inadequate bills, we might as well go home.

I think there is an understandable need for Members of Congress to know what the plans are. We are hearing more and more rumors about Saturday night. I have some plans for next week that would be changed considerably if we were to leave on Saturday night. In fact, I have some plans for September that would be changed considerably.

I repeat what I said before the recess, that I do not think we should go home as long there is work to do. In that respect I agree with what the press representative of the junior Senator from Massachusetts [Mr. KENNEDY] said. He said:

> KENNEDY and his running mate, Senator LYNDON B. JOHNSON of Texas, had said before the session opened that they were "going to do the people's business first and then campaign."

I agree with that remark, but I also think in that respect we should know from the majority leader if there is a possibility of our getting away this Saturday, and if not, what his prediction would be. I have asked that question of the Senator. I shall be glad to yield to the Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I will take the floor in my own right when the Senator finishes.

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

Mr. GOLDWATER. I yield.

Mr. KEATING. I wish to join the Senator from Arizona in reiterating that we should not consider adjourning until the people's business——

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

Mr. GOLDWATER. Mr. President, I ask unanimous consent that I may have 1 more minute.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. JOHNSON of Texas. Mr. President, I should like to answer the Senator's question.

The ACTING PRESIDENT pro tempore. Is there objection to the request for 1 more minute?

Mr. JOHNSON of Texas. I object.

Mr. President, I wish to answer the question of the Senator from Arizona as frankly as I can. I can understand his concern for getting out of here, in his capacity as chairman of the Republican Senatorial Campaign Committee, in which position he has a great responsibility. It is a responsibility which he finds very difficult, I am sure, in the light of the expressions of the American people. When North Dakota starts to send Democrats to the Senate, it is a sign that there is a need for his party to get on the hustings.

I wish I could tell the Senator with complete accuracy when we may expect to get away, but I do not think anyone can tell until we see how many Republicans on the House Rules Committee are willing to vote to send the minimum wage bill to conference; until we see how many Republicans on the House Rules Committee are willing to send the housing bill that we have already passed to conference; and until we see how many Republicans on the House Rules Committee are willing to vote to send to conference an education bill that we passed last February.

I think we must also consider how long it will take the conferees to determine what kind of medical aid bill we are to have. We waited all last session for a recommendation from the executive department. We could not get one. The President did not submit his recommendation. The Secretary of Health, Education, and Welfare could not make up his mind. There were two or three plans submitted in the last month of the session. Finally, a day or two before we voted, the Vice President came forth with a new plan that would involve some $1 billion to be shoveled out of the Federal and State treasuries, and it received some 30-odd votes.

I think that when we get these matters out of conference we can decide how long Senators will wish to talk about them. But we should try to consider each one of those measures. I have heard that today those measures are to be put to a test in the Rules Committee; and if one Republican votes for it, we shall get the school bill to conference. If one Republican votes for it, we can get the minimum wage bill to conference.

I cannot predict the action of the Rules Committee. We have come back here to try to complete the work. We will complete it if we can. But whether we can or not will depend upon what the Republicans on the House Rules Committee do.

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

Mr. JOHNSON of Texas. I yield, if I have any time remaining.

The ACTING PRESIDENT pro tempore. The Senator has 1 minute.

Mr. GOLDWATER. It is becoming rather strange to hear the Democratic side begging the Republican side——

Mr. JOHNSON of Texas. Mr. President, I am not begging anybody. I am just pointing to the facts.

Mr. GOLDWATER. The Senator yielded to me.

Mr. JOHNSON of Texas. Yes, but I did not yield to the Senator to make——

Mr. GOLDWATER. Will the Senator from Texas allow me to finish my statement? The Senator was on the floor the other day and he heard the Senator from Massachusetts ask for five or six votes from Senators on this side of the aisle. Now my friend from Texas is suggesting that Republicans should help in the Rules Committee. I think the Rules Committee is 2 to 1 Democratic. In this body the ratio is almost 2 to 1. It is amazing that the Democrats cannot control things better when they have such a majority.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. GOLDWATER. I still have not had an answer to my question as to when we shall adjourn.

Mr. JOHNSON of Texas. The answer to that question depends entirely upon whether Republicans continue to be obstructionists.

STRENGTH AND PRESTIGE OF THE UNITED STATES

Mr. BUSH. Mr. President, I noticed in this morning's newspaper an account of a speech by the distinguished Senator from Massachusetts, the Democratic Party nominee for President, in which he is reported as having alleged a decline of American power and prestige, connecting Mr. NIXON with that, and mentioning that Mr. NIXON presided over the National Security Council.

He then said:

> During the 8 years he has been presiding, our security has declined more rapidly than over any comparable period in our history—in terms of defensive strength and retaliatory power, in terms of our alliances, in terms of our scientific effort and reputation.

I should like to point out two things about that statement. First, it is wrong; second, it is dangerous. I believe that for the presidential candidate of one of our great parties to downgrade this country at a time like this is an extremely dangerous thing, particularly when the facts do not support it. In support of my assertion that the facts do not support it, I ask unanimous consent to insert in the RECORD an editorial from the Kansas City Star which is entitled "Advice for Americans: Keep Up Your Nerve."

It starts off with a quotation from a statement by James V. Forrestal, the first U.S. Secretary of Defense. He was asked about the long-range security of the United States. In response, he said:

The best we can hope for is an armed truce with the Communists. It may last a generation or two. Perhaps longer. The Russians will keep pressing us, and the American people had better keep up their nerve. The pressures are going to be terrific.

The editorial states that during the past 10 years, not only has our strength not declined, but that it has increased, and many of the accomplishments are set forth point by point in the editorial.

Those who believe there has been any decline in the strength of the United States during this period should read the editorial, and I heartily commend a reading of it to them. It is a complete answer to the statement made last night by the distinguished Senator from Massachusetts [Mr. KENNEDY]. I ask unanimous consent that the editorial be printed in the RECORD at this point.

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

[From the Kansas City Star, Aug. 7, 1960]

ADVICE FOR AMERICANS: KEEP UP YOUR NERVE

Shadows were falling on Washington's Pentagon Building late one afternoon in the spring of 1948. The writer of this editorial was seated at the desk of the late James V. Forrestal, the first U.S. Secretary of Defense. Near the close of the interview Forrestal was asked this question:

"What do you see for the long-range security of the country?"

Forrestal, who was articulate and intelligent, puffed thoughtfully at his pipe. After a moment, he replied substantially as follows:

"The best we can hope for is an armed truce with the Communists. It may last a generation or two; perhaps longer. The Russians will keep pressing us, and the American people had better keep up their nerve. The pressures are going to be terrific. We will have to get strong and stay strong. That will mean heavy sacrifices. And if we can't hold up our end, we will find ourselves in deep trouble. The alternative to an armed truce is world war. We had better face up to it. It will be one or the other."

Twelve years later Forrestal's prophecy has stood the test of time. The Soviet Union—with the latter-day support of Red China—has steadily maintained pressure on the free world. The history of the last dozen years has been a succession of crises that started with the Communist grab of Czechoslovakia in 1948.

Civilization could have been blown to smithereens several times in the past decade. But it wasn't. That's the all-important fact. Each crisis has passed or gone into suspension. Some of the worst danger spots, Formosa, for example, flare up year after year.

A great many Americans work themselves into a frightful stew whenever trouble erupts. They are alternately excited and depressed. Lately the Castro campaign against the United States and the Cuban dictator's linkup with communism have stirred wild reactions in this country. You hear such irresponsible mutterings as: "We ought to send the marines down to Cuba. That's the way the Russians took care of Hungary."

But this is 1960. The practice of sending troops to intervene in Latin American countries was discarded almost 30 years ago. And after all these years it has left resentment and hate against the United States. Dispelling this hostility is a big problem for the U.S. Government.

Today every policy and action must be weighed against its probable effect on hemisphere and world thinking. A U.S. expeditionary force to Haiti or Nicaragua would be out of the question. Properly we refused to take such action against the Communist-line government that was overthrown in Guatemala in 1954. And no responsible person has been known to suggest military intervention in Cuba in 1960. The new era demands adroitness and restraint.

But some politicians are quick to cry doom at every unpleasant development in the international field. In their view, the U.S. policy, prestige and power are in tatters. They picture this Nation as stumbling through the gloom toward Armageddon.

It is not surprising that Americans are worked up to a state of permanent alarm punctuated by periodic hysteria. Such is the mass psychology of our times. Yet the history of the 1950's show that the overall world situation has grown better instead of worse for the United States and its allies. Consider these extremely important gains:

In the decade our three principal European NATO partners have made remarkable economic recoveries. Ten years ago Britain, France, and West Germany were still struggling out of the near ruin of war. Today all three are more prosperous than before World War II. The West Germans have built their way to democratic strength from the shambles of total defeat. Today the Germans provide the largest army on European duty with NATO. It is growing to a strength of 12 fully equipped and modern divisions.

France, despite the running sore of Algeria, has achieved political stability at last. The embarrassingly frequent turnovers in the Paris government ended when Gen. Charles de Gaulle returned to power in the spring of 1958. The Fifth Republic was created in the image of a strong executive. The U.S. prophets of doom said the rise of the nationalistic De Gaulle would mean the collapse of NATO.

De Gaulle still has his own ideas about revising NATO. But he has not tried to wreck the grand military alliance as some suspicious leaders in the West feared he would do. Thus NATO, armed with A-bombs and missiles, continues to discourage any attack on free Europe. And France is a much more stable country today than it was a few years ago.

Recall the events in the Far East. In 1949 the Communist forces finally triumphed on the Chinese mainland. It was widely predicted that communism quickly would overrun the whole of Southeast Asia.

So far, the fear hasn't materialized. The Reds have gained only the north part of Vietnam. It was the unavoidable price of an armistice halting the Communist uprising in Indochina.

The anti-Communist nation of South Vietnam was formed. At first even the optimists gave it little chance to remain free and independent. But South Vietnam has achieved stable government. The outstanding leadership of President Ngo Dinh Diem had much to do with the achievement. So did the extensive economic and military aid supplied by the United States.

The Reds have not given up their designs on South Vietnam or nearby Laos and Cambodia. But their ambitions have been thwarted for a decade. The SEATO pact, backed by the armed power of the United States, warns the Communists to keep hands off the entire area. They have stopped short of outright aggression, perhaps to avoid retaliation by the SEATO powers.

In Malaya, as in the Philippines previously, a Communist insurrection has been crushed. A 12-year state of emergency ended officially last Sunday. Malaya is now an independent state, released from colonial rule by Britain. Her great riches of rubber and tin have been saved for the free world.

Japan is even a more brilliant example of a trend generally going our way. Ten years ago Japan faced a bleak outlook. Its world markets were gone and unemployment soared. Now the war-battered Japanese have made an economic recovery comparable to that of West Germany. Japan cannot defend herself. But she remains linked with the United States in a 10-year military alliance. This tie holds the most advanced industrial nation of Asia on the side of the West.

The recent demonstrations against the United States-Japan Defense Treaty reflected a certain amount of growing neutralist sentiment. Some domestic issues also were involved. But it appears fairly apparent that the Communist-led rioters and demonstrators did not speak for a majority of the 93 million Japanese people.

To the southwest the Red Chinese broadcast their propaganda threats against Chiang's Formosan stronghold. But, so far, they have not dared challenge the might of the U.S. 7th Fleet on patrol duty in Formosa Straits.

In Korea the guns have now been silent for 7 years. The U.S. 8th Army and South Korea's 600,000 troops bar the way to further Communist aggression. The fighting from 1950 to 1953 was not permitted to ignite a global war. Korea's own Government has been stabilized with a comparatively enlightened administration.

In the Middle East conditions are calmer now than at any time in the last 15 years. Yet it was only 2 years ago that the United States risked troop landings in Lebanon at the urging of the Lebanese Government. A rebellion subsided. Order was restored in the half Christian, half Moslem country.

A bloody revolt had just overthrown the pro-Western regime in Iraq and sent the U.S. prophets of doom to the depths of despair. There seemed to be real danger that pro-Nasser, anti-Western forces of Arab nationalism would seize control of Lebanon, Jordan, and possibly Saudi Arabia plus the tier of small sheikdoms rich in oil. Lurking in the shadows were Soviet plotters eager to dominate the entire Middle East.

But quiet came, just as it had come in late 1956 when United Nations action (morally led by the U.S. Government) cooled off the Suez crisis. Today Nasser's United Arab Republic and revolutionary Iraq are held apart by self-interest and mutual suspicion. They are alike only in that neither has fallen for the traps and lures of Soviet imperialism. Both remain ostensibly neutral in the cold war. They have taken Russia's grants of economic and military aid without surrendering their independence.

The Arabs' highly emotional differences with Israel still smolder. But the powder keg of the Middle East is out of sight in the desert sands. Around it are the remains of intermittent crises.

The Communists are nosing around for opportunities in Africa, a continent quivering with nationalism. Some headway may have been made with the new Republic of Guinea. But so far communism has not established a reliable beachhead in Africa. Moscow threatened to move in when the Congo disorders exploded. But the Rus-

sians thought better of it as the United Nations acted fast to save the Congo from chaos.

It was one of the U.N.'s finest hours. The current effort in the Congo will be remembered along with crises in Iran, Greece, Berlin in 1948–49, Kashmir and the Suez. On each of these occasions the U.N. displayed its unique ability to stamp out raging fires.

Of course, even the U.N. has not been able to compose the fundamental differences and tensions between communism and the West. Russia and the United States are the two great centers of power. Each distrusts the other. And if our people are worried about Soviet intent and capability, consider the predicament Russia is in.

The United States and its allies have ringed the Communist land masses with forward air, ground and naval bases. U.S. planes and ships operate from 80 bases in 25 lands and territories. Our planes buzz near the very frontiers of the Soviet Union. The U–2 missions are now history. But they did far more than bring back intelligence data and aerial photographs. They demonstrated, to the distress of the men in the Kremlin, that manned aircraft can penetrate the vaunted air defenses of the Russian heartland.

Yet Americans cry in anguish over the Communist influence in Cuba. Suppose we were in the Russian situation. In that case the United States would be a potential target for bombers and missiles based in Canada, Mexico and most of Central America. Russian planes would be skirting our shores or flying over Kansas.

For a decade the Communist world has been held in line but it is not shrinking. Armed strength has materialized to block further Communist expansion. The retaliatory power developed by the West evidently did not figure in Russia's calculations when she started spreading out into Eastern Europe and the Balkans.

It was good advice that James Forrestal offered 12 years ago. Americans should keep up their nerve. There is no cause for panic. We have made our way past many crises. There will be more. We had better learn to live with them and to surmount them as they come.

THE DANGER OF ISOLATION

Mr. CLARK. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point a statement by Mr. David Lilienthal, published in the New York Times of Friday, July 8, 1960. It is entitled "Lilienthal Says United States Faces Peril of Gradual, Enforced Isolation."

The article by Mr. Lilienthal is a sound, realistic appraisal of the present perils facing our country, and shows the way in which we have lost our leadership in the free world.

Mr. Lilienthal points specifically to measures which we should take to regain our leadership in the world. I am happy to say that most of his suggestions have been included in the platform of the Democratic National Party, which met in convention in Los Angeles last month.

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

LILIENTHAL SAYS UNITED STATES FACES PERIL OF GRADUAL, ENFORCED ISOLATION

(By David Lilienthal)

America is face to face with a clear and present danger.

The danger is not war. Nor is our jeopardy something that can be overcome by an increase in our military strength alone, nor by increased appropriations for foreign economic aid if administered along present lines.

The heart of our danger is that we shall be isolated.

This would not be an isolation by our own choice, but an enforced isolation, a gradually tightening suffocation and quarantine that we could not endure and still maintain our place in the world, our standard of life and even our survival as a free people. And this without a shot being fired.

The danger is clear and present, not remote and vague. For the tempo and technique of world political and economic changes, like those of technology and science, have become fantastically swift.

Our danger is a consequence of the fact that we seem to have run out of ideas on how to retain our hitherto unchallenged world leadership.

Our officialdom, and most of their corps of experts and professional thinkers as well, are without fresh ideas that meet our needs under the wholly changed conditions of a world in revolution, economic and political.

The danger can be averted, and turned to a spirited, creative revival of American leadership, but on one precondition: The rank and file of citizens must have the means of knowing what is going on; they must have a way of knowing the fix we are in, and the even greater troubles we must soon face.

The handling of the President's trip to Japan is an example of how badly informed all of us are, how little understanding we have been given of what is going on in other countries. Even a young American student in Japan, John D. Rockefeller 4th, in his article in a recent New York Times magazine on Japanese youth, saw what our professional observers failed to see or, if they saw it, did not have the candor to report.

To dismiss the protests of youth as of little significance, or as wholly Communist inspired, is to disqualify oneself as a reliable observer of present-day life.

The illusion, carefully nourished by officials and many intellectuals, that there was relaxation of tensions is another example of how poorly we citizens known what the score is—until the debacle comes, as it did in the Paris summit mess.

The writer suggests a number of things that, in his opinion, need to be done now, without delay, to open the doors of public discussion and individual thinking so that new and workable ideas and programs can emerge and replace those that have failed us.

First, we must begin at once to develop an angry public opinion that will make this demand of our responsible public officials: Look, don't spare us. Give it to us straight, pretty or not.

Second, we must have, both abroad and at home, tougher, more realistic observers and perceptive interpreters of what is going on and what is happening to us and to our antagonists.

Third, our minds should be prepared for other setbacks that may be in the offing, so that we can all be thinking of how to devise ways to ameliorate or to prevent them. We should have information and nonpartisan comment about such possibilities or probabilities as the following, among others: the leasing by Cuba to the Soviet Union of air bases and missile launching sites, an economic alliance between Japan and Red China, rejection by Japan of the United States-Japan Security Treaty as recently ratified, and the prospect that we may soon begin to be outvoted in the United Nations General Assembly and the Security Council.

Fourth, a reexamination of many of our currently accepted ideas and methods for maintaining our leadership in the world. This must be pitiless and without pride of past opinion. Here are a few examples of issues we should fearlessly consider: The risks of keeping bases on other nations' soil; the establishment of comprehensive oversea state trading corporations to counter the economic offensive of the Soviet state trading corporations; methods by which we could acquire direct and reliable information on mainland China, a rising empire with which every realistic people must reckon, and establishment of a biparty Cabinet and congressional reforms in the direction of greater speed and more focusing of legislative responsibility.

The ordinary private citizen has a right to expect grave issues such as these to be discussed by candidates of both parties in the coming national election. He has a right to demand that the next administration, be it Republican or Democratic, keep the citizen currently and candidly informed.

THE MYTH OF THE MAGIC EXPENSE ACCOUNT

Mr. CLARK. Mr. President, on August 16 I inserted in the CONGRESSIONAL RECORD, at page 16498, an article by Mr. Clarence B. Randall, which dealt with the myth of the magic expense account. Inadvertently I stated that the article had been published in Fortune magazine. Frankly, I was a little surprised that that fine magazine of the Luce publications should publish an account which took such exception to the present condition of the swindle sheet.

Mr. Randall has written to me to say that the article was not published in Fortune magazine but in Dun's Review and Modern Industry. I am happy to make the correction, and I ask unanimous consent that Mr. Randall's letter may be printed in the RECORD at this point. I note that it is written on White House stationery. Mr. Randall states that he has had an extraordinary reaction from all parts of the country to his article, and that almost all of it has been favorable. I am a little surprised that the White House itself has not seen fit to help us put through the anti-swindle-sheet bill, which the Senate passed over the unanimous opposition from all agencies which the White House controls.

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

THE WHITE HOUSE,
Washington, D.C., August 22, 1960.

The Honorable JOSEPH S. CLARK, JR.,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CLARK: I am highly honored that you inserted in the CONGRESSIONAL RECORD my piece entitled "The Myth of the Magic Expense Account."

There was one slight slip-up, however, and I wonder whether you would think it worth while to correct it.

The article appeared not in Fortune, but the August issue of Dun's Review and Modern Industry.

I might add that I have had an extraordinary reaction from all parts of the country to that article—almost all of it favorable.

Sincerely yours,

CLARENCE B. RANDALL.

THE PRESENT SESSION OF THE SENATE

Mr. KEATING. Mr. President, it seems to me that the distinguished Senator from Arizona [Mr. GOLDWATER] has

performed a constructive service in calling attention to the rumors which are circulating in the Capitol and in the press as a result of the suggestion of the distinguished Senator from Massachusetts [Mr. KENNEDY] that we should fold up our tents and silently steal away, because the particular measure which he favored has been defeated and because he obviously cannot have his own way as to what the Congress does.

Mr. President, charges such as the distinguished majority leader has made have been heard before. Why is it that the Democrats, with a 2 to 1 majority in the Congress, need Republican votes in order to put through their program. Such charges will not appeal to the American people, but I am afraid they will continue to fly like bugs around a light bulb on a summer night.

Many of us have differed as to what we should do in this session. I and a number of my colleagues have urged that civil rights should be one of our major fields of legislative endeavor. But the majority leadership has "called the shots." They have decided to bring up a number of the most controversial economic measures in the platforms of both parties, and have shunted aside much other important business. They have not been successful and it appears that they now want to fold up their tents and go home.

Mr. President, this week we honored the lyricist Oscar Hammerstein. He made a truly great contribution to our Nation's culture. It was Hammerstein who wrote the lyrics which I think most aply describe what the Democratic leadership is now apparently thinking. It is in a song in the musical "Oklahoma!" in which Hammerstein wrote "We've gone about as far as we can go."

Mr. President, I do not subscribe to these statements. There is no reason for us to shunt aside the many vital pieces of proposed legislation which are still before us. To paraphrase a comment widely published in the press this summer: "We must not leave the shop untended."

There are many bills before us which have been the subject of extensive hearings and would require only a few days of debate by this body.

More judges are needed. War claims legislation is ready for Senate action. Immigration legislation has been the subject of much serious study and is ready for action.

What about the farm bill which was passed by the Senate, or the one which was promised by the Democratic candidate for President, and which he said he would introduce at this resumed session of Congress?

An excellent administration depressed areas bill is in committee. That bill apparently conforms with the views of a majority of the Members of this body.

Several bills are pending which would give the Secretary of State the authority to provide a greater measure of security for our country in the issuance of passports.

There are many other such issues which, perhaps, are not so sweeping as the two major economic issues both of which we have considered and passed, and both of which are important and should be brought to a conclusion before we leave here.

Housing is another subject which is important and should be acted upon by this Congress.

Mr. President, we should not adjourn until we have attended to the people's business. We have heard so much about the need to do the people's business, that many of us intend to oppose any effort to leave here until that has been attended to.

ATTENTION TO DEFENSE DURING EISENHOWER ADMINISTRATION

Mr. COTTON. Mr. President, we have a saying in my State: "There is no use crying over spilled milk."

I do not approve of running a political campaign on the basis of who has done what in the past. However, when a candidate for President of the United States makes the astounding statement that under this administration our defenses have deteriorated more than in any other comparable period in our history, I think the record should be corrected at once.

I shall refer to an incident which took place in my first year in Congress, on February 19, 1947, when the man who was then the Chief of Staff of the U.S. Army appeared before the House Committee on Appropriations and said:

> In the field of guided missiles, electronics, and supersonic aircraft, we have no more than scratched the surface of possibilities which we must explore in order to keep abreast of the rest of the world. Neglect to do so could bring our country to ruin and defeat in an appalling few hours.
>
> Those of us who were in Europe in the black days when Hitler was making his last desperate gamble with V-1 and V-2, know how close to success that gamble came. Yet those weapons, terrible and effective as they were, were child's toys in comparison with those which can be produced.

The man who said that was Dwight D. Eisenhower, then the Chief of Staff. Immediately after he made that statement, the contracts which had already been made for guided missiles by the Truman administration were canceled, and from 1945 to 1952 the United States spent only $3,500,000 on intercontinental missiles, although during the same period $117 million was spent to support the price of peanuts.

In the first year of the Eisenhower administration, expenditures jumped to over $1 billion. During the period from 1953 to 1960, $29 billion was devoted to the field of missile research. In addition, millions of dollars have been spent for the development and construction of the Polaris submarines and a long line of other weapons which had previously been neglected.

Of course, the present administration has made mistakes, as have all other administrations. But when a statement is made by a candidate for President of the United States that the defense of this country has been allowed to deteriorate more than in any other period in history, that is an irresponsible statement and should not be allowed to go unchallenged.

SPEECH ABOUT NIXON AND KHRUSHCHEV

Mr. SCOTT. Mr. President, in his speech of yesterday, the junior Senator from Massachusetts [Mr. KENNEDY] made the statement:

> The Eisenhower Middle East doctrine was a farce.

Under that doctrine, the Lebanon landings occurred. Does the junior Senator from Massachusetts wish to be understood as charging that the action of the President, enforcing our foreign policy against aggressors, in our landings in Lebanon was a farce? As a matter of fact, the junior Senator from Massachusetts has previously criticized the Middle East policy and has stated that one of the mistakes made by President Eisenhower some months ago was the policy of refusing to continue to build for Egypt the Aswan Dam, and it is referred to in an issue of U.S. News & World Report.

In my opinion, it was a mistake to consider the building of the Aswan Dam in the first place, and the refusal to continue the building of that dam for Nasser was an indication of very wise judgment on the part of our administration.

I am sorry that the junior Senator from Massachusetts agrees with Nasser and the Egyptians on this point, and that he regarded the discontinuance of American assistance as a mistake. I do not so consider it.

Furthermore, the junior Senator from Massachusetts said, referring to Vice President NIXON:

> And in the Soviet Union he argued with Mr. Khrushchev in the kitchen, pointing out that while we might be behind in space, we were certainly ahead in color television.

The intent of that statement was to mislead the American people. That statement could only have the effect of deceiving the American people into believing that Vice President NIXON made such a statement to Khrushchev. Vice President NIXON's statements to Khrushchev were covered on television and by the press very accurately. I defy anyone whomsoever, be he a candidate for the Presidency or any other office, to establish that Vice President NIXON ever made the statement with the meaning attributed to him by the junior Senator from Massachusetts. The Vice President made no such statement about color television, in the way quoted, and he did not make any such statement to Khrushchev indicating that we were behind in the space race, except as to thrust.

On the contrary, the Vice President of the United States stood up to Mr. Khrushchev, and made it clear to him that our country was strong; that we were not afraid of him; and said to Mr. Khrushchev, "You don't know everything."

I think the junior Senator from Massachusetts ought to apologize or send regrets to Vice President NIXON for that kind of quotation, or alleged quotation,

or attempted putting of words into the mouth of the Vice President which never happened. The junior Senator from Massachusetts is interested in accuracy. I suggest that he try it.

Mr. SCOTT subsequently said: Mr. President, I have made some research on the statement to which I referred earlier in the day, when I mentioned that in a speech made yesterday by the Senator from Massachusetts [Mr. KENNEDY], the statement was made:

> And in the Soviet Union he argued with Mr. Khrushchev in the kitchen, pointing out that while we might be behind in space, we were certainly ahead in color television.

I have seen the statement which was made at the time by the Vice President, and I quote it now:

> There are some instances where you may be ahead of us, for example, in the development of the thrust of your rockets for the investigation of outer space. There may be some instances in which we are ahead of you—in color television, for instance.

There is a considerable variation in meaning in the way in which the statement was actually made.

THE DEMOCRATIC SALINE WATER PROGRAM

Mr. MURRAY. Mr. President, the record of what each of the parties has accomplished is one of the best guides voters can use in determining who will best serve them, and for that reason it is especially important that the record be correct at this time.

The Democratic Party has a solid record of accomplishment in the field of natural resources, and I am proud that in the Senate the Committee of Interior and Insular Affairs, under Democratic leadership, has consistently strengthened programs for development and conservation of the Nation's resources. Particularly is this true with respect to water resources that are so critical for the future of the entire Nation.

It is gratifying that the Subcommittee on Irrigation and Reclamation under the distinguished chairmanship of the junior Senator from New Mexico [Mr. ANDERSON] has taken a leading part in so many effective water resource measures, although I shall not review them at this time.

One important program is a bold and imaginative advance in water development, and it is closely linked with the Interior and Insular Affairs Committee. This is the program of saline and brackish water conversion.

The Republican 1960 platform—page 15—mistakingly claims the saline and brackish water conversion program as "Republican initiated."

Democrats initiated, extended, and supplied continuing support for the saline and brackish water conversion program, in the face of Republican indifference or resistance.

The saline and brackish water program was first proposed by Democratic Senator JOSEPH C. O'MAHONEY on March 18, 1949, and saline and brackish water conversion research was authorized by the Democratic 82d Congress. It was approved by President Truman on July 3, 1952, after having received strong support from Democratic Secretary of the Interior Oscar L. Chapman.

The research program was enlarged and extended by the Democratic 84th Congress pursuant to legislation sponsored by Democratic Representative, now Senator, CLAIR ENGLE.

The principal advance of the saline and brackish water conversion program was brought about by Democratic Senator CLINTON P. ANDERSON. His bill, Senate Joint Resolution 135 of the 85th Congress, was enacted September 2, 1958, against considerable resistance from the Republican administration. It establishes a program of demonstration operations to place the conversion work on a practical basis. Under this Anderson Act, the Department is directed to construct and operate three saline water plants and two brackish water plants.

Senator ANDERSON again in the 86th Congress took the lead in passage by the Senate of Senator LYNDON JOHNSON'S bill (S. 3557) of which Senator ANDERSON and other Senators were cosponsors. This bill will authorize a program of Federal loans to States and municipalities desirous of building their own conversion plants, and thus it will make possible widespread use of the results of research and demonstration.

Mr. President, I hope this brief statement will correct the misstatement of the Republican platform regarding the saline water program. There are also other misstatements that need to be corrected before November.

It is important that the people have the correct information.

Mr. ANDERSON. Mr. President, let me commend the Senator from Montana for his review of the saline water program and for his leadership in that field.

WHAT EVERY GOOD AMERICAN WANTS TO KNOW ABOUT ELECTIONS

Mr. MURRAY. Mr. President, in this momentous election year it is vital to our country that our citizens be informed not only as to the immediate issues but also that they be knowledgeable about the mechanics of our election system and its history. These are matters concerning which relatively few Americans have accurate information.

It is with particular gratification, then, that I have learned of the action taken by Leo M. Bernstein, president of the Guardian Federal Savings & Loan Association of Washington and Silver Spring, Md., in distributing, as a public service, many thousands of copies of a booklet entitled "What Every Good American Wants To Know About Elections."

This booklet, in compact, easily readable form, sets forth the technical facts of how we Americans choose our Presidents and Vice Presidents, including, of course, the little understood workings of the electoral college and just what would happen if no candidate received a majority of electoral votes. Also set forth in concise form are facts on the powers and duties of the President and Vice President, the Presidential succession, the powers of Congress and qualifications for membership, as well as the more familiar Bill of Rights and the main events of U.S. history.

Of particular interest is a thumbnail sketch of each of our Presidents, from Washington through Eisenhower, listing what the author of the study conceives to be the principal achievements of each administration. As to this section of the pamphlet, I am constrained to state, Mr. President, that I myself would present the relative achievements of the administrations of Franklin Delano Roosevelt and Dwight D. Eisenhower somewhat differently. One might reasonably question the bland assertion that Mr. Eisenhower has "stopped inflation, stabilized the purchasing power of the dollar, reduced personal income taxes." As to reduction in personal income taxes, the legislation providing such temporary reduction was enacted by a Democratic Congress during the administration of President Truman in 1951. President Eisenhower recommended and brought about restoration of the old rates. How can it be contended that inflation has been stopped when the cost of living continues to spiral ever upward? Also, there is still another factual error in the statement that this administration has "outlawed the Communist Party."

On the other hand, completely ignored are such Roosevelt achievements as ending the depression, collective bargaining legislation which brought a degree of peace, at least, to American industry and has contributed so much to the growth of the American economy, the Civilian Conservation Corps, which saved so many hundred of thousands of America's youth, the Securities and Exchange Act, and a host of other social and economic reforms which preserved the American way of life and which, I may add, have been adopted by the Eisenhower administration and are carried still further in the Republican Party plank of 1960.

However, these matters might be said to be differences in political opinion and do not obscure Mr. Bernstein's truly great contribution in printing and distributing free of charge through his association the booklet "What Every American Wants to Know About Elections." This is a genuine public service.

In addition, I should point out that Mr. Bernstein's association, Guardian Federal Savings & Loan, has since its inception made office space available to both the Democratic and Republican campaign committees. His branch in Silver Spring is, I am informed, the only commercial establishment in this country with a carillon on it, and it rings out the Lord's Prayer every day to the spiritual uplift and pleasure of thousands of our citizens and visitors. The building's huge outdoor clock also informs at least 60,000 persons daily as to the time of day and the temperature.

All in all, Mr. President, I wish to commend most heartily Mr. Leo M. Bernstein on his spirit of public service and his contribution to public understanding and knowledge in this crucial election year.

NEEDED: STUDY OF GREAT LAKES WATER LEVELS

Mr. WILEY. Mr. President, the Great Lakes waterway system holds the key to the economic prosperity of the upper Midwest and the Nation.

Once the greatest inland waterway system in the world, the lakes, transformed by the completion of the seaway into an international water traffic system, now offers more new opportunity for the great industrial-agricultural complex of the upper Midwest.

Unfortunately, there are still serious problems to be resolved in getting the maximum benefit from the lakes. A major task is to learn more of, and how to cope with, the fluctuating water levels. This includes protection from damage by these changing levels.

In 1952, the Corps of Engineers initiated a study of the problem. Unfortunately, this was interrupted. Because of the impact upon shipping, industrial, residential, resort, and other interests, in Wisconsin and elsewhere around the lakes, however, I believe the study should now be completed, to see what can be done to effectively cope with the situation.

The purpose would be to:

First. Determine the possibility and/or feasibility of attempting to control water levels in the lakes; and

Second. Devising ways and means for protecting areas adjacent to the lakes from damage due to either extremely high or low water conditions.

Recently, I contacted Gen. E. C. Itschner, Chief, U.S. Corps of Engineers, to urge the completion of the study, initiated in 1952.

At this time, I request unanimous consent to have a copy of my letter printed at this point in the RECORD.

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

Lt. Gen. E. C. ITSCHNER,
Chief, U.S. Corps of Engineers,
Department of the Army,
Washington, D.C.

DEAR GENERAL ITSCHNER: I am writing to respectfully urge inclusion in your 1962 fiscal budget of recommendations for a study of Great Lakes water levels.

As you well recall, the Corps of Engineers undertook a comprehensive study of the lakes in 1952 to determine:

1. The feasibility of a plan of regulation of the levels of the Great Lakes which would best serve the interests of all water uses, including the reduction of damages to shore properties, the use of the Great Lakes for navigation, and the use of the storage and outflow from the Great Lakes for power development; and

2. The advisability of adopting local protection flood control projects for areas along the shores of the Great Lakes and tributary streams that are subject to inundation as a result of fluctuations in the levels of the lakes where such projects are found to be feasible and economically justified.

Unfortunately, the study was interrupted and postponed.

You are well aware, of course, that the water levels of the Great Lakes fluctuate in irregular long-range cycles in a range of approximately 5 feet. Consequently, extreme high levels result in inundation of shore lands, beach erosion, difficulties in the docking and loading of vessels and damage to dock facilities, interference with land drainage, and aggravation of floods on tributary streams to the Great Lakes. Conversely, extreme low levels reduce the cargo-carrying capacity of vessels on the lakes, require extensive harbor, and dock improvements, expose unsightly flats, decrease the area of waterfowl nesting grounds, and cause excessive shoaling.

As you recall, extensive damage from high-water levels to Great Lakes shoreline properties were officially estimated by the Corps of Engineers at $61 million in the single year 1951–52.

As I understand it, the report on this survey—originally scheduled for completion in fiscal year 1957—still has not been completed because of lack of funds.

With the completion of the St. Lawrence Seaway, the Great Lakes waterway system—formerly an inland system—has now become an international waterway, carrying large volumes of shipping to and from the ports of the world, and the lakes traffic is increasingly important to the economy of the Midwest and the country.

A comprehensive study of the factors involved in the fluctuations of water levels, accompanied by recommendations on what might possibly be done either to avert the fluctuations or at least to minimize the damage resulting, would, I believe, be of great value to the country.

I respectfully urge, therefore, that such a special study be undertaken and completed as soon as possible.

With appreciation for the consideration I know you'll give this matter, and with kindest personal regards, I am,

Yours sincerely,

ALEXANDER WILEY.

ONE-PARTY CONTROL OF EXECUTIVE, LEGISLATIVE BRANCHES ESSENTIAL TO THE NATION'S PROGRESS

Mr. GRUENING. Mr. President, newspaper headlines last night and this morning interpreted President Eisenhower's remarks at his press conference as taunting the Democrats on the failure of the Anderson amendment to the medical-care-for-the-aged bill to be passed. Today's New York Times headline says: "President Taunts KENNEDY on Split in Senate Ranks—Says He Can't Understand Why Candidate Wants More Democrats in Congress—Heavy Majorities Cited."

I think that the comments by the nationally known and respected columnist, Walter Lippmann, are a pretty effective answer to the alleged Presidential taunt. Mr. Lippmann, in his syndicated column published this morning in the Washington Post and in many other newspapers, analyzes the votes on the Javits amendment and the Anderson amendment and on the final passage of the committee bill, and his conclusion is "that while KENNEDY cannot say that he has a united Democratic Party behind him, he can say that, if elected, he can, and that NIXON cannot, establish a comprehensive system of medical care for the aged." Mr. Lippmann goes on to the conclusion "that NIXON, if elected, will have a very hard time dealing with Congress." Mr. Lippmann then writes: "The evils of divided government, which have been assuaged by Eisenhower's personal popularity and prestige, would almost surely be blatant under NIXON." The conclusion is therefore that not the Democratic majority in Congress, but President Eisenhower himself, is responsible for the failure to achieve an adequate medical aid bill.

I ask unanimous consent that the full text of Walter Lippmann's article be printed at this point in the RECORD in connection with my remarks.

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

[From the Washington Post, Aug. 25, 1960]

THE SENATE VOTES

(By Walter Lippmann)

In the voting on the medical care issues the Senate proved once more that ours is a presidential system of government. It was the President in office who prevailed as against both NIXON and KENNEDY, one of whom will be his successor. Although there was a large majority in the Senate which thinks the President's program is inadequate, such is the power of the President that he was able to defeat this majority.

There were 44 votes, all but one of them Democratic, for the Anderson amendment which had the backing of KENNEDY. There were 28 votes, all of them Republican, for the Javits-Nixon amendment which is much more liberal than the Eisenhower proposal. But the Senate was incapable of organizing a majority for a positive measure. Why? Because only the President can do that kind of thing.

By his power to threaten a veto the President is able to penalize, and for positive legislation to frustrate, a congressional majority. On the other hand, the voting on Tuesday shows rather clearly that if KENNEDY were in the White House he could easily enough have gotten a majority for his proposal. He needed to change only 4 votes out of the 32 Republicans and 19 southern Democrats who voted against him. Among these 51 Senators there must have been at least 4, probably quite a few more, who agree with Senator KENNEDY and Governor Rockefeller that the right principle is to base medical care for the aged on the social security system. It was the threat of the President's veto and the threat of the President's displeasure which kept the necessary four votes away from KENNEDY.

The result proved that KENNEDY will be quite justified in arguing that there is no prospect of a comprehensive medical care bill unless he is elected. For while the Nixon-Javits proposal has some merit, it would be enormously complicated to administer and almost certainly more costly to the general taxpayer than the Kennedy-Anderson proposal. NIXON, if elected, would face the opposition of a large part of the powerful Democratic majority. On Tuesday they voted unanimously against him.

The net result is, it seems to me, that while KENNEDY cannot say that he has a united Democratic Party behind him, he can say that, if elected he can, and that NIXON cannot, establish a comprehensive system of medical care for the aged.

In these test votes neither candidate was able to form a majority in favor of his own views. But on the question of who will be the more effective in leading Congress, KENNEDY was shown to be much the stronger. He mustered 44 votes and came within 4 votes

of a majority for his proposal. NIXON mustered only 28 votes and was 20 votes short of a majority.

The figures support the view, which many observers have already expressed, that NIXON if elected will have a very hard time dealing with Congress. The evils of divided government, which have been assuaged by Eisenhower's personal popularity and prestige, would almost surely be blatant under NIXON.

Mr. GRUENING. Mr. President, a further most pertinent comment appears as the leading editorial in this morning's Washington Post, entitled: "Patent Medicine," which comes to the conclusion that the bill passed by the Senate the day before yesterday "is an unhappy hodgepodge, unlikely to give the country's senior citizens realistic or adequate protection against the health hazards of old age," and that "it affords no solution to the medical care problem."

The Post editorial, in effect, warmly supports Senator KENNEDY's declaration on the floor of the Senate that this issue of adequate medical care for our senior citizens will now have to be taken to the country, and as the Post says: "Here is a good issue for the coming campaign."

Certainly the issue is clear that the Democratic leadership, and the Democratic nominees for President and Vice President, Senator JOHN F. KENNEDY and Senator LYNDON B. JOHNSON, wanted a bill that would not be an "unsatisfactory hodgepodge," and that the hope of our elderly citizens for adequate medical care lies in the election of a President and Congress of the same party, so that this divided leadership, which has so greatly stymied much essential progress for the American people in the legislative field, may be ended. Obviously, there is no chance whatever of the Republicans capturing control of the Congress. That its spokesmen freely admit. The answer, then, is to elect JOHN F. KENNEDY as our next President.

The Republican candidate for the Presidency, meanwhile—RICHARD NIXON—has been dealt a body blow in his own house, by President Eisenhower's statement in his press conference yesterday that Mr. NIXON has not been, as his campaign pronouncements so blatantly proclaim a factor in the decisionmaking of the Eisenhower administration. Indeed, after so asserting, categorically, when asked whether Mr. NIXON had ever even contributed an idea which led to a Presidential decision, the President concluded his conference by saying: "If you gave me a week I might think of one. I don't remember." Obviously, Mr. NIXON's vaunted participation in policymaking, his great leadership role which is now being ascribed to him as the campaign gets under way, was so slight that the President could not even remember a single contribution by Mr. NIXON, although no doubt, after a week's reflection, President Eisenhower will be briefed to recall something that the Vice President might have contributed. So the campaign myth of Vice President NIXON's great preparedness and training for the Presidency because of his participation in the Presidential policymaking, vanishes into thin air.

This situation is well elucidated in an article written by Chalmers M. Roberts, and published today in the Washington Post, entitled "A Nixon Balloon Spiked by Ike." I ask unanimous consent that the article be printed in the RECORD at this point in my remarks.

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

[From the Washington Post, Aug. 25, 1960]

A NIXON BALLOON SPIKED BY IKE

(By Chalmers M. Roberts)

One of the things that makes politics so interesting is that you never know for sure what comes next. Consider the case of the NIXON campaign.

On Tuesday night, after the defeat of the Kennedy-backed medical care plan, the Republicans were riding high. But yesterday the NIXON campaign line, or a major part of it, had some big holes shot in it. And the shots were fired not by a Democrat but by Republican President Eisenhower himself.

The GOP line, as is well known, is that the Vice President and his running mate, Henry Cabot Lodge, "are trained by long years of experience in dealing with the Soviets," that NIXON has presided over the National Security Council and the Cabinet "handling the whole spectrum of domestic and international issues," that the experience he gained in his foreign travels "enabled him to recommend and help put into effect many significant changes in foreign policies" and that, "in a phrase, NIXON already knows how to be President."

All of these quotations are from official NIXON campaign material. The party orators at the Chicago convention went even further. In nominating NIXON, Oregon's Governor Hatfield said that the Vice President "has known what it is to bear the full executive burden."

NIXON himself has been very careful not to make any such claim. But if he did not approve in advance the Hatfield speech, for instance, he breached the normal political procedure.

The reason NIXON has himself avoided any claim to have been an acting President during the Eisenhower illnesses or otherwise to have made foreign policy is that he knows President Eisenhower is more than touchy on the subject. But there is no record that NIXON has put any clamps on claims in his behalf on that score.

Part of the point of the claim for NIXON is to counter the Democratic argument that the President himself has left leadership of the Nation to others. In 1956, for example, Adlai Stevenson described Mr. Eisenhower as a weak, buckpassing executive, asking "Who's in charge here?"

Some of Mr. Eisenhower's closest associates long have resented the idea that NIXON or anybody else but the boss has had anything to do with running the store these past 7½ years. It was the same sort of feeling on the part of the President himself which welled up at his press conference yesterday.

Mr. Eisenhower said that neither NIXON nor anyone else participates in Presidential decisions, that he has to make them himself. NIXON, he said, is one of his principal advisers. Later on the President was asked about the GOP claims of NIXON's experience, Mr. Eisenhower replied that while NIXON had often expressed opinions and made recommendations, he was "not a part of decisionmaking." Finally, he said that if the reporters would give him a week he might think of a case when a major NIXON idea had been adopted.

Now all of this doubtless is painful to the Republicans, and the Democrats can be counted on to throw the President's words back at the GOP claims about NIXON's experience. That's fair enough in politics.

Actually Mr. Eisenhower is right. Different Presidents have put it in different ways. Mr. Truman had a sign on his desk which said "the buck stops here." Mr. Lincoln canvassed his Cabinet, found them all hostile to his idea, and then declared it adopted.

Decisionmaking by a President is done in many ways, both by commission and by omission. The uniform judgment of the men who have held the office is that the time always comes, to some more often than to others to be sure, when only he can and must decide.

What Mr. Eisenhower did yesterday, whether because of injured pride or for other reasons, was to put in perspective the NIXON role these last years. The truth is that NIXON has been influential, that he has made recommendations, that he has expressed his opinion, and done so forcefully. He has, however, often been overruled by the President on the advice of others.

But the reason NIXON was given this opportunity was not to give him a decisionmaking role, as the GOP would like to have it. It was to prepare him for the Presidency not as a possible candidate but for the very sensible reason that NIXON is next in line in the succession, as Mr. Eisenhower himself noted yesterday.

The ACTING PRESIDENT pro tempore. The time available to the Senator from Alaska, under the 3-minute limitation applicable to the morning hour, has expired.

Mr. GRUENING. May I have 1 additional minute?

The ACTING PRESIDENT pro tempore. If there is no objection.

Mr. GOLDWATER. Mr. President, I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

The Chair will recognize the Senator from Alaska for 3 additional minutes if no other Senator desires to obtain recognition in the morning hour.

Mr. BUSH. Mr. President, I seek recognition in the morning hour, in my turn.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut is recognized.

RECREATION FOR THE AMERICAN FAMILY COMPARED WITH RECREATION FOR THE RUSSIAN FAMILY

Mr. BUSH. Mr. President, in the Wall Street Journal for today appears an editorial entitled "Which Dream?" The editorial commences with a quotation from the works of John Kenneth Galbraith, the distinguished economist who wrote the book entitled "The Affluent Society." In this particular quotation, Mr. Galbraith, takes a very dim view of the American family; but the Wall Street Journal editorial then proceeds to paraphrase the passage by Mr. Galbraith, in which he refers rather critically to the lot of the American family, by referring to the unhappy state of the Russian family. The comparison is extremely interesting; and, therefore, I ask unanimous consent that the editorial be printed at this point in the RECORD, in connection with my remarks.

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

[From the Wall Street Journal, Aug. 25, 1960]

WHICH DREAM?

The argument that our society is all out of balance—"private luxury amid public squalor"—found one its neatest expressions in this passage by John Kenneth Galbraith:

"The (American) family which takes its mauve and cerise, air-conditioned, power-steered, and power-braked automobile out for a tour passes through cities that are badly paved, made hideous by litter, blighted buildings, billboards and posts for wires that should long since have been put underground.

"They picnic on exquisitely packaged food from a portable icebox by a polluted stream and go on to spend the night at a park which is a menace to public health and morals. Just before dozing off on an air mattress, beneath a nylon tent, amid the stench of decaying refuse, they may reflect vaguely on the curious unevenness of their blessings. Is this, indeed, the American genius?"

We won't inquire how exactly this description may fit your own experience. The point is that Professor Galbraith and his economic students, Senator KENNEDY and the other liberals, mean to redress the balance by vigorous Federal Government action, building up the public sector at the expense of the private sector. They do not stress that such action means moving in the direction of a collectivist or Soviet-type society. So it is perhaps fair to do a bit of paraphrasing:

"The (Russian) family leaves its two-room, air-conditionedless, bathless apartment, with its cracked plaster and exposed wires and stale aroma from the communal kitchen down the hall. Having no car of any sort, they must walk through cobblestone streets, swept by old women, flanked by dreary rundown public buildings and occasional log cabins. They come in due course to the "park of rest and culture," a pleasant oasis of green and flowers, marred only by the giant posters of Lenin, etc., the sleazy clothing of the people, and the drunks.

"Here they eat their unpacked lunch of bread and potatoes. Lacking camping equipment of any kind, they cannot spend the night outdoors here or elsewhere; they walk back home. While trying to get to sleep in the close atmosphere of the room with too many people always in it, they may reflect bitterly on the curious evenness of their afflictions, both public and private. Is this, indeed, the collectivist genius?"

ONE-PARTY CONTROL OF THE EXECUTIVE AND LEGISLATIVE BRANCHES ESSENTIAL TO THE NATION'S PROGRESS

Mr. GRUENING. Mr. President, when objection was made a moment ago—possibly because of the content of my remarks in which I may have helped to debunk a Republican myth—I was about to refer to an excellent cartoon by Herblock, which appears this morning in the Washington Post. In the cartoon the President is shown addressing an audience, with his hand on the Vice President's shoulder; and there is a heading, in quotation marks, in which the President says, "Seldom Has a Candidate Had so Much Experience at Not Being Responsible for Decisions."

The fact is—a fact obviously unpalatable to our Republican colleagues—that Vice President NIXON's alleged great experience, his alleged great participation, his alleged great training for the post to which he aspires—the Presidency—all this has been torpedoed by his chief, President Eisenhower. Surely the President ought to know. And that is the burden of Mr. Chalmers Robert's article which I had just had inserted into the RECORD when a Republican objector cut me off.

In the current issue of the Atlantic Monthly there is an excellent article by John Kenneth Galbraith, the noted Harvard economist. The article is entitled "The Age of the Wordfact," and the purport of the article is that under a new, unprecedented policy inaugurated by the Eisenhower-Nixon administration, unpleasant facts are disposed of by stating that they do not exist.

It is as a result of this Dr. Pangloss policy, this pollyanna policy that the country has been lulled into a false sense of security and kept unaware of the increasingly deteriorating position of the United States in the world. Indeed, Mr. President, some of our friends on the other side of the aisle have admitted as much.

Mr. President, in this situation, the answer is clear: It is time for a change. In fact, the change is overdue.

I ask unanimous consent that the article to which I have referred, entitled "The Age of the Wordfact," be printed at this point in the RECORD, in connection with my remarks.

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

THE AGE OF THE WORDFACT

(By John Kenneth Galbraith)

After the loss of New York and Long Island to Howe in 1776, General Washington, made no effort to picture this misfortune as an important gain for the Continental Army. Lincoln was similarly remiss after the debacle at First Manassas. In 1919 Wilson succeeded in persuading a clear majority of the Senate to vote in favor of the covenant of the League of Nations, although not the necessary two-thirds majority. Nothing whatever was made of this moral victory.

Things are different today. In June of 1960 President Eisenhower returned from a trip to the Pacific which would seem, superficially, to have been an unparalleled disaster of its kind. Japan, which was the principal object of his tour, had been beset by violent riots over the visit, and in the end it had been forced to urge him not to come. With the aid of his press secretary, however, the President was able to report on his return that the trip had been a success. A small number of Communists, acting under outside orders, had made things a trifle sour in Japan. But that was because they knew how powerful was the impression Mr. Eisenhower made on his trips to other lands, and they determined, as a result, that no such impression would be made on Japan. This was not the first time this kind of thing had happened. Two years earlier, Communists in South America had been forced to take similar preventive action because of the overwhelming appeal of Mr. NIXON to the Latin populace.

Some will perhaps conclude from this comparison that Mr. Eisenhower (and also Mr. Nixon and Mr. Hagerty) has a deeper and more perceptive insight into the ultimate meaning of events than did Washington, Lincoln, or Wilson. After all, the battles of Long Island, of Bull Run, and over the League all occurred in wars that were eventually won. Such a conclusion would be wrong. The earlier Presidents operated, in fact, without the help and support of one of the most important modern instruments of public administration. Just possibly they would not have used it, but the issue is academic, for it had not been invented. I refer to the institution of the "wordfact."

The wordfact makes words a precise substitute for reality. This is an enormous convenience. It means that to say that something exists is a substitute for its existence. And to say that something will happen is as good as having it happen. The saving in energy is nearly total.

There is a distinct possibility that the inventor of the wordfact was an editor or a newspaperman. But whatever its origins, it has come to have present-day importance less in journalism than in government. A press that fully accepts the institution is essential to its employment, but one of the principal functions of the modern public leader is to find the language which adequately improves the reality. Where once it was said of a statesman that he suited action to the words, now he suits the words to the action. If past action (or inaction) has failed to produce the desired result, then, by resort to wordfact, he more quickly establishes that the undesired result was more desirable than the desired result.

Lest any of this seem farfetched or complicated, let us remind ourselves of some of the achievements of wordfact in these last years. We agree, of course, that any manifestation of anti-American sentiment abroad is the work of a misguided minority. And until last summer there was no misunderstanding that could not be cured, no resentment that could not be alleviated, no fear that could not be dissipated by a smiling visit of 2 days to the capital of the country. It would then be stated with appropriate solemnity that the visit was a success; the papers would report that it was a great success; the problems then were presumably gone. Perhaps never before in history had diplomacy become so simple.

But not even traveling has always been necessary. By a bold use of wordfact, we were long able to convert South American dictators into bulwarks of the free world, although on occasion it was thought necessary to drive home the point by decorating them. The recent rise of military regimes in Asia is not a setback for democracy. Rather, it reflects the natural and inevitable difficulty in these countries of basing government on the consent of the governed.

Here at home it is no longer easy to think of unemployment as a misfortune. It reflects the introduction of needed and desirable slack in the system. No properly run economy can be without it. The drastic decline in farm income in recent years has become a manifestation of the vitality of the market system. Though farmers have been leaving their farms at an unprecedented rate, the forces making for this migration have been favorably described by the Secretary of Agriculture in a book with the agreeable title "Freedom To Farm." Bad television programs were strongly defended early this year by the Federal Communications Commission as a precious manifestation of the freedom of speech. The networks found this a more than satisfactory substitute for any improvement in their programs. They are said, as a result, to be coming up with autumn offerings of unparalleled banality and horror. One hopes that some Sunday afternoon they will have a statesmanlike salute to the principal modern architects of the wordfact.

However, as an indication of what can be done by skillful deployment of the wordfact, with the aid of an acquiescent press, it is unlikely that any recent event matches that of the ill-fated U-2. Until Francis Powers made his unpremeditated landing, the sending of military or paramilitary aircraft by one country over another without the permission of the latter would have been considered a somewhat provocative act. (Even now the appearance of such planes over the United States would not be regarded with any real warmth and enthusiasm.) To have an aircraft shot down in the course of such an excursion into another country would have been regarded as a serious misfortune from which little comfort or reward of any kind could possibly be gleaned.

Yet in the days immediately following the last flight of the U-2, by the massive use of wordfact all of the relevant circumstances were changed. Flying planes over other countries became a kind of fifth freedom, to be justified, not without sanctimony, by the secrecy of the other country. The information gained justified the danger incurred and the mistrust aroused among our friends. Indeed, the flights would have to continue. The loss of the plane had proved, as nothing else, the weakness of the opposing defenses. The flights were then suspended, and this became an act of wise restraint. At this stage, the information being gathered ceased to be important as compared with the danger involved and the discomfort and mistrust created among our allies.

Such is the service of wordfact in transforming misfortune into fortune. But it has at least an equal value in transforming inaction into action. Thus, for a year and a half now, a Cabinet Committee headed by Vice President NIXON has been dealing with the problem of inflation. This it has done all but exclusively by denouncing it, and so great has been the fury of its denunciation that it has not deemed it necessary to propose any concrete remedies of importance. In recent years, medical care for the aged has become a major political issue. As this is written, both parties in Congress are endeavoring to make a record on the issue. Records are made not by enacting legislation but by indicating an all but uncontrollable desire to enact legislation. Yet there is a difference, which is recognizable to those who are old and ill and faced with a terrible medical bill. Strong statements in favor of school integration and voting rights for Negroes are a widely accepted substitute for progress, and much less complicated in practice. To most congressional and campaign strategists, it would be considered little short of eccentric to inquire what might be accomplished. The important thing is to find the form of words that will satisfy, and if possible inspire, the Negro voters. One imagines, incidentally, that the invasion of the lunch counters by Negro students is related to the discovery that much of the civil rights discussion is purely inspirational.

On occasion, as when Republicans opposed slavery and Democrats favored alcohol, political platforms in the past have been a guide to ensuing action. But these, too, have been taken over by wordfact. In those hammered out this summer at Los Angeles and Chicago, little thought was given to whether the good things mentioned in them could or would be done. It would have been a jarring note had anyone on either platform committee asked: "Are we sure we can keep this promise?" (It was a jarring note at Los Angeles when Paul Ziffren, the California Democratic national committeeman, said that it was less important to write platforms than to get them enacted.) In the case of the platforms, the people appear to be fully aware of the use of wordfact. As a result, they pay them only the most perfunctory attention. It is unfortunate, but words have value only if they have some nexus, however tenuous, with action.

This truth is well illustrated on a global and tragic basis by the discussion of disarmament. Here it is all but taken for granted that no one means what he says, that proposals are made for their effect on public opinion and not on the arms race. And, as a result, people have ceased to pay any attention to the proposals. Civilized survival may in this instance depend on our ability to redeem this problem from the practitioners of wordfact.

But the redemption had better be general. To some extent, of course, it is automatic. It cannot be supposed that the vast verbal fallout of recent years is intrinsically attractive. It is certain to breed a reaction. Convention viewers doubtless saw the beginning of such a reaction this year in the massive inattention that was accorded these wordy proceedings. One sees it also in the tendency to assume, when the Government explains that all is well, that something must be wrong.

In part, the control of wordfact requires only that our leaders be slightly more sensible in their approach to the American people. It would be to their own interest. When President Eisenhower described his trip to the vicinity of Japan as a success, he was fooling no one capable of consecutive thought. He did risk giving the impression that he was susceptible to such nonsensical conclusions. And certainly he revealed an unflattering attitude toward the gullibility of the American people.

This, to some extent, was their—or our—fault. We have come to suffer nonsense gladly, and pompous nonsense far too gladly. Elaborate rationalizations of failure should not be met by bored silence or even by a fishy stare. They should be greeted by loud and vulgar laughter, followed immediately by equally uncouth speeches and letters and, if nothing else is possible, by scribbling on walls. All who proclaim good intentions should be immediately asked for their program as to performance. Speeches of candidates for public office this autumn should be scrupulously clipped and saved—and sent to them at intervals over the next couple of years with a request for a progress report. Four years from now, when the parties meet to write their programs, a large number of articulate citizens must be on hand to inquire what in hell happened to the pious promises of 1960. They should have this year's copies in hand.

Perhaps, having organizations for almost everything else, we should have an organization for enforcing election promises and for fingering the man who imagines that he can make his record with words. At a minimum, however, we must reconstruct our hierarchy of political delinquency. The most serious delinquent, the man now to be marked for extinction even before the Florida freeloader, is the man of any political faith or persuasion whose talk shows any sign of being unmatched by intention. The windy liberal should go, along with the windy conservative, and, as a liberal, I devoutly hope that he will go first. And while dealing kindly with all who confess honest error, we should make a special bipartisan onslaught on any man who defends his mistakes by saying that the unintended was better than the intended and that it was really planned all along.

GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6871) to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to; and the Acting President pro tempore appointed Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. JAVITS, and Mr. CASE of New Jersey conferees on the part of the Senate.

ACCOMPLISHMENTS OF THE REPUBLICAN ADMINISTRATION IN CIVIL DEFENSE AND DEFENSE MOBILIZATION

Mr. HRUSKA. Mr. President, on previous occasions the accomplishments of various facets of the Republican administration have been placed in the CONGRESSIONAL RECORD. No report is perhaps more significant than an accounting of the achievements in civil defense and defense mobilization.

It is usually the case to think of civil defense in terms of aid for local disaster caused by natural forces. But civil defense today assumes a far more pervasive and vital role. It is an integral part of our total defense, designed to meet the challenges of the cold war and the continuing threat of open hostilities.

We need to know what steps are being taken by our Nation to survive any trial that may come in the years ahead. For this reason, Mr. President, I ask unanimous consent to insert in the RECORD at this point, a report on the progress of our civil defense and defense mobilization program.

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

ACCOMPLISHMENTS OF THE REPUBLICAN ADMINISTRATION—CIVIL DEFENSE AND DEFENSE MOBILIZATION

As this session of the 86th Congress nears adjournment, it would be useful to take a few minutes to review the accomplishments of the Republican administration in a field of vital concern to the safety and security of America.

This is the Nation's civil defense and defense mobilization.

In the past, the tendency has been to regard this crucial activity as a piecemeal effort to form voluntary groups trained to cope with any emergency that might arise. This is no longer the case. While individual effort is needed as never before, our obligation goes far beyond such efforts. The realities of the thermonuclear age impose upon America the requirement for a home defense that is tightly and efficiently organized from the President of the United States down through every level of government to the individual citizen.

It is not necessary to dwell on the dangers of nuclear attack. Nothing is more apparent that the fact that hydrogen weapons coupled with modern delivery systems could carry a nuclear war to our backyards.

Our home defenses serve another purpose. With each improvement in the ability of our people, our institutions, and our industry to survive, our deterrent strength

grows and the prospect of a surprise assault lessens. In a word, civil defense is a vital component of total defense. A potential enemy convinced of our second strike capability and of our people's determination to recover and win is less likely to launch an attack.

Moreover, a potential enemy so persuaded is less likely to use the threat of force at the conference table. Nuclear blackmail cannot work against a united people determined to stand on principle and ready to fight for what is right and just whenever necessary.

Despite our best efforts to insure the peace, attack could come by miscalculation, madness, or accident.

In a world filled with tension and peril, we cannot rest until our home defenses are sufficiently advanced to assure survival for the American people.

That is why our country can take pride in the sizable progress made in strengthening our home defense.

The record is impressive:

1. The National Plan for Civil Defense and Defense Mobilization was promulgated by the President in October 1958. It clearly sets forth the mission and, step by step, relates how it is to be accomplished and by whom. This one document with its 39 annexes is the blueprint for survival and recovery. It is the model for all State and local government plans. Each State now has a survival plan, developed with Federal assistance; 240 of our great cities and more than 2,300 counties and communities also have survival plans.

2. At administration request, the Congress provided funds for Federal assistance to the States and local governments to hire full-time well-trained civil defense personnel. These funds will strengthen the very heat of civil defense, the State and local governments.

3. We have an excellent warning system. As soon as an enemy attack is detected by North American Air Defense Command, we can today warn 376 critical points throughout the Nation within 15 seconds. This is being expanded to 500 points.

4. Our communications network is excellent. Not only do we have wire communications, but the same is being backed up by radio to all States.

5. Preparations for continuity of government have progressed satisfactorily. The survival of the Nation could well depend on the ability of government to lead and direct in case of an emergency. To assure this capability, all governments are encouraged to establish lines of succession for key personnel, provide safe storage of essential records, establish protected alternate sites and make full use of all government personnel, resources and equipment for emergency operations—38 States have already taken action.

6. We have in our emergency stockpile approximately $225 million worth of medical and engineering supplies, and over 2,000 emergency hospitals. This stockpile is to be materially increased within the next few years.

7. At this time, we have over $8 billion worth of materials in our strategic stockpiles to be used in the recovery action. In addition, we have an ample stock of food in the Commodity Credit stockpiles.

8. Planning and action are based on the sound principle that responsibility for civil defense rests squarely on governments at all levels, industries and people.

9. Information and training have been greatly accelerated:

(a) In the past 2 years, $100 million in TV and radio time, and other news media have been provided at a cost to the Government of less than $1 million.

(b) Adult education includes civil defense instructions in seven States.

(c) Civil defense is being taught in 15,000 high schools and colleges, with 2 million students receiving this instruction during the last school year.

(d) An emergency civil defense handbook has been distributed to every household—over 40 million.

All of these achievements reflect the new importance assigned to civil defense in the highest councils of Government.

A major aspect of this new drive to prepare the American people for any emergency has been an accelerated program to develop protection against fallout. On May 7, 1958, the administration announced a national shelter policy aimed at saving millions of American lives. Exhaustive tests and studies, and the evidence of the most respected scientific groups in America including the National Academy of Science, the Bureau of Standards, and the American Medical Association, had confirmed the need for fallout shelter. It is the one proven method of protecting the individual and his family from deadly radiation.

The national shelter policy places responsibility on the individual to provide his own shelter. The Federal role is limited to education, example, and leadership. This program has been pursued vigorously and it is obtaining wide acceptance. Most national organizations fully support it.

Not long ago the average citizen, when confronted with the facts of nuclear life, threw up his hands in despair. With the shelter policy pursued vigorously in the last 2 years this attitude has changed. Today, the average American knows that something can be done to protect himself and his family. The result is that thousands of shelters are being built throughout the country

A recent Gallup poll confirmed this new public response. This survey showed that 71 percent of the people favor fallout shelters and 38 percent are willing to spend up to $500 in building such a shelter.

But they needn't spend that much. A family fallout shelter can be built for as little as $100, and plans are available.

The administration has encouraged widespread shelter construction in very practical ways. The Housing and Home Finance Agency now cooperates with building contractors and private individuals for the provision of shelter in all types of new housing, and the FHA will insure installment loans for family shelter construction under its home improvement program.

Additionally, the administration has begun a prototype shelter program which places these demonstration units in each State, most major cities, and many rural areas.

Studies and surveys have been intensified to design shelters for every kind of building, and existing structures are being assessed for their potential value as shelters. To date, these surveys show conclusively that there are adequate shelter spaces in existing structures for over 25 percent of our people.

Shelter can also be provided in new and existing Federal buildings. Funds to permit this construction are being requested by the administration under the annual Independent Offices Appropriation Acts.

The solid progress toward a sturdy home defense achieved in the Eisenhower administration speaks for its vision in recognizing the long-term character of the perils we face today. As long as nuclear assault is possible we must pursue with unabated vigor and resourcefulness the achievement of an effective civil defense.

Our heritage as a free people who place a transcendent value upon human life, and our unshakable will to defend our land and liberty at all sacrifice, demand that civil defense and defense mobilization be assigned high priority in these troubled times.

This we have done. This we pledge to continue to do in the next administration.

FARM LEGISLATION

Mr. HRUSKA. Mr. President, the Senator from Nebraska heard the discussion on the floor earlier today with respect to adjournment and the passing comment on farm legislation, and especially on the wheat bill, as one of the subjects needing immediate action and immediate attention of the Senate.

May I suggest that it is a subject which should be accorded more than passing interest. I read from an article which appeared in the Denver Post on July 15, 1960, written by William M. Blair, of the New York Times News Service:

> Senator JOHN F. KENNEDY has promised to introduce in Congress next month an emergency farm bill to attack what he called the No. 1 domestic issue.
>
> He asserted that January, when a new administration takes office, was too late to write legislation aimed at bolstering falling farm income and farm prices.
>
> Speaking to North Dakota delegates to the Democratic national convention, he said his staff already was at work on a farm bill that would guarantee farmers full parity income.
>
> He gave no details, but he supported the farm plank in the party platform submitted to the Democratic national convention.

On August 21, that same Senator, the junior Senator from Massachusetts, was in Des Moines, attending a farm conference there. A news article from Des Moines on that date states that—

> Senator KENNEDY outlined a farm program for a new Democratic administration. However, it was largely repetitious of the Democratic party's platform and was stated in general terms.

In the meantime, there has been no bill submitted by the Democratic candidate for the Presidency, nor is there anything of any more concrete form than that statement.

At that conference in Des Moines there was reference to the fact that in 1954, in that same city, the Republican nominee for the Presidency made the statement that history would record Secretary Benson as the greatest Secretary of Agriculture. There was a charge, at an earlier time, of betrayal by the Republican nominee of Secretary Benson, and so forth, because of the alleged change of position of Vice President NIXON in the field of farm policy.

Mr. President, I ask unanimous consent to have inserted in the RECORD at the conclusion of my remarks an editorial entitled "A Lack of Beliefs, Indeed," from the St. Louis Post-Dispatch.

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

(See exhibit 1.)

Mr. HRUSKA. In that editorial it is pointed out that:

> In 1954 Senator KENNEDY voted with the Republicans for the Benson flexible price support formula on five basic crops at a time when the Democrats were opposing it, 35 to 10.
>
> In 1956, he voted with the Republicans to delete from the farm bill a provision calling for return to 90 percent of parity price supports—an amendment which the Senate Democrats opposed, 35 to 13.
>
> Again in 1956, Senator KENNEDY took his stand with a majority of Republicans to vote

against the bill establishing 90 percent price supports for 1 year and setting up the soil bank. In this case he was one of only four Democrats opposing the bill.

Since 1957—

The editorial says—

when Senator KENNEDY began eyeing the Presidency in a serious way, he has been more friendly to the orthodox Democratic approach to farm policy.

The editorial concludes by saying:

Would they not both (NIXON and KENNEDY) contribute more to an enlightening campaign by forgetting about the past and addressing themselves to the drafting of an effective and just farm policy for the future? Senator KENNEDY's call for a farm conference August 21 to work out long-range plans for legislation is much more promising than his spurious concern over Mr. NIXON's "betrayal" of Mr. Benson.

I read again from the article written at Des Moines at the time of the farm conference:

Senator KENNEDY outlined a farm program for a new Democratic administration. However, it was largely repetitious of the Democratic Party's platform and was stated in general terms.

In short, with a virtual 2 to 1 Democratic lead in each House, just more of talk and promise, talk and promise, without action. The American farmer will note this well in light of recent pledges to sponsor, introduce, and act on a farm bill during this session of the Congress.

Mr. President, I yield the floor.

EXHIBIT 1

A LACK OF BELIEFS, INDEED

Senator KENNEDY struck a stern moral stance in accusing Vice President NIXON of a "lack of basic beliefs" on farm policy, but his criticism would have carried more weight if his own record on this subject had been more consistent. Not until he began running for the Presidency did Senator KENNEDY become the fierce foe of Ezra Taft Benson policies that he now professes to be. As a matter of fact, a good many of his Senate votes prior to 1957 show that he was, just like Vice President NIXON, in sympathy with the Benson approach at the time.

Thus in 1954 Senator KENNEDY voted with the Republicans for the Benson flexible price support formula on five basic crops at a time when the Democrats were opposing it, 35 to 10.

In 1956 he voted with the Republicans to delete from the farm bill a provision calling for return to 90 percent of parity price supports—an amendment which the Senate Democrats opposed, 35 to 13.

Again in 1956 Senator KENNEDY took his stand with a majority of Republicans to vote against the bill establishing 90-percent price supports for 1 year and setting up the soil bank. In this case he was one of only four Democrats opposing the bill.

Since 1957, when Senator KENNEDY began eyeing the Presidency in a serious way, he has been more friendly to the orthodox Democratic approach to farm policy, which as embodied in the 1960 platform includes a pledge of 90-percent price supports. And of course he now denounces the Benson program roundly as a disastrous failure, recalls that Mr. NIXON defended Mr. Benson and his policies before winning the Republican nomination, and piously remarks that "election day conversions are not an indication of conviction."

True enough, but we would say that on farm policy there is a certain amount of election day conversion on both sides. Mr. NIXON, in trying to liberate himself from the Benson policies with which he has so long been identified, cuts just as amusing a figure as Senator KENNEDY does. Would they not both contribute more to an enlightening campaign by forgetting about the past and addressing themselves to the drafting of an effective and just farm policy for the future? Senator KENNEDY's call for a farm conference August 21 to work out long-range plans for legislation is much more promising than his spurious concern over Mr. NIXON's "betrayal" of Mr. Benson.

REPEAL OF THE CONNALLY RESERVATION

Mr. DODD. Mr. President, the July issue of the American Bar Association Journal contained a powerful argument against the repeal of the Connally reservation written by Alfred J. Schweppe.

Mr. Schweppe's article deals perceptively with many facets of this question. He reminds us that the basic integrity of the International Court of Justice is undermined by the presence of judges from Communist nations, judges who, as Communists, accept the dictum that anything which advances the cause of communism is right and just, and anything which hinders that cause is wrong and unjust.

This is a point that has long troubled me with respect to repealing the Connally reservation which allows our country to decide what matters involving it will be adjudicated by the International Court of Justice. The number of Communist judges on this Court will doubtless increase in the years ahead and we in the Senate should take a long and sober look at any action which would place the legitimate interests of our country at the mercy of an International Court whose decisions are considerably influenced by Communist participants.

Mr. Schweppe's article raises many other valid points which we must carefully consider before reaching a decision on this matter and I ask unanimous consent that this article be printed at this point in the RECORD.

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

THE CONNALLY RESERVATION SHOULD NOT BE WITHDRAWN

(By Alfred J. Schweppe)

The withdrawal of the Connally reservation has been well described by Mr. Raymond Moley in Newsweek of February 22, 1960, as "legal disarmament"—as disastrous at this juncture as would be military disarmament. That brilliant expression states the case in a nutshell.

Actually, in the light of recent events, a discussion of the Connally reservation[1] to the World Court treaty seems wholly academic.

If there was ever any basis for the idea, certainly there would seem to be no doubt today that the U.S. Senate should not withdraw the Connally reservation. In the absence of that reservation a question which the United States deems a domestic question could be determined by the International Court of Justice, "the principal judicial organ of the United Nations" (art. 92), to be an international question by a vote of the two incumbent judges from Communist Russia and Communist Poland, although these countries have held themselves immune from the jurisdiction of that Court. I am sure that the U.S. Senate can be counted on to look after the best interests of the United States, in view of the clarification of international attitudes in recent weeks.

In appraising the utopian goal of world peace through law, we must not overlook that most major wars have arisen over issues that are not justiciable. Certainly the immediate cause of World War I, the assassination at Sarajevo of an Austrian archduke in July 1914, and the subsequent Austrian demands for apology and punishment were not justiciable issues. Hitler's invasion of Poland over the Polish Corridor, which had been legally established by treaty, did not raise a justiciable issue. The Korean police action did not arise over a justiciable issue. It would seem then that our enthusiasms for world peace through law must be presently narrowed by the realities of world history and human conduct.

The dream of world peace through law is not something new invented in 1958 or 1945. It is many centuries old and constitutes one of the eternal yearnings of much of mankind in a world in which the war method of settling disputes has been a major business for centuries.

PEACE THROUGH LAW ONLY ATTAINABLE BY WORLD GOVERNMENT

However, the noble objective of world peace through law, in my opinion, is not attainable (1) until all war, whatever the provocation, is outlawed—made completely illegal just as simple assault and battery is illegal and justiciable on the domestic scene, (2) until all nations agree to this concept, (3) until all other nations believe that each nation so agreeing will accept world court judgments and has disabled itself from doing anything else, and (4) until there is a worldwide enforcing agency undoubtedly capable of enforcing such judgments—in short, a complete world government, functioning with essentially the same authorities and sanctions as our own government in respect of each of its citizens.

That time is a long way hence, if it ever arrives.

In order to grasp the full import of the withdrawal of the Connally reservation the citizen should seek the answers to two questions: first, who will be the judges, and, second, what will they judge?

THE WORLD COURT JUDGES

All of the members of the United Nations are ipso facto parties to the statute creating the court and the representatives of each are eligible for membership on the court.

The World Court consists of 15 judges. The election of judges is made by an absolute majority of the Security Council and the General Assembly of the United Nations. Judges hold office for 9 years and may be reelected. Only one judge may be elected from any member country. The United States now has one member. The Iron Curtain countries now have two members, those from the U.S.S.R. and from Poland. There is no limit to the number of judges who may come from the Iron Curtain countries other than the number of judges on the court and the number of Iron Curtain countries. If Red Communist China is admitted to the United Nations, its representation on the World Court would almost certainly follow expeditiously, for those exponents of membership who

[1] In accepting voluntarily by treaty the compulsory jurisdiction of the International Court of Justice in 1946, the United States excluded from its acceptance "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States as determined by the United States." The last six words were added on motion of Senator Connally of Texas and passed by a vote of 51 to 12 on Aug. 3, 1946.

volubly insist that 600 million Chinese cannot be ignored by the United Nations would be equally voluble for representation on the World Court for a people representing 25 percent of the world's population. A somewhat different logic would be advanced on behalf of, say, Ghana.

The member from Great Britain, Sir Hersch Lauterpacht, Q.C., having died in May 1960, the present membership of the Court is 14, as follows: Norway, Pakistan, France, United States of America, Poland, United Arab Republic, Uruguay, U.S.S.R., Argentina, Mexico, Nationalist China, Greece, Australia, and Panama.

THREE TYPES OF JUDGES

While it is futile to try to forecast the formation of the World Court country by country in the future, it may not be idle speculation to suggest to the inquiring citizen that he judge the possibilities and probabilities of the court including at all times individuals possessing the following qualifications:

A. A type of judge devoted to the highest principles of jurisprudence, incorruptible, above all improper influence of any nature, whose decisions will always be those of a jurist, not a legislator.

B. A type of judge, well intentioned and conscientious as a man, but capable of being influenced by the consequences of any decision into entering the field of legislation if he feels strict adherence to the law will in his opinion have unfortunate results.

C. A type of judge who is not his own master, but bound to follow, in some or all fields, outside forces to whom he is in some manner beholden.

It should be difficult to convince the American citizen, who has recently observed all of these three types of judges on certain American courts, that these same type will not also be found in the World Court. As to the proportion of each type to be expected, who could possibly speak with assurance?

COMMUNIST JUDGES WON'T DECIDE AGAINST COMMUNIST INTERESTS

However, no one will seriously pretend that at the present time there are not at least two grade C judges on the Court. Whatever may be the personal qualifications of representatives of the Iron Curtain countries, is it conceivable that they could decide against the vital interests and advantages of the Kremlin or miss any opportunity to embarrass the United States in any issue of importance? Imagine, if you will, in the present state of world tension a situation in which the two grade C judges have the deciding vote on a question of jurisdiction of matters involving the United States before that Court, which the U.S.S.R. ignores and to whose processes it is immune. To ignore these realisms seems a blind idealism. Surely we cannot expect these judges to defect to the free world, which would be the only safe way in which they could protect themselves from reprisals were they to attempt independence.

WHAT IS TO BE JUDGED

The repeal of the Connally reservation will throw into the hands of the World Court Justices the question as to what matters are essentially within the domestic jurisdiction of the United States and what matters are essentially foreign or international in nature and proper subjects for their adjudication. However well defined this distinction between domestic and foreign affairs may be in the mind of the citizen, he must not forget that his own judgment is quite irrelevant and ineffective. The World Court judges will be interpreting the terms "domestic" and "foreign" in the light of conditions of 1960 and beyond. The significance of submission of American affairs to a World Court under current conditions must not be approached as if this were 1907, 1920, or even 1946. Certain developments have come to light in the last decade which have effectively removed the issue of expanding the World Court's powers from the exclusively international field and have rendered the issue one of involving a revolutionary reformation of our entire constitutional system and a surrender of sovereignty.

THE STATE DEPARTMENT DECLARATION OF 1950

In the spring of 1951, the writer was paying a visit to the State Department in Washington to hear a lecture in the company of that distinguishd international lawyer and scholar, the late Dr. George A. Finch, of Washington, D.C., then editor in chief of the American Journal of International Law, and who was then, along with the writer and others, on the American Bar Association's Committee on Peace and Law through United Nations. During this visit the writer quite accidentally encountered a pamphlet which had been published only a few months before by the State Department for wide distribution.

The opening sentence of this publication froze his attention: "There is no longer any real distinction between domestic and foreign affairs." This astounding pronouncement can be found in Department of State Publication 3972 "General Foreign Policy Series 26," September 1950, with a foreword by President Truman. It was published in the report of the American Bar Association's committee on peace and law for September 1950, as indicating that apparently the State Department considered all essentially domestic subjects within the treaty power. 76 A.B.A. Rep. 225, 228–9.

Now in 1960 let the inquiring citizen read the State Department pronouncement and satisfy himself as to whether it will not be taken literally by the 15 judges on the World Court whether they be grade A, grade B or grade C. Certainly the authority of the American State Department could not be surpassed as determinative of what matters are domestic and foreign in the judgment of the World Court.

"There is no longer any real distinction between domestic and foreign affairs," says the State Department. This is definitely a statement against interest. The State Department has never retracted this pronouncement. Any attempt now to avoid the impact of these words, whether it be through interpretation, retraction or repudiation, obviously will come too late to influence the World Court. It would now be a strictly self-serving retraction.

Speaking bluntly, those Americans who favor withdrawal of the reservation are willing to submit all of our American affairs to an international court of 15, composed of representatives in part of our enemies, in part of a few friends, in part of lukewarm allies, in part of Moslems, at least in part unfriendly and with a totally different legal background, and in part of nations jealous of our world position, a majority of whom, without any discredit to them, have no genuine conception of the values and system of rights that we believe in and consider strictly our own business.

U.N. HAS INVADED DOMESTIC JURISDICTION

Aside from this foreign policy series declaration of the State Department in 1950, it cannot have escaped anyone's notice that the United Nations itself, of which the Court is the principal judicial agency, under an identical restriction against dealing with matters essentially within the domestic jurisdiction of a member state, has invaded numerous areas generally deemed by us to be domestic. Can the Court be expected to go in a contrary direction?

To those who say that the Court will be careful about our rights—confidence in man, which Jefferson decried—the answer is that the concept of judicial self-restraint has not worked in the United States in areas where the law has been long considered settled. Witness, for example, what has happened judicially to such concepts as intrastate commerce and States rights. So how can judicial self-restraint be expected to work with a tribunal of unlimited power composed as is the World Court in an area where there are no settled criteria at all? One hesitates to think what the World Court would do to the word "domestic." There is absolutely no control over what it declares. Imagine what will happen to the domestic jurisdiction of the United States.

One needs only to read the learned work of a recently deceased member of that Court, his recognition of the absence of generally accepted law, the element of judicial discretion and the possibilities of judicial legislation, to realize the grave dangers of unlimited submission to the jurisdiction of that Court.[2]

Americans abhor unlimited power anywhere. The adjudicating power of this World Court, if invested with plenary jurisdiction over all of our affairs, is much greater than that of the Supreme Court of the United States, whose judgments can be at times offset by corrective congressional legislation, always by constitutional amendment (*Chisholm* v. *Georgia* and the 11th amendment; *Farmers Loan & Trust Co.* case and the 16th amendment), whose original jurisdiction is minor and whose appellate jurisdiction is in the hands of Congress to be enlarged or narrowed at will (art. III), and which, according to Mr. Dooley, even reads the election returns. The judgments of the World Court are subject to no such corrective measures. It speaks from Olympus. Its judgments must be taken as rendered.

To those who say, like Senator HUMPHREY, former American Bar Association President Charles Rhyne, the association's section of international and comparative law, and others, that if the court renders a decision that we think is wrong, we can exercise our veto power in the Security Council (the enforcement agency), one may answer by asking what kind of international morality is that—the recommendation that we repudiate in the Security Council the judgments of the World Court, whose compulsory jurisdiction we will have been persuaded to accept? One has difficulty in apprehending this suggestion. One may hope that our enemies behind the Iron Curtain who have resorted to the veto so many times will not be too encouraged by this incredible proposal. It underscores, of course, the fact that any judgment of the World Court is beyond all possibility of appeal. To counteract this grim reality it is blandly asserted that the American Nation can repudiate its obligations whenever they are distasteful by a resort to the veto procedure of the United Nations. And this suggestion is made in the face of the internationalist creed that the World Court will make world law, and that we must lead in its acceptance. Actually those who now emphasize this method of escaping the judgments of the court will be among the first to insist that in good faith it cannot be used.

Let all American Senators and all other citizens face the fact that once we have eliminated the Connally reservation, and committed ourselves to the mercies of the World Court, there can be no retreat with both peace and honor.

The sponsors of withdrawal assure our U.S. Senators and the rest of us of another escape route. We are told that under the U.S.

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[2] Sir Hersch Lauterpacht, Q. C., "The Development of International Law by the International Court," London, Stevens & Sons Ltd., 1958, 400 pages.

adherence it may terminate its entire declaration of adherence, including its acceptance of jurisdiction, on 6 months' notice.

This is an astonishing suggestion from persons who profess to be so deeply concerned with high principles of world leadership for the United States. If these principles are such as now to impel this Nation voluntarily to subject itself to the plenary powers of this World Court, how can it ever, consistent with these principles, withdraw from its commitment, no matter what the provocation?

THE SELF-INTEREST ARGUMENT BACKFIRES

It is argued that the reservation should be withdrawn as a matter of self-interest. It is said that the reservation prevents litigation of many matters of interest to the United States and its nationals, because of the reciprocal principle established by the court that a nation having a reservation like ours, if it sues a nation having no such reservation, may suffer dismissal of its case. To illustrate this argument, reference is made to the case of certain Norwegian loans, wherein France instituted an action against Norway because of Norway's refusal to pay in gold, gold obligations or bonds marketed in France. It is intimated that the court would have had jurisdiction of this case except for Norway's invoking the French reservation. The trouble with this argument is that it backfires, for the question of whether Norway had a right to repudiate payment of Norwegian bonds in gold appears to be a domestic matter and one for the Norwegian courts. It would seem that a nation has the right, as a domestic matter, to protect its financial stability without rendering itself internationally liable. Most nations, including our own, have indulged in repudiating gold clauses for domestic reasons.

RECIPROCITY DEVICE MUST BE USED IN GOOD FAITH

But whether the question of such loans is domestic or international, the result is the same. If truly domestic the international court would have no jurisdiction. If the question is demonstrably international under recognized principles of international law, then such a defendant would be improperly using the protective reciprocity device developed by the international court. As respects the United States, it cannot complain and is not concerned when the defendant invokes the domestic jurisdiction claim in a proper case, because it has retained the same right and the court would have no jurisdiction anyway. When a defendant nation invokes the domestic jurisdiction claim in a demonstrably improper case, and cannot be induced to change its position, it simply proves that such a defendant is not ready to deal maturely and in good faith on truly international claims. The United States and its nationals can well afford to take the risk to find this out. Until the United States improperly invokes the domestic jurisdiction claim, no other nation is in an honorable position to do so. It must be assumed that the United States will weigh each instance with meticulous care, and listen avidly to all arguments on the nature of the question submitted. The United States as a government in the area of international claims can certainly take care of itself. And U.S. nationals doing business abroad have carefully appraised the risks and have presumably protected themselves without regard to whether any of their claims are enforceable in the international court, and are satisfied with the stability and honor of the nations where they are doing business, and with the courts of the forum. The so-called argument of self-interest on the part of the United States is far outweighed by the benefit of retaining the Connally reservation.

To those who say that the risk is small, as does the American Bar Association's section of international and comparative law, it may be answered that they admit the existence of risk. Risks should not be taken with the domestic interests of the United States before such a tribunal.

The United States is a unique country. It has a unique Constitution. It holds a unique position in the world. It is by no means requisite that the United States follow other governments, who have either made no reservation or abandoned one previously made. Our stakes in maintaining the integrity of our position are high. We cannot expect anyone other than the United States to look after its interests. If the United States were the only nation making such a reservation, it would certainly in the present posture of world affairs be justified.

Americans may look to their own Constitution as well to learn why the Connally reservation should be preserved. By relinquishing this reservation we would permit the sovereignty of the United States to be substantially impaired. In effect, we would be giving to an international tribunal, without right of appeal or other redress, power to decide questions arising under the U.S. Constitution that might affect our country, its several States, and each of us in a manner contrary to that contemplated by the Constitution. The Founding Fathers might have welcomed the submission of truly international questions to a World Court on a case-by-case basis, or on a treaty-by-treaty basis where the international character of the issue is clear in advance. They certainly never contemplated an unqualified blanket release of sovereignty of the kind that would occur with the withdrawal of the Connally reservation. It is surely open to question whether the Senate should assume such power under the Constitution as it is now written.

SELF-JUDGING—ONLY A SLOGAN

The proponents of withdrawal seek to disparage the Connally reservation by indiscriminate use of the word "self-judging." It is demonstrably a sloganizing maneuver. The United States was under no obligation to submit any controversies to the World Court. When it chose to submit some controversies but not others it was entirely proper to define, in any manner it chose, the extent of such submission. The declaration that it would not submit any controversies judged by it to be within the domestic jurisdiction of the United States was an honest, forthright statement. Subsequent events have demonstrated to many thoughtful Americans, whatever their sentiments may have been at the time, that the reservation was prophetically wise. The judgment of the United States that a controversy lies within its own domestic jurisdiction cannot be regarded as a judgment in its own favor in a case actually being litigated, which seems to be one of the implications suggested.

The reservation has not been a deterrent to the use of the World Court on truly international issues. The United States has submitted cases involving international disputes and abided by the Court's decisions. Nations which sincerely believe in the peaceful adjudication of international problems of a justiciable nature and want to use that Court are free to do so. Nor has it been established that America will use its reservation unfairly. If the United States cannot be trusted to be fair in this matter, how, from our standpoint, can more trust be reposed in this international tribunal?

The chief result of the reservation has been to retain in American hands jurisdiction over issues that are best decided by Americans.

It is true, perhaps, that resort to the court on genuine questions of international law does not occur as often as some of us might wish. However, the reason seems to rest largely on the widespread current belief that international problems of consequence should be settled at the diplomatic level by way of summit or comparable conferences, and not at the judicial level. The Suez Canal treaty, for example, might have made a justiciable case for the court, but instead, the resort was to diplomacy. It may be that the Berlin issue is of a justiciable nature; but it will doubtless not be settled in the World Court. Certainly, so long as the Communist nations refuse to use the court, the settlement of great international issues at the judicial level—world peace through world law—is not capable of realization.

RESERVATION IS CONTINUATION OF MONROE DOCTRINE

In fact scholarly research has demonstrated that the Connally reservation is completely consistent with our foreign policy beginning with the Monroe Doctrine, namely, that the United States has consistently reserved the exclusive right to pass on what have been called in official language "American questions".[3]

Is there then no hope for the increased use of law in resolving international disputes?

Definitely there is. The goal is well worth working for and working hard. But we must not make the Utopian move of jumping too far too soon. The question is one of means. We were closer to world peace through law in 1909 by virtue of The Hague conferences and of voluntary submissions to international tribunals than at any time since.

WORLD IS NOT READY FOR COMPULSORY COURT

The writer's belief is that we will have to go through a long period of voluntary submissions of problems to the World Court, either on a case-by-case basis, or on a treaty-by-treaty basis, or both, before the world is conditioned to accept a greater degree of world peace through law than now exists. In the writer's judgment, we must attain at least a relatively calm atmosphere of legal settlement of international problems such as prevailed just prior to World War I (and this must include the Communist nations, without whom world peace through law is an utter impossibility) before we are ready to consider compulsory jurisdiction of any World Court, however constituted.

After all, the concept of peace through law contemplates maintenance of the status quo except as changed by orderly legal processes, either of legislation or of adjudication, or both. The brutal fact is that we are living in a world in which much of its population is dissatisfied with the status quo and is not willing to wait for orderly legal change but is prone to resort to revolution and the use of force.

We might as well look squarely in the face the cold fact that at the present time the sovereignty of the United States should not be impaired in favor of an idealistic and illusory concept, even if, for the moment, one were to concede that the Constitution as now written admits of such a relinquishment of sovereignty by Senate action. Our efforts should be directed toward gradually bringing back to this greatly troubled world a genuine respect for international law and order such as existed prior to Wold War I, and to further the cause of world peace through law in that direction. This will take time and may be impossible of accomplishment if the Communist nations continue the practice of making agreements

[3] Miss Eleanor R. Finch, a Washington, D.C., lawyer, widely versed in international law, has furnished the writer with a monograph prepared by herself which establishes the substance of this paragraph.

only to gain time and then to break them at will. However, until then, the domestic affairs of the United States should not be risked with an international tribunal such as the present World Court.

Back in 1947, organizations such as the house of delegates of the American Bar Association recommended withdrawal of the Connally reservation. However, the international scene has changed so radically since those honeymoon days of relative harmony that the same association has disapproved of numerous proposed United Nations treaties as impinging improperly on the best interests of the United States. With all of the disillusionments and disappointments in the international field since 1947, changed conditions warrant a reexamination.

It is true that, more recently, in 1959, a committee of the section of international law of the association has urged in a published report (since approved by the section itself) the withdrawal of the Connally reservation "at the first favorable opportunity." The committee report and section approval do not represent action of the association itself. Association action is that of the house of delegates before which reconsideration of the 1947 recommendation is now pending. The section's committee adds that "its withdrawal would have broad international ramifications involving problems beyond our competence. Accordingly, we express no views as to the manner and timing of the withdrawal."

The writer suggests that the problems will also have broad domestic ramifications. These should be weighed with the most searching discrimination before any action is taken to withdraw the reservation. In the writer's opinion the time to do so has not arrived.

CALL OF THE CALENDAR

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

Under the previously agreed to unanimous consent arrangement, the clerk will call the calendar——

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

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

The Chief Clerk proceeded to call the roll.

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

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

Pursuant to the order previously entered, the clerk will proceed to a call of the measures on the calendar to which there is no objection.

The clerk will state the first measure on the calendar.

COMMISSION ON PRESIDENTIAL OFFICE SPACE—BILL PASSED OVER

The bill (S. 3524) to provide for a Commission on Presidential Office Space, was announced as first in order.

Mr. KEATING. Over, Mr. President, by request.

Mr. CASE of South Dakota. Mr. President, will the Senator withhold his objection for a moment, so that I may make a brief statement?

Mr. KEATING. I am happy to withhold my objection.

Mr. CASE of South Dakota. Mr. President, the Senator from South Dakota is aware of the fact that there are Senators who believe the additional office space needed for the White House staff should be provided by a remodeling of the present building known as the Old State, War, and Navy Building. The Senator from South Dakota is not opposed to that position particularly. He thinks it would be desirable to have an authorization passed at this session of Congress for the additional office space needed for the Chief Executive.

The reason is that if a new President should come to the Congress and propose an authorization, it might be subject to the objection or to the criticism that he was seeking to aggrandize the office. It is the hope of the present administration, which is obviously going out, that an authorization can be created.

The Senator from South Dakota, therefore, after consultation with members of the committee and of the staff, has drafted an amendment. He merely wishes to read it for the information of the Senate at this time, in the hope that those who have been concerned as to the possibility that the bill, if passed as originally drafted, would result in the demolition of the Old State, War, and Navy Building, will be satisfied.

The amendment would read: "At the bottom of page, at the end of line 11, strike the period, insert a semicolon and the following:

Provided, That proposal (a) of said report shall be modified to provide for renovation and remodeling of the old State, War, and Navy Building to provide the additional Presidential office space.

I recognize that the bill hardly can be passed at this time, considering the objections registered with the committee, but I should like to have those who are concerned about the matter consider the amendment. Possibly the House, the committee, and the objectors may agree later to having the bill considered on motion, with the amendment.

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

Mr. CASE of South Dakota. I yield to the Senator from New Mexico.

Mr. CHAVEZ. Do I correctly understand the Senator from South Dakota to mean that if the amendment is agreed to by the Senate he will have no objection to the consideration of the bill at the present session of Congress?

Mr. CASE of South Dakota. That is correct. In fact, I hope it may be considered.

Mr. CHAVEZ. I should like to ask the Senator what objections have been made to the creation of the Commission recommended by the committee. I believe the Senator heretofore served as a member of the Building Commission.

Mr. CASE of South Dakota. I do not think I was a member of the Commission.

My understanding is that objections have been filed with the committees on both sides of the aisle. As nearly as I can determine the nature of the objections, they are based upon the probable demolition of the Old State, War, and Navy Building to provide the site. I had merely hoped that if we provided for the authorization, as stated, it would overcome the objections.

Mr. CHAVEZ. I am in favor of the Senator's amendment. I think the Senator is correct. I know that no matter who is elected to be the new President, there is no question whatsoever about the need for additional office space.

Mr. CASE of South Dakota. Mr. President, the Senator from New Mexico is eminently correct. The Congress has provided additional space for its requirements in the last few years. We have provided a second House Office Building, a third House Office Building, and a second Senate Office Building. Despite this, the President, with all the manifold duties and responsibilities which now adhere to that office, is confined to the cramped and crowded quarters in the wing of the White House at the present time.

Mr. CHAVEZ. I was mistaken in thinking that the Senator was a member of the Commission heretofore. That was the Senator from Nebraska [Mr. HRUSKA], who was the other Member of the Senate on the Commission, who served with some of the House Members. The Commission was headed by Mr. Fleming of the Riggs National Bank.

Mr. Floete belonged to it, and several other officials of the Government. There is no question as to the need. Therefore, I hope that the objectors will accept the Senator's amendment, because I feel as the Senator does about the demolition of the Old State, War, and Navy Building.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KEATING. Mr. President, I am very sympathetic with the views expressed by my friends from South Dakota and New Mexico. I think they made effective arguments. They will appreciate, however, I am sure, that objection was filed with me, and I am acting in a representative capacity. In that position, I am obliged to object.

The PRESIDING OFFICER. Does the Senator from South Dakota [Mr. CASE] desire to file his amendment, or to have it printed and lie on the table?

Mr. CASE of South Dakota. Mr. President, I ask unanimous consent that the amendment be printed and lie on the table.

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

VALIDATION OF CERTAIN OVERPAYMENTS TO SEVERAL STATES

The bill (H.R. 900) to validate certain overpayments inadvertently made by the United States to several of the States and to relieve certifying and disbursing officers from liability thereon was considered, ordered to a third reading, read the third time, and passed.

CHANGE IN ROAD AT WHITES BRANCH, GRAPEVINE RESERVOIR, TEX.

The bill (H.R. 2178) to authorize the Secretary of the Army to make certain changes in the road at the Whites

Branch, Grapevine Reservoir, Tex., was considered, ordered to a third reading, read the third time, and passed.

PROTECTION OF FOREST COVER FOR RESERVOIR AREAS

The bill (H.R. 9377) to provide for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and the Chief of Engineers was considered, ordered to a third reading, read the third time, and passed.

ADJUSTMENTS OF RENTALS UNDER LEASES FOR RECREATIONAL FACILITIES

The bill (H.R. 12530) to authorize adjustment, in the public interest, of rentals under leases entered into for the provision of commercial recreational facilities at the John H. Kerr Reservoir, Va. and N.C., was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3713) to increase the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, the U.S. Park Police, the White House Police, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, I ask that the bill be passed over. I wish to make clear that the only reason for the request that the bill go over is that it involves $2,300,000 and is considered inappropriate for consideration on the calendar call.

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

Mr. BARTLETT. I yield.

Mr. BEALL. While it is true that the bill involves that amount of money, it attempts to bring the salaries of the officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police, and the White House Police in line with salaries authorized for other civil service employees. There is another bill on the calendar which will provide the money with which to pay these officers. The bill has been heard by the committee and has been brought up.

The PRESIDING OFFICER. The bill will be passed over.

The clerk will state the next order of business.

The bill (H.R. 10346) to amend the District of Columbia sales tax so as to increase the rate of tax imposed on gross receipts from certain sales, and for other purposes, was announced as next in order.

Mr. BARTLETT. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

ADDITIONAL REVENUE FOR THE DISTRICT OF COLUMBIA

The bill (H.R. 12563) to amend the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, as amended, was considered, ordered to a third reading, read the third time, and passed.

COMBINATION FOR FINANCING THE BRIDGE ACROSS WEST PASSAGE OF NARRAGANSETT BAY WITH THE NEWPORT BRIDGE, RHODE ISLAND

The Senate proceeded to consider the bill (S. 3681) authorizing the Rhode Island Turnpike and Bridge Authority to combine for financing purposes the bridge across the West Passage of Narragansett Bay with the Newport Bridge and any other project acquired or constructed by said authority, which had been reported from the Committee on Public Works, with amendments, on page 1, at the beginning of line 9, to strike out "amended by inserting immediately after section 3 the following new section:" and insert "hereby amended by striking out section 4, and inserting in lieu thereof the following new section:"; on page 2, line 12, after the word "tolls", to insert "in accordance with State law"; at the beginning of line 16, to strike out "amended" and insert "amended."; in the same line, after the amendment just above mentioned, to strike out "*Provided*, That the rates of tolls charged for the use of said bridge, bridges, and structures included in any such project shall be so adjusted as to provide in the aggregate a fund not to exceed an amount sufficient to pay the reasonable costs of maintaining, repairing, and operating all of the structures or facilities included in the project under economical management, and to provide a sinking fund sufficient to amortize the aggregate cost of constructing or acquiring the structures hereby authorized included in the project, including the principal and interest on revenue bonds issued for financing such cost, or on any bonds issued to refund the same, under reasonable charges as soon as possible, but within a period not exceeding forty years from the date of completion of the last completed structure or facility included in the project."; on page 3, after line 5, to strike out:

SEC. 2. That section 4 of such Act is amended to read as follows:

"SEC. 5. After a sinking fund sufficient to amortize the cost of the bridges, structures, or facilities included in any such project and sufficient to pay the principal and interest and any lawful retirement premium on revenue bonds issued as aforesaid with respect to such project shall have been so provided, the bridges, structures, or facilities included in such project shall be maintained and operated free of tolls."

SEC. 3. That sections 5 and 6 be redesignated as sections 6 and 7, respectively, and the word "bridge" in the first line of section 5 be stricken and the word "bridges" be inserted in lieu thereof.

And, after line 18, to insert:

SEC. 2. That the word "bridge" in the first line of section 5 be stricken and the word "bridges" inserted in lieu thereof.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act authorizing the State of Rhode Island, acting by and through the Jamestown Bridge Commission as an agency of the State, to construct, maintain, and operate a toll bridge across the West Passage of Narragansett Bay between the towns of Jamestown and North Kingston," approved April 4, 1938 (52 Stat. 194), is hereby amended by striking out section 4, and inserting in lieu thereof the following new section:

"SEC. 4. That upon title to the bridge which was constructed under the authority of this act becoming vested in the Rhode Island Turnpike and Bridge Authority, created by chapter 3390, Public Laws of Rhode Island, 1954 (chapter 12 of title 24, General Laws of Rhode Island, 1956), said authority shall be authorized to combine said bridge for financing purposes with any other bridge, bridges, or structures financed by said authority under the provisions of said chapter 12, as heretofore amended, and to fix and charge tolls in accordance with State law for the use of said bridge and such other bridges and approaches so combined into one project, and to pledge the use of such tolls in accordance with the provisions of said chapter 12, as amended.

SEC. 2. That the word "bridge" in the first line of section 5 be stricken and the word "bridges" inserted in lieu thereof.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA

The Senate proceeded to consider the bill (S. 3469) to amend the act of March 8, 1922, as amended, to extend its provisions to public sales, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, line 9, after the word "gas", to insert "deposits", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of March 8, 1922 (42 Stat. 415; 48 U.S.C. 376, 377), as amended is hereby further amended by adding a new section thereto reading as follows:

"SEC. 3. The Secretary of the Interior may sell under the provisions of section 2455 of the Revised Statutes (43 U.S.C. 1171), as amended, lands in Alaska known to contain workable coal, oil, or gas deposits, or that may be valuable for the coal, oil, or gas contained therein, and which are otherwise subject to sale under said section 2455, as amended, upon the condition that the patent issued to the purchaser thereof shall contain the reservation required by section 2 of this Act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3605) to amend sections 4504, 4511, 4520, and 4549 of the Revised Statutes relating to shipping articles was announced as next in order.

Mr. BARTLETT. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF DISTRICT OF COLUMBIA REDEVELOPMENT ACT OF 1945

The Senate proceeded to consider the bill (S. 3688) to amend the District of Columbia Redevelopment Act of 1945, as amended, and the act approved December 20, 1944, as amended, and for other purposes, which had been reported from the Committee on the District of Columbia, with an amendment to strike out all after the enacting clause and insert:

That section 3 of the District of Columbia Redevelopment Act of 1945 (60 Stat. 790), as amended (sec. 5–702, D.C. Code, 1951 edition), is amended—

(a) by redesignating the definitions designated "(b)" through "(r)" as "(c)" through "(s)", respectively;

(b) by inserting after the definition of "Agency" in such section the following new definition:

"(b) 'Blighted area' means any area, whether residential or nonresidential, or a combination of residential and nonresidential, which is substandard within the meaning of section 2 of this Act, regardless of whether the buildings in such area are used or will be used after redevelopment for human habitation.";

(c) by striking "an area" in the definition of "Project area" and inserting in lieu thereof "a blighted area"; and

(d) by inserting in the definition of "Redevelopment company", after the words "project area", the phrase "or part thereof".

SEC. 2. Subsection (a) of section 5 of such Act (sec. 5–704(a), D.C. Code, 1951 edition) is amended by striking "section 7(i)" and inserting in lieu thereof "section 7(h)".

SEC. 3. Paragraph numbered (2) of subsection (b) of section 6 of such Act (sec. 5–705, D.C. Code, 1951 edition) is amended by adding at the end thereof the following: "Such plan may provide for the redevelopment of areas which are residential or nonresidential in character, or a combination thereof, and such areas may be redeveloped for (i) residential uses, (ii) nonresidential uses, or (iii) a combination of residential and nonresidential uses, as the Planning Commission and the District Commissioners may determine appropriate to facilitate the proper growth and development or redevelopment of the community in accordance with sound planning standards and to afford maximum opportunity for the redevelopment of the project area by private enterprise."

SEC. 4. The second sentence of subsection (b) of section 7 of such Act (sec. 5–706(b), D.C. Code, 1951 edition), is amended (a) by striking "than publicly owned properties" and inserting in lieu thereof "publicly owned properties which are not to be devoted to public use"; (b) by striking the words "and District" in the last clause of said second sentence; and (c) by inserting immediately before the period at the end of subsection (b) the following: "; and the District Commissioners are authorized to transfer any real property owned by the government of the District of Columbia to the Agency for such sums or other consideration as may be agreed upon: *Provided*, That the District Commissioners may not transfer any such real property until the expiration of thirty days from the date upon which a report of the facts concerning any such proposed transfer is submitted to the Committees on the District of Columbia of the Senate and House of Representatives."

SEC. 5. The first section of the Act approved December 20, 1944 (58 Stat. 819), as amended (sec. 1–244, D.C. Code, 1951 edition), is amended by adding the following subsection:

"(1) To enter into leases of, or to grant revocable permits for the use of, the public space over or under the streets and alleys of the District of Columbia to an extent not inconsistent with the use of such streets and alleys by the general public for the purpose of travel, and in connection with any such lease or permit to impose such terms, including but not limited to the deposit of bond or other security, and to provide for the payment of such rents or fees as the Commissioners may, in their discretion, determine to be necessary or desirable, but the Commissioners shall, in connection with entering into a lease for, or granting a permit for, the use of public space over the streets and alleys of the District of Columbia, provide as a condition of any such lease or permit that such space shall not be used by the lessee or permittee in such manner as to deprive any real property not owned by such lessee or permittee of its easements of light, air, and access."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INCREASED MAXIMUM BORROWING AUTHORITY BY THE DISTRICT OF COLUMBIA

The bill (S. 3834) to increase the maximum amount which may be borrowed by the District of Columbia for use in the construction and improvement of its sanitary and combined sewer systems, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 214 of the District of Columbia Public Works Act of 1954 (68 Stat. 108; sec. 43–1613, D.C. Code, 1951 edition) is amended by striking "$5,000,000" and inserting in lieu thereof "$32,000,000."

Section 217 of such Act (68 Stat. 109; sec. 43–1616, D.C. Code, 1951 edition) is amended by inserting "(a)" immediately before the first word of such section and by adding at the end thereof the following subsection:

"(b) Notwithstanding the provisions of the preceding subsection, the interest and principal payments on not to exceed $10,000,000 of the loans authorized by section 214 of this Act shall be deferred whenever the Secretary of the Treasury finds that the income received from charges for sewerage service attributable to sewage flowing into the District of Columbia sanitary sewage works from the Potomac interceptor (authorized by Public Law 86–515) is inadequate to provide for the payment of such interest or principal, or both interest and principal, and such deferred interest and principal shall be added to the sums payable to the Secretary of the Treasury in later years."

CIVIC PROGRAMS COMMEMORATING THE 100TH ANNIVERSARY OF THE CIVIL WAR

The Senate proceeded to consider the bill (S. 3835) to authorize the District of Columbia Civil War Centennial Commission to plan and carry out in the District of Columbia civic programs in commemoration of the 100th anniversary of the Civil War; to authorize the Commissioners of the District of Columbia, the Secretary of the Interior, and the Secretary of Defense to make certain property of the District and of the United States available for the use of such Commission; to authorize the said Commissioners to make certain regulations and permit certain uses to be made of public space, and for other purposes which had been reported from the Committee on the District of Columbia, with amendments, on page 3, line 5, after the word "conditions", to insert "and at such times", and on page 4, line 22, after the word "deem", to strike out "proper." and insert "proper: *Provided*, That the granting of licenses to sell in places under the jurisdiction of the head of a department of the United States shall require his approval."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the District of Columbia Civil War Centennial Commission is authorized and empowered to prepare, arrange, supervise and carry out in the District of Columbia appropriate civic programs to commemorate the one hundredth anniversary of the Civil War. In carrying out its functions the Commission shall collaborate with the Civil War Centennial Commission established by the joint resolution of September 7, 1959 (71 Stat. 626).

SEC. 2. (a) As used in this Act the terms "District of Columbia Civil War Centennial Commission" and "Commission" mean the District of Columbia Civil War Centennial Commission created by the Board of Commissioners of the District of Columbia on April 28, 1959, and the terms "Commissioners of the District of Columbia" and "District Commissioners" mean the Board of Commissioners of the District of Columbia or their designated agent.

(b) The Commission shall consist of such members, and shall continue in existence until such time, as the District Commissioners shall determine.

(c) The members of the Commission shall serve without compensation, but shall be paid for all necessary expenses incurred by them in carrying out their duties, including traveling expenses.

(d) The Commission shall, in carrying out its functions and duties, be subject to the supervision and control of the Board of Commissioners of the District of Columbia.

(e) The Commission is authorized to utilize such personnel, facilities, and property, real or personal, of the District of Columbia or of the United States as may be made available for the use of said Commission, and under such conditions and at such times as may be prescribed, by the District Commissioners or by the head of the concerned department, agency, or instrumentality of the United States, or by his designated agent.

SEC. 3. (a) The members of the District of Columbia Civil War Centennial Commission shall not be personally liable in damages for any official action of the said Commission in which the said members participate, nor shall any member of said Commission be liable for any costs that may be taxed against them or the Commission on account of any such official action by them as members of the said Commission, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits brought against the municipality; nor shall the said Commission or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

(b) Service of an individual as a member of the said Commission or in connection with carrying out any activity authorized by this Act shall not be considered as service or employment bringing such individual within the provisions of sections 216, 281, 283, 284, 434, or 1914 of title 18 of the United

States Code, or section 190 of the Revised Statutes (5 U.S.C. 99) nor shall any member of the said Commission by reason of his status as such be deemed to be an "officer of the Government" within the meaning of the Act of April 27, 1916 (5 U.S.C. 101).

SEC. 4. Notwithstanding any other provision of law, the Commissioners may accept the voluntary services of persons appointed as members of the said Commission or in connection with carrying out any activity authorized by this Act.

SEC. 5. (a) In connection with the various activities scheduled to take place during the observance of the centennial of the Civil War, the District Commissioners are authorized and directed to make all reasonable regulations necessary to secure the preservation of public order and protection of life, health, and property; to make special regulations respecting the standing, movement, and operation of vehicles of whatever character or kind during said period; and to grant, under such conditions as they may impose, special licenses to peddlers and vendors for the privilege of selling goods, wares, and merchandise in such places in the District of Columbia, and to fix such fees for such privilege, as they may deem proper: *Provided*, That the granting of licenses to sell in places under the jurisdiction of the head of a department of the United States shall require his approval.

(b) The Commission is authorized to establish such fees and charges as it deems appropriate in connection with any activity officially connected with the observance of the centennial anniversary of the Civil War, and the District of Columbia Civil War Centennial Commission shall be responsible for the collection of such fees and charges, with the exception of those fees and charges provided in subsection (a) of this section.

(c)(1) There is hereby authorized to be appropriated for the use of the District of Columbia Civil War Centennial Commission such sums as may be necessary to carry out the purposes of this Act, and such sums shall be deposited in the Civil War Centennial Fund, District of Columbia, authorized by paragraph (2) of subsection (c) of this section.

(c)(2) All moneys collected pursuant to fees and charges made under authority of subsections (a) and (b) of this section shall be paid to the District Commissioners and deposited in a revolving fund in the Treasury which is hereby authorized to be established, to be known as the Civil War Centennial Fund, District of Columbia. Such fund shall be used to carry out the purposes of this Act, and may be expended without regard to the laws and procedures applicable to District of Columbia or Federal agencies for the procurement of supplies, services, and property. Contracts may be entered into for the purposes of this Act without regard to applicable District of Columbia or Federal laws or regulations.

(d) The District Commissioners may use any property acquired by the District of Columbia Civil War Centennial Commission remaining upon its termination, or they may dispose of the said property as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities shall be deposited in the Treasury to the credit of the District of Columbia.

(e) The Commission is authorized to carry public liability insurance protecting the Commission, members, officials, and employees thereof; the United States and the District of Columbia and their officers and employees performing service under this Act, and persons performing voluntary services under provisions of this Act.

SEC. 6. There are hereby authorized to be appropriated such sums as may be necessary, payable in like manner as other appropriations for the expenses of the District of Columbia, to enable the District Commissioners to provide additional municipal services in said District in connection with any program, function, or activity prepared, arranged, supervised, or carried out by the Commission or by the Civil War Centennial Commission established by the joint resolution of September 7, 1959 (71 Stat. 626), including employment of personal services without regard to the civil service and classification laws; travel expenses of law enforcement personnel from other jurisdictions; hire of means of transportation; meals for policemen and firemen, cost of removing and relocating streetcar loading platforms, construction, rent, maintenance, and expenses incident to the operation of temporary public comfort stations, first-aid stations, and information booths, and other incidental expenses in the discretion of the Commissioners.

SEC. 7. The District Commissioners may authorize the Commission to install suitable overhead conductors and install suitable lighting or other electrical facilities, with adequate supports, for illumination or other purposes. If it should be necessary to place wires for illuminating or other purposes over any park or reservation in the District of Columbia, such placing of wires and their removal shall be under the supervision of the official in charge of said park or reservation. Such conductors with their supports shall be removed by the date specified by the said Commissioners or by said official, as the case may be. The said Commissioners, or such other officials as may have jurisdiction in the premises, shall enforce the provisions of this Act, take needful precautions for the protection of the public, and insure that the pavement of any street, sidewalk, avenue, or alley which is disturbed or damaged is restored to its previous condition.

SEC. 8. The regulations and licenses authorized by this Act shall be in full force and effect for such period of time as may be specified by the Commissioners of the District of Columbia. Such regulations shall be published in one or more of the daily newspapers published in the District of Columbia and no penalty prescribed for the violation of any such regulation shall be enforced until three days after such publication. Any person violating any regulation promulgated by the said Commissioners under the authority of this Act shall be fined not more than $100 or imprisoned for not more than 30 days. Each and every day a violation of any such regulation exists shall constitute a separate offense, and the penalty prescribed shall be applicable to each such separate offense.

SEC. 9. Nothing contained in this Act shall be applicable to the United States Capitol buildings or grounds or other properties under the jurisdiction of the Congress or any committee, commission, or officer thereof: *Provided, however*, That any of the services or facilities authorized by or under this Act shall be made available with respect to any such properties upon request or approval of the Senate and House of Representatives.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAYMENT OF TUITION OF CERTAIN PERSONS ATTENDING PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H.R. 7124) to require the payment of tuition on account of certain persons who attend the public schools of the District of Columbia, and for other purposes, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "District of Columbia Nonresident Tuition Act".

SEC. 2 (a) In the case of (1) each adult who attends a public school of the District of Columbia and does not reside in the District of Columbia, and (2) each child who attends such a public school and does not have a parent or guardian who resides in the District of Columbia, or is not an orphan, there shall be paid to the Board of Education the amount fixed by the Board of Education pursuant to subsection (b) of this section.

(b) The amount which shall be paid with respect to each person subject to subsection (a) of this section shall be fixed by the Board of Education with the approval of the Board of Commissioners of the District of Columbia as the amount necessary to cover the expense of tuition and cost of textbooks and school supplies used by such person.

(c) All amounts received by the Board of Education under this section shall be paid into the Treasury of the United States, to the credit of the District of Columbia.

(d) Notwithstanding the provisions of subsection (a) of this section, upon the submission of evidence satisfactory to the Board of Education that care, custody, and substantial support are supplied by the person or persons with whom that child is residing in the District of Columbia, and that the parent or guardian of such child is unable to supply such care, custody, and support, or that such child is self-supporting, such child shall be considered a resident of the District of Columbia for the purpose of school attendance and exempt from the requirement to pay tuition.

SEC. 3. (a) The Board of Education shall take such action as may be necessary to determine which of the persons, attending or desiring to attend the public schools of the District of Columbia, for whom tuition shall be paid as required by section 2, and said Board is authorized, with the approval of the Commissioners of the District of Columbia, to make regulations to carry out the intent and purposes of this Act.

(b) Any person who makes a statement required or authorized by this Act to be filed with the Board of Education knowing that the information set forth in such statement is false, shall be fined not more than $300 or imprisoned for not more than ninety days, or both. Any person violating any regulation made pursuant to the authority in this Act shall be fined not more than $100 or imprisoned for not more than thirty days.

(c) All prosecutions for violations of this Act, or regulations made pursuant thereto, shall be conducted in the name of the District of Columbia by the Corporation Counsel or any of his assistants. As used in this Act the term "Corporation Counsel" means the attorney for the District of Columbia, by whatever title such attorney may be known, designated by the Board of Commissioners of the District of Columbia to perform the functions prescribed for the Corporation Counsel in this Act.

SEC. 4. As used in this Act—

(1) the term "child" means a person who is less than twenty-one years of age;

(2) the term "orphan" means a child who resides in the District of Columbia and who does not have a living parent or guardian;

(3) the term "adult" means a person who is twenty-one years of age, or older;

(4) the term "guardian" means a person (A) appointed as a guardian for a child by a court of competent jurisdiction, and (B) who has control or custody of such child;

(5) the term "parent" means a person (A) who (i) is a natural parent of a child, (ii) is a stepfather or stepmother of a child, or (iii) has adopted a child, and (B) who has custody or control of such child; and

(6) the term "Board of Education" means the Board of Education of the District of Columbia.

SEC. 5. (1) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners of the District of Columbia by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners of the District of Columbia or in any office or agency under the jurisdiction and control of said Commissioners may be delegated by said Commissioners in accordance with section 3 of such plan.

(2) This Act shall not be construed as superseding the Act approved April 23, 1958 (72 Stat. 98), and such Act approved April 23, 1958, shall continue in full force and effect.

SEC. 6. The following provisions of law are repealed:

(1) The last paragraph under the heading "Public Schools" in the Act of March 3, 1899, as amended (D.C. Code, sec. 31-301).

(2) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of July 21, 1914 (D.C. Code, sec. 31-302).

(3) The last paragraph under the side heading "Miscellaneous" which follows the center heading "Public Schools" in the Act of March 3, 1915 (D.C. Code, sec. 31-303).

(4) The second paragraph under the center heading "Public Schools" in the Act of March 28, 1918 (D.C. Code, sec. 31-304).

(5) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 28, 1944 (D.C. Code, sec. 31-305).

(6) The last paragraph under the heading "Capital Outlay" which follows the center heading "Public Schools" in the Act of June 29, 1949 (D.C. Code, sec. 31-306).

SEC. 7. Nothing contained in this Act shall be construed as preventing the Board of Education from requiring students of the District of Columbia Teachers College to pay tuition, and the said Board is authorized, in its discretion, to require the payment of tuition by the students of such college, whether or not resident in the District of Columbia, with the exception of those students who are authorized to be excused from the payment of tuition by an Act other than this Act.

SEC. 8. This Act shall take effect on the first day of the school semester which commences at least sixty days after the date of enactment of this Act.

Mr. BEALL. Mr. President, I offer an amendment to the committee amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland will be stated.

The LEGISLATIVE CLERK. On page 8, line 8, in the committee amendment, it is proposed to strike the word "that" and insert in lieu thereof the word "a."

Mr. BEALL. Mr. President, this is a typographical error, and the amendment is a correction of that error.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ACCELERATION OF COMMENCEMENT DATE OF CIVIL SERVICE RETIREMENT ANNUITIES

The Senate proceeded to consider the bill (H.R. 8289) to accelerate the commencing date of civil service retirement annuities, and for other purposes, which had been reported from the Committee on Post Office and Civil Service with an amendment, and subsequently reported from the Committee on the District of Columbia with an additional amendment.

The amendment of the Committee on Post Office and Civil Service was, on page 4, after line 18, to insert a new section, as follows:

SEC. 3. Section 4(3) of the Federal Employees Health Benefits Act of 1959 (73 Stat. 711; 5 U.S.C. 3003(3)) is amended by adding at the end thereof the following: "Any employee organization as defined in section 2(i) shall be exempt from the provisions of the Fire and Casualty Act (54 Stat. 1063; D.C. Code 35-1301, and the following)."

The amendment of the Committee on the District of Columbia was, on page 4, after line 18, to strike out the amendment of the Committee on Post Office and Civil Service.

The amendment was agreed to.

The amendment of the Committee on the District of Columbia was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 3269) authorizing the Secretary of the Navy to convey certain property to the State of Hawaii, was announced as next in order.

Mr. BARTLETT. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3299) to provide for the conveyance to the State of Maine of certain lands located in such State, was announced as next in order.

Mr. BARTLETT. Mr. President, over by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF CERTAIN PROPERTY TO THE CITY OF BISMARCK, N. DAK.

The bill (S. 1663) directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to clear the title to the property hereinafter described the Secretary of the Interior is authorized and directed to convey by quitclaim deed, without consideration, to the city of Bismarck, North Dakota, all right, title, and interest of the United States in and to the following described tract of land, together with all buildings and other improvements thereon, situated in the city of Bismarck, North Dakota:

Part of the southeast quarter of section 5, township 138, range 80, beginning at the southeast corner of such section, thence due west for 1,786 feet, thence north 25 degrees and 46 minutes west a distance of 1,122.5 feet, thence north 66 degrees and 39 minutes west a distance of 454.9 feet, thence north 33 degrees and 22 minutes west a distance of 679 feet, thence north 25 degrees and 24 minutes west a distance of 610 feet, thence around a 30-degree 49-minute curve to the right a distance of 374.4 feet, thence due east 66 feet south of the quarter line of such section 5 a distance of 1,103 feet, thence due south a distance of 1,214 feet, and thence due east a distance of 1,220 feet, and thence due south a distance of 1,360 feet to the point of beginning.

VALIDATION OF PAYMENTS MADE FOR CERTAIN EMERGENCY CONSERVATION MEASURES

The bill (S. 2761) to validate payments made for certain emergency conservation measures under the program authorized by the Third Supplemental Appropriation Act, 1957, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That payments which have heretofore been made under the program authorized by the Third Supplemental Appropriation Act, 1957, under the item entitled "Emergency Conservation Measures, Agricultural Conservation Program Service", for emergency conservation measures carried out between January 1, 1956, and June 21, 1957, shall, if otherwise proper, not be considered invalid by reason of the fact that they were made for measures carried out prior to the enactment of said Act.

NELLIE V. LOHRY

The bill (S. 3040) for the relief of Nellie V. Lohry was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nellie V. Lohry of Ashland, Nebraska, the sum of $3,000. The payment of such sum shall be in full settlement of all her claims against the United States for payment of an additional amount for certain property purchased from the said Nellie V. Lohry and Fred H. Lohry (deceased), pursuant to an option signed by them on November 14, 1941, by the United States in connection with the construction of an Army ordnance plant, such option having been exercised by the United States notwithstanding a previous attempt made on behalf of the said Nellie V. Lohry and the said Fred H. Lohry (deceased) by the project officer acquiring such property to have such option withdrawn on the grounds that it did not adequately reflect the value of the property: *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.

COMPACT BETWEEN THE STATES OF ARIZONA AND NEVADA

The bill (S. 3433) giving the consent of Congress to a compact between the State of Arizona and the State of Nevada establishing a boundary between those States, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the compact between the States of Arizona and Nevada as contained in chapter 69, law of the State of Arizona, 1960 (senate bill numbered 203, twenty-fourth legislature assembled, approved by the Governor March 24, 1960), and chapter 119, Nevada Revised Statutes 1960 (senate bill numbered 121, passed by the 1960 Legislature of the State of Nevada and approved by the Governor March 9, 1960) establishing a boundary between the States of Arizona and Nevada on the Colorado River between the point where the Nevada-California State line intersects the thirty-fifth degree of latitude north and Davis Dam.

SEC. 2. The right to alter, amend or repeal this Act is expressly reserved.

A. E. WATERSTRADT

The bill (S. 3591) for the relief of A. E. Waterstradt, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That notwithstanding any period of limitations or lapse of time, claim for credit or refund of overpayment of income taxes for the taxable years 1942 to 1945, inclusive, made by A. E. Waterstradt, of Takoma Park, Maryland, may be filed at any time within one year after the date of the enactment of this Act. The provisions of sections 322(b), 3774, and 3775 of the Internal Revenue Code of 1939 shall not apply to the refund or credit of any overpayment of tax for which credit or refund is filed under the authority of this Act within such one-year period.

EARL H. PENDELL

The bill (S. 3609) for the relief of Earl H. Pendell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Earl H. Pendell of Baltimore, Maryland, is hereby relieved of all liability to repay to the United States the sum of $4,447.98, representing the amount of overpayment of salary paid to him as a court reporter during the period from September 7, 1955, through March 7, 1959, the payment of such amount having occurred as a result of administrative error.

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 Earl H. Pendell, the sum of any payments received or withheld from him on account of the overpayment referred to in the first section of this Act.

JAMES H. PRESLEY

The bill (H.R. 2069) for the relief of James H. Presley was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 2074) for the relief of Eric and Ida Mae Hjeipe was announced as next in order.

Mr. FONG. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

J. BUTLER HYDE

The bill (H.R. 6084) for the relief of J. Butler Hyde was considered, ordered to a third reading, read the third time, and passed.

RAYMOND BAURKOT

The bill (H.R. 6767) for the relief of Raymond Baurkot, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF BANKRUPTCY ACT

The bill (H.R. 7242) to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. HART subsequently said: Mr. President, I ask unanimous consent that in connection with Calendar Item 1942 (H.R. 7242), the bill dealing with the Bankruptcy Act, that there be printed at the point in the RECORD when action was taken on that bill excerpts from the committee report. This is a rather complicated piece of legislation. The Senator from Nebraska [Mr. HRUSKA] masterfully explained it in the committee and was present on the floor in the event questions had been raised. I think it would be helpful to all concerned if those excerpts from the report were contained in the RECORD.

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

LEGISLATIVE BACKGROUND

H.R. 7242 is the result of a careful reexamination of several provisions of the Bankruptcy Act. During the past few years the need for legislative action has been demonstrated by the development of decisional doctrine which has created serious questions relating to the position of secured creditors and the rights of the trustee. Whether these problems are the result of latent defects and ambiguities in the wording of the act, or whether they are the result of judicial misconceptions, is far less important than the fact that these problems exist and that they require legislative action if the underlying purposes of the Bankruptcy Act are to be effectuated.

Through the efforts of the National Bankruptcy Conference, legislative proposals were submitted to the Congress, and in February 1957 a bill was introduced which in many of its provisions was the same as H.R. 7242. Hearings were held in the spring of 1958 and, although the Subcommittee on Bankruptcy and Reorganization ordered the bill favorably reported with amendment, no action was taken by the full committee. The bill was reintroduced in the 86th Congress, hearings were held again, a clean bill incorporating one substantive and several technical amendments was introduced and ordered favorably reported to the full committee. After intensive discussion, the full committee ordered H.R. 7242 favorably reported to the House.

GENERAL STATEMENT

This bill deals with two problems in the administration and distribution of a bankrupt estate. The first of these is the problem of preserving the recognized interests of security holders. The second concerns the powers of the trustee.

One of the fundamental purposes of the Bankruptcy Act is to assure an equitable distribution of the bankrupt's assets. Ideally, this would be accomplished by giving each creditor a pro rata share of the estate. However, the demands of social, economic, and political policy have resulted in deviations from a strict rule of equality among creditors. Through the creation of priorities and the recognition of security, interests, favored treatment has been accorded to certain classes of creditors. Thus, the Bankruptcy Act has traditionally recognized that a lien is a valid property right which must be satisfied out of the assets to which it attaches before any part of those assets becomes available for distribution to unsecured creditors. Among unsecured creditors, the act established an order of payment which favors the costs of administering the estate, wages, taxes, and rent over general creditors.

As a result of these prior payments to lienholders and priority claimants, the amount available for distribution to general creditors is considerably diminished and often entirely consumed. To increase their share of the estate, various classes of general creditors at first sought priority status under State law. However, in 1938, in the interest of national uniformity in distributions the Chandler Act eliminated the recognition of State priorities in bankruptcy proceedings, except for a limited priority for landlords, which was placed on the lowest of the five rungs of the priority ladder erected by section 64. The act also gave explicit recognition for the first time to the general validity of statutory liens. Thus, if a class of creditors could obtain State legislation transforming their debts into liens, they would then be in a position superior not only to all other general creditors but to priority claimants as well. This would be the result not only in the case of liens creating a noncontingent property interest in a specific asset but also in the case of liens which became effective only in the event of insolvency or which did not attach to any particular asset. These spurious liens were in reality disguised priorities and the effect of their recognition in bankruptcy would be to distort the federally ordered scheme of distribution by depressing the position of priority claimants. The problem was intensified by the contemporary development of a proliferation of taxes at all levels of government. With little formality and frequently without any of the normal attributes of a lien interest, these claims were raised to the dignity of statutory liens.

It became obvious that if all statutory liens, regardless of what they were in substance, were to be treated as liens in bankruptcy the order of federally created priorities would be completely disrupted. In an attempt to protect what it considered to be the most important of the priorities, Congress in the Chandler Act subordinated the most transparent liens to the priorities for costs of administration and wage claims. Thus, section 67c of the Bankruptcy Act provided that statutory liens on personal property not accompanied by possession were to be postponed in payment to the debts specified in clauses (1) and (2) of subdivision a of section 64, namely costs of administration and wages. In addition, section 67c postponed liens of distress for rent whether statutory or not and whether or not accompanied by possession. Here, too, the purpose was to protect costs of administration and wages from a type of claim which frequently consumed all of the assets especially in the

smaller estates. Section 67c also limited postponed liens for wages and rent to the same extent as they were restricted as to priority in section 64. In the case of rent, this meant only the liability for actual occupancy accruing within 3 months prior to bankruptcy. For wages it meant not more than $600 to each claimant earned within 3 months before bankruptcy.

The purpose of restricting these liens was to protect unsecured creditors rather than junior lien holders. The Chandler Act therefore prescribed that liens should be restricted "except as against other liens." Unfortunately the effect of this exception was to produce unanticipated results where, as a result of the fortuitous intervention of a junior lien, the rent or wage lien became unrestricted at the expense of the general creditors (*In re Eakin Lumber Co.*, 39 F. Supp. 787 (N.D. W. Va. 1941), aff'd sub nom. *R.F.C.* v. *Sun Lumber Co.*, 126 F. 2d 731 (4th Cir. 1942)).

The problem raised in the Eakin decision had its legislative repercussion when Congress in 1952 amended the Bankruptcy Act by deleting this exception and adding a provision subrogating the trustee to the amount of the lien in excess of the priority restriction. The position of the general creditors was additonally buttressed by the invalidation as against the trustee of all statutory liens created or recognized by State law on personal property not accompanied by possession, levy, sequestration, or distraint. By this amendment, which became section 67c(2), Congress sought further to implement the established policy of preventing State liens which were essentially priorities from frustrating the order of distribution established by the Bankruptcy Act.

However, the invalidating provision of section 67c(2) was simply tacked on to the postponement provision in section 67c(1) with a resulting overlap which raised substantial difficulties in statutory interpretation. This is especially acute insofar as State taxes and rent are concerned. For example, do statutory liens for debts owing to a State include liens for taxes? If so, the lien is invalidated; if not, it is merely postponed. The question was considered sufficiently troublesome to precipitate the introduction of clarifying legislation in the 83d Congress at the request of State tax authorities (H.R. 5786, 83d Cong., 2d sess. (1954)). The question was finally litigated in *Rochelle* v. *City of Dallas* (264 F. 2d 166 (1959)), where the fifth circuit held that "debts" do not include taxes.

The legislative report that accompanied the bill amending the Bankruptcy Act in 1952 observed that the exception "as against other liens" made it difficult to avoid a construction which would introduce circuity of liens (H. Rept. 2320, 82d Cong., 2d sess., p. 14 (1952)). Circuity of liens results when lien B is subordinate to lien A but prior to right in lien S, which, however, is in turn entitled to priority over lien A. Although the 1952 amendments eliminated the circuity problem insofar as it arose from the restriction of wage and rent liens, there was a failure to anticipate the possibility of a circuity problem arising where State law places a lien postponed under the Bankruptcy Act in a position senior to liens unaffected by postponement. The problem thus created has been characterized as "a first rate legal puzzle insoluble on any known legal principles."

In 1955, the problem was brought to a head by the decision in *In re Quaker City Uniform Co.* (134 F. Supp. 596 (E.D. Pa.)). In that case a bank and another creditor had advanced money to the debtor long before bankruptcy. As security they had taken chattel mortgages which they promptly recorded. When the debtor went into bankruptcy there were four claims upon the proceeds from the sale of property which was subject to the chattel mortgages. They were—

(1) Chattel mortgages, which were prior to time to all other claims;

(2) Costs of administering the estate;

(3) Rent owing to the landlord who had distrained but had not caused any of the property to be sold under the distraint;

(4) Wage claims.

Under Pennsylvania law a lien of distraint for rent is superior to a chattel mortgage even though the chattel mortgage is prior in time.

In a series of decisions demonstrative of the difficulties inherent in section 67c the referee, district court, and court of appeals all arrived at different and conflicting orders of distribution. The referee held that the chattel mortgages were not postponed and that they should be paid first followed by the costs of administration, wages, and the rent lien. The district court rejected this order of distribution and held that although the chattel mortgages should be paid first, they were under Pennsylvania law subordinated to the rent lien and therefore the landlord should be paid out of the amount set aside for the chattel mortgages. After recalling a decision in which it held the chattel mortgage to be a statutory lien, the court of appeals held (238 F. 2d 155 (3d Cir. 1956)) that the proceeds from the sale of the mortgaged property was to be distributed in the following order:

1. Costs of administration.
2. Wage claims.
3. Rent.
4. Chattel mortgages.

The costs of administration and wage claims having consumed the estate, neither the landlord nor the chattel mortgages received anything. The court reached this result upon the theory that Congress did not intend by section 67c, to disturb the priority of liens established by State law. Since section 67c postponed the lien for rent to costs of administration and wage claims, and since Pennsylvania law subordinated the chattel mortgages to the landlord's lien, the court concluded that the chattel mortgages must also be subordinated not only to the landlord's lien but also to the costs of administration and wages.

Although the effect of section 67c appears settled in the third circuit, the conflicting conclusions reached in other circuits emphasizes the uncertainty which plagues any application of section 67c. In *New Orleans* v. *Harrell* (138 F. 2d 399 (5th Cir. 1943)), the fifth circuit held that since chattel mortgages were unaffected by the postponement provision of section 67c(1), they should be paid first and then the costs of administration, wages, and statutory rent liens. This decision was rejected by the ninth circuit in *California State Department of Employment* v. *United States* (210 F. 2d 242 (1954)). In that case it was held that an amount should first be set aside equal to the claim of the lien which was senior outside of bankruptcy but was subordinated by section 67c. Out of this sum the costs of administration were to be paid. The unsubordinated lienor would then have the right to be satisfied first out of the remainder of the estate, if any. The objection to this solution is that a claim which under bankruptcy law is not postponed by section 67c is in fact paid only after a lien which has been postponed. The bankruptcy standard is disregarded and the ranking of liens under State law is made to prevail.

The overall effect of these decisions on the commercial world has been to create considerable uncertainty as to the strength of secured credit. As a result of the Quaker City decision, particularly, the problem has become acute in the entire field of secured financing. By destroying the position of valid consensual liens solely because of the fortuitous intervention of a postponed lien, the Quaker City doctrine can only result in either the curtailment of credit or an increase in interest rates. This is especially so in the case of the marginal businessman who was able to get secured credit at a reasonable rate but will be unable to do so if security is made meaningless.

However, aside from the merits or shortcomings of these decisions, the simple fact that a section of law is susceptible to a seemingly unlimited variety of interpretations is reason enough for its amendment.

EXPLANATION OF BILL

To overcome the problems created by subdivision c of section 67, section 5 of this bill completely revises that subdivision. New standards are established for the invalidation of statutory liens and the circuity potential in the present section is eliminated.

Since the effect of section 67c is limited to statutory liens and does not include consensual liens, it is essential that the term "statutory lien" be clearly defined. The Bankruptcy Act nowhere defines that term. Therefore, section 1 of the bill provides that a statutory lien shall mean a lien arising solely by force of statute upon specified circumstances or conditions, but shall not include any lien provided by or dependent upon an agreement to give security, whether or not such lien is also provided by or is also dependent upon statute, and whether or not the agreement or lien is made fully effective by statute.

The definition is directed at preventing a recurrence of the misapplication which appeared in the first decision in the Quaker City case. There the court held that since the chattel mortgage depended upon the Pennsylvania recording statute for its effectiveness against subsequent transferees, the chattel mortgage was a statutory lien. The purpose of section 1 is to specifically embody the meaning which Congress originally intended in the act and thus to assure that consensual securities are not subjected to any of the tests of validity prescribed by the new section 67c.

It will be recalled that one of the major objectives of the Chandler Act was to overcome the distortion of the Federal order of distribution by the creation of spurious statutory liens. To upset these liens which were in reality priorities, the authors of the Chandler Act decided that if statutory liens on personal property, unaccompanied by possession, were postponed to wages and costs of administration, the most serious effects of these liens could be overcome. This provision was strengthened in 1952 when most liens of this nature were completely invalidated. However, a recent reexamination of State lien statutes has shown that neither the standard of possession nor the distinction between real and personal property is an entirely satisfactory criterion. Some liens which are genuine property rights are affected and others, which were essentially State-created priorities, escape.

To insure the supremacy of the order of distribution provided in the Bankruptcy Act insofar as it is consistent with the continued recognition of genuine lien interests, this bill would eliminate lack of possession of personal property as the standard for upsetting liens and would instead invalidate as against the trustee every lien which falls within any of the following categories:

(1) Every statutory lien which first becomes effective upon the insolvency of the debtor, or upon distribution or liquidation of his property, or upon execution against his property levied at the instance of one other than the lienor.

2. Every statutory lien not perfected at the date of bankruptcy as against a subsequent bona fide purchaser from the debtor on that date.

3. Every statutory lien for rent and every lien of distress for rent.

The first of these provisions strikes at liens which merely determine the order of distribution upon insolvency or liquidation. This kind of lien is not a specific property right which may be asserted independently of a general distribution and regardless of the transfer of the property. This is clearly a disguised priority.

The second provision strikes at a lien which is so tenuous that it can be defeated by transfer to a bona fide purchaser. The holders of such liens have reason to know that their security is extremely vulnerable. It would seem that if, apart from bankruptcy, a lien is not good against a bona fide purchaser, then it should not be valid against the trustee. However, it should be noted that under the proviso to the new section 67c(1)(B), the substance of which is now found in section 67b, a lien that is valid against the creditors described in section 70c (and therefore against the trustee) may thereafter be perfected against bona fide purchasers and therefore against the trustee by filing notice with the bankruptcy court.

The new section 67c(1)(C) invalidates statutory liens for rent and liens of distress for rent, whether statutory or not. Under present law, statutory liens for rent unaccompanied by possession or distraint are likewise invalidated, but common-law and statutory liens of distress for rent are postponed and restricted where accompanied by an actual levy of distraint or possession in the lienor. Section 64a(5), as proposed in this bill, would specifically give a restricted priority to debts for rent owing to a landlord who is entitled to a priority by applicable State law or who is entitled to priority by section 67c(2). The proposed section 67c(2) provides that invalidated rent liens should be allowable with a restricted priority, "even though not otherwise granted priority." Thus, although a priority for rent heretofore has been recognized only if State laws granted the priority, the new section 67c(2) accords priority to the holder of an invalidated rent lien, even though no State law otherwise grants priority to such a landlord. Through recognizing State priorities for rent and in granting a priority status to invalidated rent liens, the bill respects a policy widespread among the States of granting a preferred status to landlords' claims, but brings it within the scheme of distribution of the Bankruptcy Act.

It is believed that these amendments, in addition to implementing the distributive scheme of the Bankrupcy Act, will provide a standard which is clear and more easily applicable than exists under present law.

The compound confusion of circuity demonstrated in the Quaker City case discussed above is dealt with in the new section 67c(2) which is found in section 5 of the bill. That subdivision provides that any lien which is invalidated against the trustee shall be invalid against all liens indefeasible in bankruptcy. Thus under this bill the chattel mortgage in the Quaker City case, which was a lien indefeasible in bankruptcy, would not be subordinated to the landlord's lien. While this provision may in some cases result in a ranking of liens in bankruptcy different from what it would be apart from bankruptcy, this is necessary if the paramount order of distribution created in the Bankruptcy Act is to prevail.

Although new section 67c established more effective standards for the treatment of statutory liens, the new section 67c(1)(B), which permits perfection by notice filing rather than possession, may nevertheless result in the consuming of assets otherwise available for paying administrative costs and wages. This is an especially acute problem in view of the continuing increase in the tax burden at all levels of government. The committee believes that if the policy of the Chandler Act to protect the costs of administration and wages is to be given effect, it is necessary to postpone to the costs of administration and wages at least those tax liens which are on personal property and are unaccompanied by possession. It would be grossly unfair for the bankruptcy court and the attorneys who have labored to wind up the bankrupt's affairs and to accumulate an estate for distribution to receive nothing for their labors. It is also socialilly desirable that the claims of the wage earner who is normally entirely dependent upon his wages for the necessities of life should be paid to the extent of the restriction in section 64a(2) before the estate is subject to the heavy burden of all tax liens.

To prevent the recurrence of circuity confusion section 67c(3) specifically provides that postponement shall be not only to the debts specified in section 64a (1) and (2) but also to all liens indefeasible in bankruptcy. The purpose of this language is to preclude the subordination of a lien indefeasible in bankruptcy to a postponed tax lien such as occurred in the Quaker City case.

In respect to the relation between new sections 67c (1) and (3), it is the intention of the committee that a statutory tax lien on personal property not accompanied by possession shall first be tested by the standards of section 67c(1). Section 67c(3) is then to be applied to those liens which have not been invalidated by section 67c(1).

The second major problem with which this bill is concerned arises from the application of section 70 of the Bankruptcy Act. Section 70 is the "title" section of the act and provides many of the legal tools for assembling the bankrupt's estate. It defines the rights and remedies of the trustee in this process. This bill deals only with the second sentence of section 70c which is derived from the "strong arm" amendment of 1910. That sentence gives the trustee the position of a hypothetical judicial lien creditor as of the date of bankruptcy. From 1910 to 1954 it was assumed that the rights of the trustee under section 70c accrue as of the date of bankruptcy and no earlier. However, in *Constance* v. *Harvey* (215 F. 2d 571 (2d Cir. 1954), cert. denied, 346 U.S. 913 (1955)), it was held that under section 70c a trustee has the rights of an ideal hypothetical creditor who has acquired his claim prior to bankruptcy. In that case the immediate effect was that a chattel mortgage, voidable under New York law by a creditor who had extended credit before its delayed recording, was upset without any showing that an actual creditor had extended credit before or during the delay in recording.

The rights of a trustee under 70e are entirely derivative and dependent upon the existence of an actual creditor against whom the transfer might have been invalidated in the absence of bankruptcy. Those rights relate back to whatever date they first arose. Section 70c, on the other hand, gives the trustee the status of a hypothetical judicial lien creditor whose rights arise as of the date of bankruptcy.

The holding in *Constance* v. *Harvey*, by injecting into section 70c the substance of 70e, created the statutorily unwarranted status of a hypothetical creditor with rights relating back to a date prior to bankruptcy. While bankruptcy is in effect a general levy on the property of the bankrupt for the benefit of his creditors, it is not a license for the trustee, irrespective of prejudice to creditors, to avoid at will any security given by the bankrupt which remained imperfected for any period of time prior to bankruptcy. Yet this is the effect of *Constance* v. *Harvey*. Under this decision the only limit to the power of the trustee is his ability to conceive of some right of a creditor that can be used as a basis for striking down imperfect transfers. The doctrine of *Constance* v. *Harvey* presents a very real threat to security transactions, the validity of which have hitherto not been subject to challenge under the act. Moreover, this is a threat which is not required by the policy of the act, since the creditors who have been prejudiced by the imperfections of a transfer are normally protected under section 70e.

Section 6 of this bill contains a complete redraft of section 70c. It specifically provides that the rights given to the trustee by section 70c shall be "as of the date of bankruptcy (without the benefit of any fiction of relation back prior to bankruptcy and without any added rights of a creditor extending credit at an earlier date)."

While the purpose of this language is to narrow the excessive power judicially granted to the trustee, the section is also concerned with strengthening the trustee's hand where his rights have been too narrowly construed. Section 70c now gives the trustee the power of a creditor with a judicial lien. The question arises, however, as to whether this standard includes that of a judgment creditor. The answer to that question is particularly important because section 6323 of the Internal Revenue Code provides that a Federal tax lien is not valid "against any mortgagee, pledgee, purchaser, or judgment creditor until notice thereof has been filed" in the appropriate office.

As a result of several recent decisions, it would appear that the courts are of the view that the trustee does not have the status of a judgment creditor for purposes of section 6323. The direction of judicial thinking is discernible from the decisions in *United States* v. *Gilbert Associates, Inc.* (345 U.S. 361 (1953)) and *United States* v. *Acri* (348 U.S. 211 (1955)). In Gilbert, the court upheld the validity of the Federal tax lien against a prior lien which under New Hampshire law was given the status of a judgment. In Acri, the court similarly upheld the Federal tax lien against a prior attachment lien which under the law of Ohio was deemed to be "an execution in advance." The rationale of the court's decisions is that a uniform application of the Federal tax law requires that the term "judgment creditor" be defined in the "usual conventional sense of a judgment of a court of record" which is common to all States (*United States* v. *Gilbert*, supra, at 364).

Although these cases did not involve the interrelationship of the Internal Revenue Code with the Bankruptcy Act, the limitation of the term "judgment creditor" to one holding a judgment of a court of record was subsequently extended to the application of section 70c. In *Brust* v. *Sturr* (237 F. 2d 135 (1956)), the second circuit on the basis of the Gilbert case reversed the position which it had previously taken in *United States* v. *Sands* (174 F. 2d 384 (1949)), and held that the trustee was not a judgment creditor within section 3672 of the Revised Statutes (now sec. 6323 of the Internal Revenue Code). This view had already been taken by the sixth circuit in *In re Taylorcraft Aviation Corporation* (168 F. 2d 808 (1948)) and by the ninth circuit in *United States* v. *England* (226 F. 2d 205 (1955)).

The effect of these decisions is that the Federal Government's unrecorded tax lien prevails over the rights of the trustee under section 70c. This would appear to be contrary to the legislative purpose which gave the trustee all the rights of an ideal judicial lien creditor. Prior to 1950 the trustee was given the status of a judicial lien creditor as to all property coming into the possession of the bankrupt court. As to all other property, he was given the rights of a judgment creditor holding an execution returned unsatisfied. In 1950 the distinction which turned on possession was eliminated and the trustee was simply given the rights of a judicial lien creditor. The House report which accompanied the bill indicates that the purpose of Congress was not to contract but

rather to expand the rights of the trustee under section 70c. The report states that the amendment to section 70c "has been placed in the bill for the protection of trustees in bankruptcy as correlative to the amendment to section 60, and also to simplify, and to some extent expand, the general expression of the rights of trustees in bankruptcy (H. Rept. 1293, 81st Cong., 2d sess., p. 7 (1949))."

As a matter of general law the holder of a lien by legal proceedings has greater rights than a judgment creditor who usually has no rights in the personal property of the debtor by virtue of his judgment. Even as to real property it is frequently necessary for the judgment creditor to take further action after judgment to create a lien. It would seem anomalous to allow judgment creditors to prevail over secret tax liens and to deny that right to a judicial lien holder. As against liens and transfers other than Federal tax liens, it has generally been held that a trustee in bankruptcy does have the rights of a judgment creditor. See, e.g., *McKay* v. *Trusco Finance Co.* (198 F. 2d 431 (5th Cir. 1952)); *Sampsel* v. *Straub* (194 F. 2d 228 (9th Cir. 1951), cert. denied, 343 U.S. 927 (1952)).

In order to assure that the trustee will have the status of a judgment creditor vis-a-vis a Federal tax lien, section 6 of H.R. 7242 specifically provides that a trustee shall have the rights and powers of "a creditor who obtained a judgment against the bankrupt upon the date of bankruptcy, whether or not such a creditor exists."

The question of whether the higher standing given the trustee by the 1950 amendment includes lesser rights has been raised in another context. Prior to 1950 the trustee specifically had the rights of a judgment creditor holding an execution returned unsatisfied insofar as property not coming within the custody of the court was concerned. It is now feared, however, that the trustee may be denied remedies which under State law are available only to creditors holding executions returned unsatisfied. Since the trustee often gains title to property the extent and location of which is unknown to him, he may wish to resort to discovery proceedings. Yet in some States, if the trustee does not have the rights of a judgment creditor holding an execution returned unsatisfied, such proceedings are not available to him under State law. In order to assure that the trustee is given the rights and powers of a judgment creditor holding an execution returned unsatisfied, section 6 of this bill specifically grants those rights and powers to him.

If a security transaction or other transfer involving a debtor's property is valid in part against creditors whose rights and powers are conferred upon the trustee by the proposed amendment, it seems clear that it should be valid to the same extent against the trustee. While nothing in the proposed or existing legislation empowers the trustee to invade interests that no creditor described in the new version of the "strong arm" clause could have reached, it has been thought advisable not to leave this limitation in the realm of inference. Thus, a security transaction involving property located in more than one county or State may be perfected against creditors having the rights conferred upon the trustee by the proposed subdivision, only in respect to the property located in one of the jurisdictions. The security transfer would remain valid against the trustee under the proposed section 70c insofar as property in the one jurisdiction is covered. In like manner, a security transaction duly perfected as to one kind of property but not as to another, or valid to the extent of only a part of the consideration given, would remain valid pro tanto against the trustee so far as this subdivision would apply.

Section 70c expressly confers upon the trustee a variety of legal positions. Related to State and Federal law those positions carry with them a substantial number of rights. To exercise an effective general levy upon the property of the bankrupt, the trustee must be allowed to bring to bear upon each party of transaction whichever of his rights may be necessary. However, it would seem improper to allow him to occupy inconsistent or repugnant positions with reference to a particular party or transaction. Nevertheless, having chosen a position with respect to one set of circumstances, the trustee as a representative of all of the creditors of the bankrupt should not be barred from asserting a different position in other circumstances. The proposed section 70c therefore contains what has been called a chameleon clause, safeguarding the trustee's right to take inconsistent positions with respect to different parties, remedies, or transactions.

As rewritten in H.R. 7242, section 70c presents a clearer and more complete expression of basic bankruptcy policy.

In the course of remedying the major problems to which this bill is directed, a number of clarifying amendments were made to involved and related sections of the act. A brief explanation of these may be helpful.

1. Section 64a(5): In amending section 64a(5) the word "debts" was modified by the phrase "other than for taxes." Section 64a (4) expressly creates a priority for taxes. Since the term "debts," apart from any consideration of legislative purpose in a particular context, includes all liabilities, there is an apparent overlap between sections 64a(4) and 64a(5). By modifying the term "debts" to exclude taxes, the ambiguity is eliminated.

2. Section 67b expresses the general policy in bankruptcy of recognizing the validity of statutory liens. This policy is, of course, qualified by section 67c, which invalidates liens that are essentially disguised priorities. In order to clarify the interrelationship between the two subdivisions, the language "and except as otherwise provided in subdivision c of this section" is inserted in the first sentence of present section 67b. Since landlords' liens are expressly invalidated under the proposed section 67c, the term "landlords" has been deleted from among the enumerated liens in 67b. In the interest of clarity the substance of the last sentence of subdivision b has been deleted and instead inserted as a proviso in section 67c(1)(B).

3. Section 57j: Another aspect of the broad problem of statutory tax liens in bankruptcy is raised by the conflicting interpretations placed upon section 57j. That subdivision provides that debts owing to any governmental unit as a penalty or forfeiture shall not be allowed, except for the amount of the pecuniary loss and reasonable costs with interest incurred by the Government in connection with the penalty or forfeiture. Since the purpose of a penalty is to punish the wrongdoer, that purpose is in no way furthered by permitting a penalty assessed against the bankrupt to be allowed against the bankrupt's estate. As a charge against the estate, it is the bankrupt's creditors and not the bankrupt who is punished thereby.

The question arises, however, as to the applicability of section 57j when the penalty is secured by a statutory lien. In *Grimland* v. *United States* (206 F. 2d 599 (1953)), the 10th circuit court held that where a penalty was secured by a lien, the penalty was enforcible against the estate. A contrary result has been reached by a number of district courts (*In re Lykens Hosiery Mills, Inc.*, 141 F. Supp. 895 (S.D.N.Y. 1956); *In re Hankey Baking Co.*, 125 F. Supp. 673 (W.D. Pa. 1954)).

In order to resolve this conflict in a manner consistent with the theory of punishment, section 2 of this bill inserts the words "whether or not secured by lien" in section 57j. With the addition of this language section 57j specifically disallows debts for penalties regardless of whether they are secured or unsecured. It appears to the committee that the question of whether a penalty is secured or unsecured is irrelevant to the basic policy involved.

Insofar as a lien securing a penalty is invalidated by 57j, as amended, it would be eligible to be preserved for the benefit of the estate under section 67c(2). However, a lien preserved for the estate benefits only unsecured creditors. Yet there is no reason in the policy of the act why junior lien holders should be bypassed in these circumstances. Accordingly section 67c(4) in H.R. 7242 provides that where a penalty not allowable under subdivision j of section 57 is secured by a lien, the portion of the lien securing such penalty shall not be eligible for preservation under subdivision c.

BILL PASSED OVER

The bill (H.R. 7618) for the relief of H. P. Lambert Co., Inc., and Southeastern Drilling Corp., was announced as next in order.

Mr. FONG. Mr. President, over.

The PRESIDING OFFICER. The bill will be passed over.

MARTIN A. MASTANDREA

The bill (H.R. 7792) for the relief of Martin A. Mastandrea, was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 7877) for the relief of Vladislav Fotich was announced as next in order.

Mr. FONG. Over.

The PRESIDING OFFICER. The bill will be passed over.

WILLIAM EDGAR WEAVER

The bill (H.R. 8054) for the relief of William Edgar Weaver, was considered, ordered to a third reading, read the third time, and passed.

RALPH W. ANDERSON

The bill (H.R. 8989) for the relief of Ralph W. Anderson, was considered, ordered to a third reading, read the third time, and passed.

WILLIAM J. HUNTSMAN

The bill (H.R. 9406) for the relief of William J. Huntsman, was considered, ordered to a third reading, read the third time, and passed.

HARRY KALOIAN

The bill (H.R. 9417) for the relief of Harry Kaloian was considered, ordered to a third reading, read the third time, and passed.

MAJ. EDMUND T. COPPINGER

The bill (H.R. 9432) for the relief of Maj. Edmund T. Coppinger, was considered, ordered to a third reading, read the third time, and passed.

BROOKLYN STEEL WAREHOUSE CO.

The bill (H.R. 9958) for the relief of Brooklyn Steel Warehouse Co., was considered, ordered to a third reading, read the third time, and passed.

ISAMI NOZUKA

The bill (H.R. 10431) for the relief of Isami Nozuka (also known as Isami Notsuka, was considered, ordered to a third reading, read the third time, and passed.

CLARIFICATION OF CERTAIN PROVISIONS OF THE CRIMINAL CODE

The bill (H.R. 10598) to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

ROBERT J. REEVES

The bill (H.R. 11165) for the relief of Robert J. Reeves, was considered, ordered to a third reading, read the third time, and passed.

CHAUNCEY A. AHALT

The bill (H.R. 11327) for the relief of Chauncey A. Ahalt was considered, ordered to a third reading, read the third time, and passed.

FERDINAND HOFACKER

The bill (H.R. 11420) for the relief of Ferdinand Hofacker was considered, ordered to a third reading, read the third time, and passed.

EDOUARD E. PERRET

The bill (H.R. 11460) for the relief of Edouard E. Perret was considered, ordered to a third reading, read the third time, and passed.

CLAUDE L. WIMBERLY

The bill (H.R. 12475) for the relief of Claude L. Wimberly was considered, ordered to a third reading, read the third time, and passed.

RICHARD J. POWER

The bill (H.R. 11486) for the relief of Richard J. Power was considered, ordered to a third reading, read the third time, and passed.

CAPT. LUCIEN B. CLARK, U.S. ARMY

The bill (H.R. 12471) for the relief of Capt. Lucien B. Clark, U.S. Army, was considered, ordered to a third reading, read the third time, and passed.

JOHN H. ESTERLINE

The bill (H.R. 12476) for the relief of John H. Esterline was considered, ordered to a third reading, read the third time, and passed.

REFERENCE TO THE COURT OF CLAIMS OF SENATE BILL 3199

The resolution (S. Res. 288) to refer to the Court of Claims the bill (S. 3199) for the relief of the Adler Construction Co., was considered and agreed to, as follows:

Resolved, That the bill (S. 3199) entitled "A bill for the relief of the Adler Construction Company", now pending in the Senate, together with all accompanying papers, is hereby referred to the Court of Claims; and the court shall proceed with the same in accordance with the provisions of sections 1492 and 2509 of title 28 of the United States Code and report to the Senate, at the earliest practicable date, giving such findings of fact and conclusions thereon as shall be sufficient to inform the Congress of the nature and character of the demand as a claim, legal or equitable, against the United States and the amount, if any, legally or equitably due from the United States to the claimant.

RESOLUTION PASSED OVER

The resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court was announced as next in order.

THE PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. FONG. Over, by request.

The PRESIDING OFFICER. The resolution goes over.

TRANSFER OF CASES BETWEEN THE DISTRICT COURTS AND THE COURT OF CLAIMS

The Senate proceeded to consider the bill (H.R. 5396) to amend title 28 of the United States Code to provide for transfer of cases between the district courts and the Court of Claims, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 8, after the word "shall", to strike out "unless the parties consent to dismissal" and insert "if it be in the interest of justice"; at the top of page 2, to insert "where the case shall proceed as if it has been filed in the Court of Claims on the date it was filed in the district court"; in line 9, after the word "shall", to strike out "unless the parties consent to dismissal" and insert "if it be in the interest of justice"; in line 12, after the word "filed", to insert a comma and "where the case shall proceed as if it had been filed in the district court on the date it was filed in the Court of Claims"; after line 17, to insert a new section, as follows:

SEC. 3. The first sentence of section 2 of the Act of March 9, 1920 (title 46, U.S.C. 742), is amended to read as follows:

"In cases where if such vessel were privately owned or operated, or if such cargo were privately owned or possessed, or if a private person or property were involved, a proceeding in admiralty could be maintained, any appropriate nonjury proceeding in personam may be brought against the United States or against any corporation mentioned in section 1 of this Act."

On page 3, at the beginning of line 5, to change the section number from "3" to "4"; in the same line, after the word "by", to insert "sections 1 and 2 of", and in line 8, after the word "Claims", to insert "The amendment made by section 3 shall apply to any case or proceeding brought after the date of enactment of this Act.".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend title 28 of the United States Code to provide for transfer of cases between the district courts and the Court of Claims and for other purposes."

BILL PASSED TO FOOT OF CALENDAR

The bill (H.R. 4428) for the relief of the legal guardian of John David Almeida, a minor, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARTLETT. Over, by request.

Mr. SALTONSTALL. Mr. President, will the Senator permit the bill to go to the foot of the calendar? I should like to give an explanation of the bill, if there is any chance of its being passed.

Mr. BARTLETT. Certainly.

The PRESIDING OFFICER. Without objection, the bill will be passed to the foot of the calendar.

ACTIONS FOR INFRINGEMENTS OF COPYRIGHTS BY THE UNITED STATES

The Senate proceeded to consider the bill (H.R. 4059) to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States, which had been reported from the Committee on the Judiciary, with amendments on page 3, after line 16, to insert a new section, as follows:

SEC. 2. Nothing in this Act shall be construed to in any way waive any immunity provided for Members of Congress under article I of section 6 of the Constitution of the United States.

At the beginning of line 21, to change the section number from "2" to "3", and at the beginning of line 24, to change the section number from "3" to "4".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

LEO SHOENHOLZ AND OTHERS

The Senate proceeded to consider the bill (S. 2902) for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Co., and Cleveland State Bank, all of Cleveland, Miss., which had been reported from the Committee on the Judiciary, with an amendment, on page 2, line 1, after the word "the", to strike out "Cleveland State Bank, Cleveland," and insert "Valley Bank of Rosedale, Rosedale,", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and

directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of—

(1) $600 to Leo Shoenholz, Cleveland Mississippi;

(2) $600 to Tobias Kaplan, Cleveland, Mississippi;

(3) $240 to the Kroger Company, Cleveland, Mississippi; and

(4) $120 to the Valley Bank of Rosedale, Rosedale, Mississippi.

The payment of each of such sums shall be in full settlement of all claims of the person to whom it is paid against the United States for losses incurred as a result of the negotiation of certain checks drawn on the Treasury of the United States for payment of a class Q allotment made payable to the wife of Verner Garrett, Rosedale, Mississippi, and issued after his discharge from the Army on November 28, 1945 (Army serial numbered 34928692). Such checks were improperly issued by the United States Army Finance Office during the period beginning January 1, 1946, and ending December 1, 1948, both dates inclusive: *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 provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Company, of Cleveland, Mississippi, and Valley Bank of Rosedale, Rosedale, Mississippi."

MARION JOHN NAGURSKI

The bill (H.R. 12350) for the relief of Marion John Nagurski was considered, ordered to a third reading, read the third time, and passed.

EDWARD S. ANDERSON

The Senate proceeded to consider the bill (H.R. 11188) for the relief of Edward S. Anderson which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to Edward S. Anderson, of Columbus, Ohio, the sum of $154.70. Such sum represents the remaining balance that the said Edward S. Anderson is obligated to pay as the result of a judgment rendered against him in a civil court of the State of Ohio arising out of an accident occurring on October 27, 1956, between a private vehicle and a mail truck operated by the said Edward S. Anderson in the course of his employment as an employee of the Post Office Department: *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 amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CENTENNIAL OF THE BIRTH OF JANE ADDAMS

The joint resolution (H.J. Res. 658) to authorize and request the President to issue a proclamation in connection with the centennial of the birth of Jane Addams, founder and leader of Chicago's Hull House was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF AGRICULTURAL ACT OF 1949—BILL PASSED OVER

The bill (H.R. 12759) to amend title V of the Agricultural Act of 1949, as amended, and for other purposes, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. BARTLETT. Over, by request.

Mr. CASE of South Dakota. I wonder whether the Senator will withhold his objection for the present.

Mr. BARTLETT. I withhold my objection.

Mr. CASE of South Dakota. The bill, which comes from the House Committee on Agriculture, deals with the subject of Mexican labor. I understand that there is some objection to the passage of the bill, and I have received some objection to it myself. I wonder if the objectors will permit consideration of the bill, with the understanding that I will move to strike out all after the enacting clause and to substitute therefor the text of the amendment which I proposed yesterday on a bill which came from the Committee on Agriculture, so as to pass the so-called wheat bill, that is, the bill which we passed at one time in the Senate, and on which a motion to reconsider with instructions in the House failed by only 11 votes; except that in the way I would offer the amendment I would change the figures in the so-called wheat bill from 75 percent of parity loan support to 77 percent, change the revision of acreage from 20 percent to 22 percent, and change the figure for the compensation of payment in kind for the reduced acreage from 50 percent to 55 percent. That would strike practically a halfway point between the bill as it passed the Senate and the bill as it was reported by the Senate Committee on Agriculture and Forestry. It would approach the figures proposed by the House Committee on Agriculture.

I have reason to believe that if this were done the wheat bill would pass and we could get action on a wheat bill at this session of Congress. Both party platforms favor action on agricultural legislation, and both presidential candidates have spoken frequently and eloquently about the need for agricultural legislation.

The wheat surplus problem is the most pressing problem in the whole farm picture. Therefore, I wonder if the Senators who have raised objection would agree to the consideration of the bill dealing with Mexican labor and would agree to its consideration with the understanding that I would offer a motion to strike out all after the enacting clause and to substitute the wheat bill which has already had the approval of the Senate on the 75 percent, 20–50 basis, and which has had the approval of the Senate Committee on Agriculture on the 80, 20–50 basis, and in place of which I would offer a 77 percent, 22–55 basis.

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

Mr. CASE of South Dakota. I yield if I have the time.

Mr. HRUSKA. Inasmuch as the Senator from Massachusetts has announced that it was his purpose to introduce a farm bill, would not the consideration of the proposal of the Senator from South Dakota be at least a partial installment on the pledge made recently by the Democratic nominee to delegates to the Democratic national convention?

Mr. CASE of South Dakota. It seems to me it would indeed. It could be pointed to as a significant accomplishment of this session. It could be pointed to as evidence that the Senator from Massachusetts is following his expression of hope about this August session.

Mr. HRUSKA. It was more than an expression of hope. It was a pledge that he would introduce a farm measure which was at that time being drafted. So it was more than a hope.

Mr. CASE of South Dakota. Everyone would like to see some concrete farm legislation passed which would do something at this session. An amended bill coming from the House Committee on Agriculture would be certain of consideration by the conferees. I hope those who have objected to the bill will permit its consideration, with the understanding that I will offer an amendment to strike out all after the enacting clause and substitute the bill I have suggested.

Mr. BARTLETT. Mr. President, although feeling as the Senator does, and the desire of the calendar committee being to accommodate the Senator from South Dakota, the fact remains that the Senator who made the objection is not on the floor. Therefore I must reluctantly renew my request that the bill go over.

Mr. CASE of South Dakota. I appreciate the position of the Senator from Alaska, if the Senator who objected is not on the floor. I hope that his attention may be drawn to this colloquy, and the hope that later the bill may be brought up by motion and consideration given to the proposal of a wheat substitute which I have suggested.

The PRESIDING OFFICER. The bill will go over.

ESTABLISHMENT OF A NATIONAL CEMETERY IN FORT RENO, OKLA.

The Senate proceeded to consider the bill (S. 3339) to provide that the Secretary of the Army shall establish a national cemetery in Fort Reno, Okla., on certain lands presently under the jurisdiction of the Secretary of Agriculture which had been reported from the Committee on Agriculture and Forestry with an amendment on page 1, line 3, after the words "That", to insert "upon determination by the Secretary of the Army that the land is suitable for cemeterial purposes", so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon determination by the Secretary of the Army that the land is suitable for cemeterial purposes, the Secretary of Agriculture is authorized and directed to release, donate, and transfer to the Secretary of the Army, for national cemetery purposes, a portion of the present United States Beef Cattle Research Station, Fort Reno, Oklahoma (formerly the Fort Reno Military Reservation), more particularly described as follows:

A tract of land situated in the county of Canadian, State of Oklahoma, being all of the north half north half of section 33, township 13 north, range 8 west, of the Indian meridian, containing one hundred and sixty acres, more or less.

SEC. 2. The Secretary of the Army is authorized and directed to establish a national cemetery on the land transferred to him under the first section of this Act, and to provide for the care and maintenance of such national cemetery.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WOODY W. HACKNEY

The bill (S. 3844) for the relief of Woody W. Hackney, of Fort Worth, Tex., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Woody W. Hackney of Fort Worth, Texas, the sum of $9,894.31. The payment of such sum shall be in full satisfaction of his claim against the United States for compensation for all losses directly or indirectly sustained by him through injury or damage to livestock, real property, crops, and equipment, and all losses in milk production, resulting from the crashing upon his real property on April 23, 1960, of an F-86L aircraft (SN 53-4085) while such aircraft was engaged in a training flight of the One Hundred and Thirty-sixth Air Defense Wing, Texas Air National Guard: *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.

GRANTING OF MINERAL RIGHTS IN CERTAIN HOMESTEAD LANDS IN ALASKA

The Senate proceeded to consider the bill (S. 1670) to provide for the granting of mineral rights in certain homestead lands in the State of Alaska, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, on page 1, at the beginning of line 9, to insert "Kenai Peninsula in the", and in line 10, after the word "entries", to strike out "which were valid and subsisting on July 23, 1957" and insert "on which all requirements of the homestead laws had been complied with prior to July 23, 1957, except for the actual submission of acceptable final proof"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the United States hereby quitclaims as of the date of this Act or as of the date of issuance of patent, whichever is later, to the patentee or to his lawful heirs if title to the lands prior to the date of this Act had by devise or succession passed out of the patentee, all right, title, and interest of the United States in and to oil and gas deposits in lands in the Kenai Peninsula in the State of Alaska patented to homestead entrymen pursuant to homestead entries on which all requirements of the homestead laws had been complied with prior to July 23, 1957, except for the actual submission of acceptable final proof.

SEC. 2. Nothing in this Act shall affect the validity of any lease issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437; 30 U.S.C. 181 and following), as amended, or any rights arising thereunder, or any of its terms and conditions except that quitclaim under the terms of this Act of any oil and gas deposit covered by such a lease shall vest in the grantee all right, title, and interest of the United States in and to such lease, including the right to all rentals, royalties, and other payments accruing after the date of quitclaim and including any authority that may have been retained by the United States to modify its terms and conditions.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGULATION OF MASS TRANSIT IN THE WASHINGTON, D.C., METROPOLITAN AREA—JOINT RESOLUTION PASSED OVER

The joint resolution (H.J. Res. 402) granting the consent of Congress for the States of Virginia and Maryland and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, D.C., metropolitan area, and for other purposes, was announced as next in order.

Mr. ROBERTSON. Mr. President, I understand an official objection has been registered by a Member of the Senate who is not present. If the objection will be withheld for 1 minute, I may say that I do not believe any Senator will go on record against the bill when he understands the facts.

The only objection to the joint resolution has been voiced by the D.C. Transit System, which will not cooperate with the utilities of Maryland and Virginia in the issuance of transfers to transit riders from those areas who work in the District of Columbia and who need to travel to and from their work by public conveyance by means of reasonable transit fares and transfers.

The joint resolution was unanimously passed by the House and was reported unanimously by the Senate Committee on the Judiciary. Only one Senator, who is not present, has asked that the measure be objected to. So I serve notice on him that tomorrow, when I can secure recognition for that purpose, I shall move that it be considered on its merits.

The residents of Virginia and Maryland are entitled to proper rates of fare and transfers which cannot be regulated now because interstate commerce is involved. The States of Maryland and Virginia have no control over the rate charged by the D.C. Transit System within the District of Columbia, and therefore cannot force the issuance of transfers.

Mr. KEATING. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. KEATING. I join with the distinguished Senator from Virginia in the request which he has made for the approval of this compact. I was a member of the subcommittee which conducted the hearings on the joint resolution, under the leadership of the distinguished Senator from Michigan [Mr. HART]. We took complete testimony and unanimously reached the conclusion that the compact should be approved. The full Committee on the Judiciary thereafter concurred in our views. I hope the joint resolution will receive early action, in fairness to the residents of Virginia and Maryland.

Mr. ROBERTSON. Mr. President, the distinguished Senator from Michigan [Mr. HART], who must officially object to the consideration of the joint resolution on the call of the calendar, handled the measure in the subcommittee and is well informed about the subject matter which is involved.

Mr. HART. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. HART. The Senator from Virginia has indicated his disappointment that an objection has been registered with the calendar committee to the joint resolution. The distinguished Senator from Virginia was most forceful in his presentation to the subcommittee which heard the testimony concerning the compact. He was eloquent in urging that the compact be approved, and his conviction was right.

As chairman of the subcommittee, I have brought the question to the attention of the full committee, and the full committee has reported the joint resolution.

Fairness requires that I say a word with respect to the position of the Senator who has registered the objection. He did not have the benefit of the hearings. This is a quite proper procedure

in the instance of a Senator who has received information which disturbs him. It is the only way in which he can be protected. I would be the first to insist that his right be preserved.

Mr. ROBERTSON. The Senator from Virginia does not object at all to the right of the Senator to be heard. I merely said that when the Senator who has asked to be heard returns to the Chamber, which I hope will be tomorrow, and learns all the facts, I am certain the objection will be withdrawn.

In any event, as has been pointed out by the distinguished Senator from New York [Mr. KEATING], there are such strong and compelling reasons for the adoption of the compact that the Senate undoubtedly, on the merits of the proposal, will agree to it.

I thank the distinguished Senator from New York and the distinguished Senator from Michigan.

Mr. HART. I feel certain that I can assure the able Senator from Virginia that upon a hearing, the objection will be removed.

The PRESIDING OFFICER. No objection has been registered as yet to the joint resolution. Is there objection?

THE VICE PRESIDENT'S ACTIONS AT AN EXECUTIVE LEVEL

Mr. McGEE. Mr. President, reserving the right to object, I wish to address myself to a matter or two which appears in this morning's Washington Post, in reference to the reported comment of the President at his press conference yesterday concerning Vice President NIXON and the question of leadership in the White House.

One reporter, Sarah McClendon, a distinguished correspondent of the El Paso, Tex., Times, asked the President:

> Mr. President, sir, will you tell us some of the big decisions that Mr. NIXON has participated in since you have been in the White House and he, as Vice President, has been helping you?

A second question, asked by Charles H. Mohr, of Time magazine, raised almost the same question. He asked:

> One of the issues in this campaign is seeming to turn on the question of Mr. NIXON's experience, and the Republicans to some extent almost want to claim that he has had a great deal of practice at being President.

The questioner goes on to inquire what is meant by the general suggestion that the Vice President has been a participant in the decision making process.

In the discussion which followed, the President of the United States, it seems to me, gave a very candid description of his proper constitutional role. I note that the concluding question in the session with the newsmen yesterday was a simple one, and again was asked by Mr. Mohr:

> We understand that the power of decision is entirely yours, Mr. President. I just wondered if you could give us an example of a major idea of his that you had adopted in that role, as the decider and final—

The question was not finished, but the President replied:

> If you give me a week I might think of one. I don't remember.

That provoked the editorial writer in the Washington Post this morning to begin his editorial in this way:

> Why, it's enough to make the Republicans want to revise their campaign strategy. Vice President NIXON, the friend of Prime Ministers and Presidents, is portrayed by the GOP orators as a man who has participated in all the important decisions of the Eisenhower administration. But now comes the man who should know, Mr. Eisenhower himself, to say that it isn't true.

Mr. President, I ask unanimous consent that the questions asked in the press conference yesterday with respect to this subject and the editorial from which I have in part read be printed at this point in the RECORD.

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

[From the Washington Post, Aug. 25, 1960]

DECISIONMAKING

Question (Sarah McClendon, El Paso Times): "Mr. President, sir, will you tell us some of the big decisions that Mr. NIXON has participated in since you have been in the White House and he, as Vice President, has been helping you?"

The President: "Well, Miss McClendon, No one participates in the decisions. Now we just—I don't see why people can't understand this. No one can make a decision except me—if it is in the national executive area.

"I have all sorts of advisers, and one of the principal ones is Mr. NIXON. But any Vice President that I should have, even if I did not admire and respect Mr. NIXON as I do, I would still keep him close in all these things, because I think any President owes it to the country to have the next individual in line of succession completely aware of what is going on. Otherwise, you have a break that is unconscionable and unnecessary.

"Now, just—when you talk about other people sharing a decision, how can they? No one can, because then who is going to be responsible? And because I have been raised as an Army individual, and have used staffs, I think you will find no staff has ever thought that they made a decision as to what should be done or should not be done when I was a commander. And I don't think anyone in the Government will find—or you can find anyone that would say differently."

[From the Washington Post, Aug. 25, 1960]

NIXON EXPERIENCE

Question (Charles H. Mohr, Times magazine): "Mr. President, one of your answers to a previous question raises this question:

"One of the issues in this campaign is seeming to turn on the question of Mr. NIXON's experience, and the Republicans to some extent almost want to claim that he has had a great deal of practice at being President.

"Now, in answer to the other question, I wonder if it would be fair to assume that what you mean is that he has been primarily an observer and not a participant in the executive branch of the Government.

"In other words, many people have been trying to get at the degree that he has—I don't want to use that word 'participated'—but acted in important decisions, and it is hard to pin down."

The President: "Well, it seems to me that theme is some confusion here, haziness, that possibly needs a lot of clarification.

"I said he was not a part of decisionmaking. That has to be in the mind and heart of one man. All right. Every commander that I have ever known, or every leader, or every head of a big organization, has needed and sought consultative conferences with his principal subordinates.

"In this case, they are normally Cabinet officers. They include also such people as the head of the GSA, the Budget Bureau, and the Vice President as one of the very top. So the Vice President has participated for 8 years, or 7½ years, in all of the consultative meetings that have been held.

"And he has never hesitated, and if he had I would have been quite disappointed, he has never hesitated to express his opinion, and when he has been asked for it, expressed his opinion in terms of recommendation as to decision. But no one, and no matter how many differences or whether they are all unanimous—no one has the decisive power. There is no voting.

"It is just—you could take this body here, and say, 'Look, we are going to do something about the streets down here, about parking around here for you people.' All right. Now, everybody has got his say. But I have to handle, let's say, around the White House, and so who is going to decide—I am; not this body. So, Mr. NIXON has taken a full part in every principal discussion."

Question (Mohr): "We understand that the power of decision is entirely yours, Mr. President. I just wondered if you could give us an example of a major idea of his that you had adopted in that role, as the decider and final——"

The President: "If you gave me a week I might think of one. I don't remember."

[From the Washington Post, Aug. 25, 1960]

MAN OF DECISION

Why, it's enough to make the Republicans want to revise their campaign strategy. Vice President NIXON, the friend of Prime Ministers and Presidents, is portrayed by the GOP orators as a man who has participated in all the important decisions of the Eisenhower administration. But now comes the man who should know, Mr. Eisenhower himself, to say that it isn't true. As President, Mr. Eisenhower alone has made the decisions and Mr. NIXON has been responsible for none of them.

Technically, of course, this is altogether logical. The responsibility of the Presidency cannot be delegated, and all the functions of the Office are carried out in the name of the incumbent. Moreover, in respect of the question that precipitated the discussion at Mr. Eisenhower's news conference—farm policy—Mr. NIXON may be just as glad at this point not to be associated formally with the decisions themselves.

Still, it was a bit unkind for Mr. Eisenhower to promise merely that he would try to think of an idea suggested by Mr. NIXON and adopted as policy. We have no doubt that in the White House Mr. NIXON could and would make decisions. We have no doubt, either, that he has helped considerably to influence many of the decisions taken by Mr. Eisenhower on subjects ranging from civil rights to medical care.

Although so loyal and disciplined a man as Mr. NIXON would never voice the notion, Mr. NIXON could be pardoned for thinking with Maréchal Villars: "Defend me from my friends." And now consider the plight of the Republican propagandists who themselves must make a decision whether they can have it both ways.

Mr. McGEE. Mr. President, in keeping with their general political strategy, we learned not long ago that the Republican committee, again in this election campaign, has appointed a "truth squad" to insure that the American public is not hoodwinked by our Democratic candidates.

We do not concern ourselves with this tactic, since we are confident the public is fully aware of the past records of GOP "truth squads" and know them for what they really are.

However, after reading a transcript of the President's news conference yesterday, it appears to me that the Republicans could do their party a greater service by appointing a "consequences squad." Such a group could be assigned by the party to cover up the "truths" that occasionally leak out of the Madison Avenue dam that has been constructed around the administration.

The small spurts of truth, such as yesterday's admission on the part of the President that the Vice President in fact has played no part, other than advisory, in making policy decisions at an executive level are, it must be admitted, very rare. However, I should think, that on these occasions a specially appointed "consequences squad" could rush in and stick their finger in the dike until permanent repair could be accomplished by a propaganda expert.

I am confident, Mr. President, that the Republican Party will attempt in some way, with some "squad" or other, to reconcile the statement of the President with the campaign image of the Vice President as a man who constantly sits at the President's elbow and directs executive decisions. No matter what effort is to be made, a genuine splash of untarnished truth has managed to trickle out of the reservoir, and we should all face it for what it suggests.

The fact is that the President, like any major executive, must have around him numerous persons upon whom to test ideas and measure opinion in order to intelligently formulate his own opinions and decisions. The experience of Mr. NIXON in this consultant capacity is not unique nor does he have a monopoly on such a job. There are untold numbers of men in this country who have served a President in this fashion.

However, we have seen the Vice President's experience vastly overplayed and misrepresented, particularly during the past few months. This image of Mr. NIXON is intended to convey the idea that perhaps he is the man who should inherit the job of running the country because of this great executive experience.

But, in fact, as the President reminded us yesterday, Mr. NIXON was only one of an unnamed number of individuals who occasionally sat around the President for discussion purposes. In no sense, as Mr. Eisenhower made clear, was Mr. NIXON ever an Assistant President. He was not even a Sherman Adams. Let us not confuse the Vice President's role as constitutional successor to a President who may die in office with that of a trusted confidant of the President who is in fact his real assistant. Keep this question in perspective. The two nominees for President are both young men. Both have served in the House of Representatives and the Senate. Both still serve the Government today, and, on the whole, have represented the country on a national level for about the same length of time.

Mr. ERVIN. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

Mr. ERVIN. I should like to ask the Senator from Wyoming a twofold question: First, is not President Eisenhower in a better position than any other human being to give an answer to the questions put to him by Miss McClendon and Mr. Mohr; and second, if President Eisenhower is not a person who is regarded by all mankind as a man of veracity.

Mr. McGEE. Indeed, he is. I agree with the Senator from North Carolina. I simply add, in response to his first query, that the Constitution prescribes that the President of the United States shall be the person to make decisions. I think that is abundantly clear.

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

Mr. McGEE. I yield.

Mr. CASE of South Dakota. The Senator from Wyoming has properly, in my judgment, referred to the constitutional responsibility of the President. The consequence, if I may be so bold as to say so, of the President having given any other answer would be an inference that the President was not performing his own responsibilities.

I think the questions which were asked the President were questions which could not have been answered in any other way than as the Senator from Wyoming suggests. To have answered in any other way would have been to ascribe responsibilities to Mr. NIXON in violation of the constitutional responsibilities which the Senator from Wyoming rightly says belongs to the President.

Mr. McGEE. The Senator from South Dakota rightly puts his finger on the nub of the issue and the point to which I am addressing my thoughts, the issue has nothing to do with the proper constitutional role of the President, but rather a claim being asserted in behalf of the Vice President in terms of his role in the administration. That is where violence has been done to the Constitution, in the form of untrue or exaggerated claims being used for political reasons during the campaign.

Mr. CASE of South Dakota. Mr. President, I am unaware of any instance in which it was said that the Vice President was making the decisions. Instead, it was said that he was present when the decisions were made or were in the process of being made.

Mr. ERVIN. Mr. President, will the Senator from Wyoming yield?

Mr. McGEE. I yield.

The PRESIDING OFFICER (Mr. CANNON in the chair). The 5 minutes available to the Senator from Wyoming have expired.

Mr. ERVIN. Mr. President, I ask unanimous consent that the Senator from Wyoming may have an additional 2 minutes, so that I may ask him a question.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ERVIN. I should like to ask the Senator from Wyoming whether he agrees with me that the inference to be drawn from the questions and answers at the press conference is that although Vice President NIXON had been close enough to the President, for more than 7½ years, to make suggestions to the President about matters of policy which the President, in the exercise of his constitutional power, could adopt if he deemed them to be wise, yet the President said that it would take him at least a week to think of a single idea that the Vice President had advanced during the more than 7½ years that he, the President, had seen fit to adopt as a matter of policy.

Mr. McGEE. The Senator from North Carolina is entirely correct. In fact, my point is not that the President was doing any wrong. In fact, I think he was telling the truth. The wrong is being perpetrated in the campaign assertions that the Vice President has been assisting the President in the making of decisions, whereas actually the Vice President has only served in his constitutional position of the one elected to succeed the President of the Nation in the event the President becomes incapacitated. In fact, the Vice President has not even been another Sherman Adams.

All my remarks have been directed toward placing this matter in proper perspective, and to indicate, as the Senator from North Carolina has said, that the Vice President has served only in his constitutional role of being the one to succeed to the President in the event the President becomes incapacitated, and that the role the Vice President actually has played during the Eisenhower administration has been—as shown by the statements made at the President's press conference—entirely the reverse of that continually attempted to be shown by means of the efforts to project the image of the Vice President as one who, somehow, has had a unique role and power and executive experience while he has been Vice President of the United States. On the contrary, the President says that is not true.

Mr. President, the hard substance is that two young men now are running for election as President of the United States, and both have served the Nation for approximately the same length of time in the same political role, and there is no distinction between them on that score. Therefore, I only ask that the record show the truth in that connection.

Mr. KEATING. Mr. President, I merely wish to state, in reply to the distinguished Senator from Wyoming, that I know of no one who has made the claim that the Vice President of the

United States has made any of the decisions which the President should have made. It is, of course, true that the Vice President has participated in the conferences and consultations which have led up to those decisions—a fact which was confirmed by the President in his press conference.

The distinguished Vice President has served as vice chairman of the National Security Council and as chairman of the President's Commission on Equal Job Opportunities. He has sat with the Cabinet, and, in general, has been an important member of the team which assists and advises the President in laying the groundwork for the final determinations which he, alone, can make, under the Constitution.

I was delighted to hear the tribute paid by my distinguished and able friend, the Senator from North Carolina [Mr. ERVIN], to the sincerity and the veracity of the President of the United States. I am sure that the President would appreciate it, and I am sure that in his press conference he was just as truthful and just as sincere as he was when he said he felt strongly that the Vice President of the United States should be the next President, and that he is the ablest man who could be elected to this high office.

REGULATION OF MASS TRANSIT IN THE WASHINGTON, D.C., METROPOLITAN AREA—JOINT RESOLUTION PASSED OVER

The PRESIDING OFFICER. Is there objection to the present consideration of House Joint Resolution 402, granting the consent of Congress for the States of Virginia and Maryland, and the District of Columbia to enter into a compact related to the regulation of mass transit in the Washington, D.C., metropolitan area, and for other purposes?

Mr. HART. Mr. President, for the reasons indicated in the course of the discussion which preceded the comment made by the Senator from Wyoming, by request we ask that Calendar 1975 be put over.

The PRESIDING OFFICER. Objection being heard, the joint resolution will be passed over.

AMENDMENT OF MENOMINEE TERMINATION ACT

The bill (H.R. 11813) to amend the Menominee Termination Act, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with an amendment, to strike out all after the enacting clause and insert:

That section 7 of the Act of June 17, 1954 (68 Stat. 250), as amended (25 U.S.C. 891), is further amended by changing the sixth sentence to read as follows:

"If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned six-month period, or if they agree upon a plan within such period and the tribal corporation and voting trust contemplated by the plan are not established prior to November 1, 1960, the Secretary shall transfer the tribal property to a trustee of his choice for management or disposition for the benefit of the Menominee Tribe."

SEC. 2. The first sentence and proviso of section 8 of said Act of June 17, 1954, as amended, are hereby amended to read as follows:

"On or before December 31, 1960, the Secretary is authorized to transfer to the tribal corporation or to a trustee of the Secretary's choice, as provided in section 7 of this Act, the title to all property, real and personal, held in trust by the United States for the tribe. The Secretary is hereby directed to begin immediate negotiations with a private trustee of his choice to perfect a trust agreement so that if by November 1, 1960, the tribal corporation is not functioning, the Secretary will be prepared to transfer title to such property to said trustee as soon after November 1, 1960, as possible, but in no event later than December 31, 1960."

SEC. 3. Section 9 of said Act of June 17, 1954, as amended, is further amended as follows:

"SEC. 9. No distribution, conveyance, or transfer of title to assets and no issuance or distribution of securities pursuant to the plan approved by the Secretary under the provisions of this Act shall be subject to any Federal or State transfer, issuance, or income tax: *Provided*, That nothing contained in this Act shall exempt the recipient of any cash distribution made hereunder from payment of income tax for the year in which the distribution is made on that portion of his share thereof which consists of interest on funds deposited in the Treasury of the United States pursuant to the Supplemental Appropriation Act, 1952 (65 Stat. 736, 754). Following any distribution, conveyance, transfer, or issuance as aforesaid, the assets and securities which are held by, and any income derived therefore which is received by or payable to, any person, or any corporation or organization as provided in section 8 of this Act, shall be subject to the same taxes, State and Federal, as in the case of non-Indians, except that the basis of any valuation for purposes of Federal income tax on gains or losses shall be the value of the property on the date title is transferred by the United States pursuant to section 8 of this Act."

SEC. 4. The Act of June 17, 1954, as amended, is further amended by adding at the end thereof a new section 14 as follows:

"SEC. 14. Notwithstanding any other provision of this Act, the Secretary of the Interior is authorized to contract with the Wisconsin Department of Public Instruction, prior to the date for terminating Federal responsibilities, for the completion of a vocational or undergraduate college program of any member of the Menominee Tribe who has been accepted for such program prior to the termination date."

Mr. ANDERSON. Mr. President, I submit amendments which I desire to have stated; and then I shall be glad to state the reasons for submitting the amendments, if I may do so.

The PRESIDING OFFICER. The amendments submitted by the Senator from New Mexico will be stated.

The LEGISLATIVE CLERK. On page 3, in line 7, it is proposed to strike out section 1 and to insert the following:

That section 7 of the Act of June 17, 1954 (68 Stat. 250), as amended (25 U.S.C. 891), is further amended by changing the sixth and seventh sentences to read as follows:

"If the Menominee Tribe and the Secretary cannot agree upon a plan within the aforementioned 6-month period, or if they agree upon a plan within such period and the tribal corporation and voting trust contemplated by the plan are not established prior to March 1, 1961, the Secretary shall transfer the tribal property to a trustee of his choice for the management or disposition for the benefit of the Menominee Tribe.

"The responsibility of the United States to furnish all such supervision and services to the tribe and to the members thereof, because of their status as Indians, shall cease on April 30, 1961, or on such earlier date as may be agreed upon by the tribe and the Secretary."

On page 3, in line 21, it is proposed to strike out "December 31, 1960" and insert "April 30, 1961."

On page 4, in line 3, it is proposed to strike out "November 1, 1960" and insert "March 1, 1961."

On page 4, in line 5, it is proposed to strike out "November 1, 1960" and insert "March 1, 1961."

On page 4, in line 6, it is proposed to strike out "December 31, 1960", and insert "April 30, 1961."

The amendments to the amendment were agreed to.

Mr. ANDERSON. Mr. President, the Committee on Interior and Insular Affairs, and previously the Subcommittee on Indian Affairs, agreed on December 31, 1960, as the date for the termination, and Congress established that formula in 1958.

The Senate committee held to that date, even though the House voted to grant a 6-month extension.

However, the two Wisconsin Senators have said to the committee—and with some propriety, I think—that it has not allowed the study to be finished; and both the senior Senator from Wisconsin [Mr. WILEY] and the junior Senator from Wisconsin [Mr. PROXMIRE] have said that the tribe should be given a little more time—preferably 6 months—in order to complete the study. They think that will make it possible for the matter to be handled satisfactorily.

We have allowed 4 months, instead—in the nature of a compromise—and actually 3 months from the former December 31, 1960 termination date. The amendment calls for an extension to be made to April 1, 1961, for the termination, and to March 1, 1961, for the establishment of a voting trust. The amendment also provides that if the tribe and the Secretary cannot agree upon a plan within the 6-month period or if they agree upon a plan within that period and if the tribal corporation and voting trust contemplated by the plan are not established before March 1, 1961, the Secretary shall transfer the tribal property to a trustee for the Indians.

We feel this amendment allows sufficient time for the two able Senators from Wisconsin to work out with the Senate committee, and for the Members of the House to work out with the House committee, such language as they may deem necessary at that time.

So we believe this amendment allows sufficient time.

I can only say that the two Senators from Wisconsin are very persuasive. Although it was with some reluctance that I agreed to accept this amendment, I believe the statements made by the

two Senators from Wisconsin indicate their determination to help straighten out this matter. Therefore I have offered this amendment to the bill.

I suggest that the two Senators from Wisconsin may wish to state for the RECORD whether they believe this proposal will help the situation. I recognize that it is not as helpful as they would like it to be, but I believe it is helpful to the situation.

Mr. WILEY. Mr. President, in view of the circumstances stated by the distinguished Senator from New Mexico, I join in the request that the amendments to the amendment be agreed to, because I believe it is the best solution that can be worked out under the circumstances.

The tribe wanted a 6-month extension, and we have tried to obtain it. But for reasons already stated or intimated, apparently such an agreement could not be obtained.

The amendment which was read a moment ago at the desk has now been submitted to House bill 11813; and, practically, the amendment means that no action could be taken at this period. I think the Senator from New Mexico has done a fine job in offering the amendments; therefore, I am happy to concur in them.

Mr. President, I ask unanimous consent that a statement which I have prepared be printed at this point in the RECORD.

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

STATEMENT BY SENATOR WILEY

TERMINATION OF FEDERAL CONTROL OVER MENOMINEE INDIAN TRIBE

I welcome the fact that it has been possible to get agreement for moderate extension of time for termination of Federal control over the Menominee Indian Tribe.

In attempting to meet the requirements of termination, the tribe, and the State of Wisconsin, together with the Department of Interior, have worked diligently to resolve the economic, social, educational, and other problems.

The tribe, for example, has put forward constructive proposals which are required to meet the approval of the Secretary of the Interior—and have done so—for handling tribal assets, following termination.

The State of Wisconsin, by legislative action, has established a 72d county and made provision for exercises of rights and responsibilities of full citizenship by the Indians upon termination.

Although I know there were serious misgivings by members of the committee about further extension of time for dealing with the serious problems involved in termination, I am gratified that it has been possible to reach this compromise and sincerely hope that the differences that still remain between the Senate and House versions of this measure can be effectively and quickly resolved.

I wish to express my deep concern over the bill, H.R. 11813, as revised by the Senate committee.

According to present law, Federal control over tribal affairs of the Menominee Indians of Wisconsin was scheduled for December 31, 1960.

In accordance with the provisions of the law, the Menominee Tribe and the State of Wisconsin—in cooperation with the Department of Interior—have designed a termination plan, subject to—and, incidentally, approved by—the Secretary of the Interior.

As anyone with experience in such termination matters is fully aware, the task is difficult, complex, costly, and time consuming.

Despite the difficulties involved, the tribe has made a strong, realistic effort to meet the requirements of the law and establish a plan that would insure economic stability for the future.

In addition, the State of Wisconsin—by legislative action—has created a 72d county and taken action to provide the Indians with the rights and responsibilities of full citizenship.

Because of economic, social, educational, and other problems which have arisen, the tribe this year is asking for an additional 6 months to resolve some of these problems.

Wisely, the House of Representatives earlier this session took action to provide this additional time. Unfortunately, the Senate committee not only refused to extend the termination date, but—as shown in its version of the bill—cut back the termination time from December 31 to November 1 this year.

Almost everyone who has a deep intimate and abiding interest in the future welfare of the Menominee Indian Tribe has endorsed the necessity of additional time for termination. These have included the following:

The Senators and Representatives of the State;

The tribe itself;

The government of Wisconsin; and

The Department of Interior, which handles the termination program.

I quote from the Department's letter of June 28, 1960, which follows the letter quoted by the committee in its report on the bill, dated May 27, 1960.

In referring to the report of May 27, Assistant Secretary Roger Ernst said:

"Since that report was submitted, this office has had the benefit of informative talks with the delegates of the Menominee Tribe. I am now convinced, largely as a result of such factual information, that additional time beyond December 31, 1960, is absolutely necessary to enable the Menominee Tribe to make improvements in their economy, which will bring about a successful termination."

The adoption of the amendments by the Senate (1) to extend the termination from December 31, 1960, to April 1, 1961, and (2) to extend the time for action by the Secretary, in the event termination plans are not fulfilled, for transfer of tribal property to a trustee be extended from November 1, 1960, to February 1, 1961, represents a necessary action if the complex plans relating to solution of problems of termination are to have the best chance for success.

Mr. PROXMIRE. Mr. President, I appreciate the difficulties under which the Senator from New Mexico [Mr. ANDERSON] is operating in dealing with this matter. I wish to take a very few minutes to go quickly over its history.

The fact is that at one time the Menominee Indians controlled a large part of Wisconsin—thousands of square miles.

Then a treaty was signed with them, and gave them a relatively tiny reservation. In return, the Menominees gave up their claim to a very large part of our State. In this reservation the Menominees have lived for a long time in the way their tribe had lived for thousands of years before then.

Beginning in 1954, the Menominees started to make the transition to the kind of life that most Americans lead. This is an extremely difficult transition from a life which they were living under circumstances which they wanted and which they enjoyed. On the basis of all the history I have studied on this matter, we virtually forced them to change. It is true, they consented, but they consented under what I consider to be considerable duress in 1954.

Since 1954 a very responsible study has been made of the Menominee Indian problem by the University of Wisconsin, by State and by local authorities, and they all concur it has taken these people a great number of months to become adjusted to this new kind of life. They are not happy that they have been pushed along as fast as they have been.

Mr. President, this is not a matter of political interest, but one of justice for people who have been pushed around shamefully by most of the American people.

I recognize we are up against a situation that we simply cannot correct here on the floor. I felt very, very strongly that, as a minimum, the tribe should be allowed 6 months additional time in order to terminate. For example, in making the transition, they are giving up very substantial Federal benefits which they enjoyed. They are giving up substantial benefits in the way of health, education, and welfare, in the kind of sanitation they need.

I conclude by saying I have a telegram from the Attorney General of Wisconsin. I have spoken about this matter to the Governor of Wisconsin, who feels strongly about this matter.

I ask unanimous consent that the telegram, which vigorously asks that the termination be postponed for 6 months, be printed in the RECORD.

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

WASHINGTON, D.C., *August 25, 1960.*

Hon. WILLIAM PROXMIRE,
Senate Office Building,
Washington, D.C.:

The State of Wisconsin urges you and the U.S. Senate to grant a 6-month extension date of the termination of the Federal control of the Menominee Indian Reservation. This additional time is needed to properly complete all plans presently in progress for an orderly transition from Federal to State jurisdiction. We urgently request that you oppose the appointment of mandatory trustees as of November 1, 1960. The State of Wisconsin has passed legislation creating a new county and making it possible for the members of the tribe to set up a corporation to operate their properties as of January 1, 1961.

The appointment of trustees would jeopardize all the progress that has been made by the members of the tribe and the State of Wisconsin in providing for termination. We cannot see how the appointment of the trustees will in any way benefit the U.S. Government, the members of the tribe, or the State of Wisconsin.

JOHN W. REYNOLDS,
Attorney General of the State of Wisconsin, and also Chairman of the Menominee Indian Study Committee of the State of Wisconsin.

Mr. PROXMIRE. Mr. President, I recognize the Senator from New Mexico [Mr. ANDERSON], the Senator from Idaho [Mr. CHURCH], and other members of the subcommittee have a very difficult problem in this whole situation, but I hope we can give the Menominee Indians

proper consideration when this matter comes before the Congress, probably in 1961.

I do not say we should not cooperate to comply with the law to the best of our ability and conscience. Of course we should. We are going to do it, but I think we should temper the letter of the law with some mercy and justice. When these people are being suddenly pulled from the hunting-fishing Indian life into the mid-20th century, I think we should give them more consideration than they have been given in the past.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

CONVEYANCE OF PART OF LOCK AND DAM NO. 10, KENTUCKY RIVER, MADISON COUNTY, KY.

The bill (H.R. 11561) to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as a part of a historic site was announced as next in order.

Mr. COOPER. Mr. President, is there objection to this bill?

Mr. HART. Mr. President, objection has been registered. I intended to ask that it go over, by request.

Mr. COOPER. I should like to direct my statement to the majority Calendar Committee. I have been informed by the administrative assistant of the senior Senator from Oregon [Mr. MORSE] that the Senator from Oregon has lodged an objection. Having been so informed, I wonder if there are other objections lodged to the bill.

Mr. HART. Having learned of one objection, I must apologize for not having inquired beyond that. Perhaps before the Senate concludes the call of the calendar, I can make inquiry.

Mr. COOPER. I should like to address an inquiry to the majority Calendar Committee. I have talked to the legislative assistant, who told me that my colleague from Kentucky [Mr. MORTON] is on his way here. He said he would like to join me in the request that the bill go over until he arrives here; then he would like to join me in asking that the bill be brought up. I am sure when he comes here we can discuss the bill. It is a bill calling for the transfer of about 4 acres to a nonprofit organization of Kentucky and then transfer to the State of Kentucky. It concerns the historic Daniel Boone site, where Daniel Boone established a fort. According to my information from the Corps of Engineers, the value of the land is approximately $100. Even if the Morse formula should be followed, this would mean a payment to the Federal Government of $400. I am sure, after I speak to the Senator from Oregon, he will not disagree.

I suppose the Senator from Michigan does not have authority to say the bill can be called up by motion, but I would certainly appreciate his assistance in asking that it be considered as soon as the Senator from Oregon arrives here. Perhaps the Senator does have that authority.

Mr. HART. I am sure the Senator from Kentucky is asking a rhetorical question, since he knows full well the calendar committee's obligation is to present, not to bargain over, objections of Members. The Senator from Kentucky understands the position of the committee. I would suggest that the bill be placed at the foot of the calendar. If in the meantime the objector has appeared and the Senator from Kentucky has cleared the bill, it can be called up at that time. If that has not occurred, I am sure the matter can be called up on motion, or disposed of promptly later.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

EXEMPTION FROM TAXATION OF CERTAIN PROPERTY OF THE NATIONAL GUARD ASSOCIATION OF THE UNITED STATES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 3867) to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia, which had been reported from the Committee on the District of Columbia, with an amendment, to strike out all after the enacting clause and insert:

That the property situated in square 625 in the city of Washington, District of Columbia, described as lot 60, together with the improvements thereon, owned by the President, Vice President, Secretary, and Treasurer of the National Guard Association of the United States, as trustees and in trust for the use and benefit of the National Guard Association of the United States, a voluntary unincorporated association with principal headquarters in the District of Columbia, is hereby exempt from all taxation from and after July 1, 1961, so long as the same is owned by the President, Vice President, Secretary, and Treasurer of the National Guard Association of the United States, as trustees and in trust for the use and benefit of the National Guard Association of the United States and occupied by the National Guard Association of the United States, is used solely for the purposes of said Association, and is not used for commercial purposes, subject to the provisions of sections 2, 3, and 5 of the Act entitled "An Act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942 (56 Stat. 1091; D.C. Code, secs. 47-801b, 47-801c, and 47-801e).

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 7885) relating to the income tax treatement of nonrefundable capital contributions to Federal National Mortgage Association was announced as next in order.

Mr. HART. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bills placed at the foot of the calendar will now be stated by the clerk.

JOHN DAVID ALMEIDA

The bill (H.R. 4428) for the relief of the legal guardian of John David Almeida, a minor, was announced as next in order.

Mr. HART. Mr. President, over, by request.

The PRESIDING OFFICER. The bill will be passed over.

CONVEYANCE OF PART OF LOCK AND DAM NO. 10, KENTUCKY RIVER, MADISON COUNTY, KY.—BILL PASSED OVER

The bill (H.R. 11561) to authorize and direct the Secretary of the Army to convey part of lock and dam No. 10, Kentucky River, Madison County, Ky., to the Pioneer National Monument Association for use as a part of a historic site was announced as next in order.

Mr. HART. Mr. President, this is the item about which the Senator from Kentucky expressed such interest and concern. Objection having been made, and the calendar call having reached this point, I must ask that the bill go over, by request.

The PRESIDING OFFICER. The bill will be passed over.

THEODORE ROOSEVELT MEMORIAL

Mr. KEATING. Mr. President, I ask unanimous consent that we may return to Calendar No. 1905, H.R. 8665, to amend the act entitled "An act to establish a memorial to Theodore Roosevelt in the National Capital." This act would provide for the construction of such memorial by the Secretary of the Interior.

Mr. President, I want today to make a statement with regard to this act, although I realize it will not receive Senate action until it has been cleared by the distinguished majority leader.

The PRESIDING OFFICER. Is there objection? The Chair hears no objection, and the bill is before the Senate.

Mr. KEATING. This bill would establish a memorial to Theodore Roosevelt in the National Capital. It was the subject of some discussion in the course of the last calendar call, at which time it was pointed out by me and several other Senators that objections had been interposed to the proposed memorial by members of the family of Theodore Roosevelt. It was generally concluded that there should be no further action until the family was in agreement with the proposed design.

After that discussion, Mrs. Alice Roosevelt Longworth called to talk with me and later came to see me. Since then, we have had several conversations about this subject, as a result of which she has written me a letter dated August 24, which I should like to read into the RECORD:

DEAR SENATOR KEATING: With regard to the proposed memorial to my father, Theodore Roosevelt, I want to make it clear that I

am not opposed to a bill being passed to provide a memorial on Theodore Roosevelt Island if it is understood by the three organizations mentioned in the bill that any design will have the approval of the children of Theodore Roosevelt. If this should be understood, I will be happy to see the bill enacted.

I am particularly anxious that the island be preserved and restored to the natural conditions which prevailed before the white man came.

Sincerely yours,

ALICE ROOSEVELT LONGWORTH.

In brief, Mrs. Longworth's position is that she is opposed to the present design which has been approved by the three organizations named in our bill. But, she is certainly not opposed to—is indeed pleased with—the idea of a memorial to her distinguished father. It is my hope it may be possible for us to established a legislative history whereby it would be agreed that no steps would be taken by these three organizations until the family has approved the design, or, preferably, that we may adopt an amendment to H.R. 8665 to give to the family some voice in the approval of the memorial, so that we may have action at this session of Congress.

I believe the distingiushed Senator from South Dakota [Mr. CASE], who has taken a great interest in this matter, who I feel sure shares my views about the desire to have a memorial erected to Theodore Roosevelt but who has serious reservations of his own about the particular design which has been suggested, has a suggestion to make as to an amendment to H.R. 8665 which would accomplish the purpose which has been suggested by Mrs. Longworth and by other members of the Roosevelt family.

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

Mr. KEATING. I am happy to yield.

Mr. CASE of South Dakota. When I raised the question of objection the other day, Mr. President, I was prompted to do so by the public expression of Mrs. Longworth that she was not happy about the gyroscope type of memorial which had been proposed. Whenever I had seen any reference to the memorial or had seen pictures of the proposed memorial, I had always felt not only a good deal of disappointment, but also some revulsion, because it seemed to me that the spinning top or gyroscope failed utterly to convey the character and the spirit of Theodore Roosevelt. To imagine that a thing which required as much explanation as that would carry to future generations anything of the man who wrote "The Winning of the West," or who organized the Rough Riders, or who fought for civil service reform, or who was the leader who established the possibility of and the legislation for the Panama Canal, seemed to me to be utterly ridiculous.

The design has been described, in the official description, as—

This skeletal globe, consisting of three circular bronze bands, having neither beginning nor end, will symbolize infinity both in space and time. The sphere, as a whole—open to the sun and the moon, the stars and all the winds of heaven, with bounds suggested but not defined—betokens the free spirit, universal in its nature, timeless in its being, and abiding within the orbit of eternal law.

That might be something to signify the opening of the space age or something like that, but it does not suggest to me at all a man who said, "Speak softly and carry a big stick," or who said, "Fear God and take your own part."

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that we may proceed for another 2 minutes.

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. CASE of South Dakota. Or who, when his son, Quentin, was killed as an aviator in World War I, said, "Only those are fit to live who are not afraid to die."

Theodore Roosevelt was a man of courage and leadership. This ephemeral thing which was suggested as a model for the memorial, it seemed to me, was utterly out of place. When the daughter spoke up, I thought we should object to consideration of the bill. I have been contacted by her and by others, notably this morning by Mr. Gutterman, who said he thought he could speak for 40 wildlife and conservation associations in expressing the hope that the bill would be amended.

The amendment we would suggest would insert the words "the living children of Theodore Roosevelt" ahead of the organizations which are named in the bill as having approval of the plan.

There are three living children of Theodore Roosevelt. Mrs. Longworth is a daughter. Ethel Darby, of Vermont, is another daughter. Archibald Roosevelt, of Cold Springs Harbor, Long Island, is a son.

I am told that all the children would like to be consulted as to approval. I earnestly urge that the respective policy committees and calendar committees be required by the wording of the law to consult the children as to the design of the proposed memorial.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial from the Washington Star entitled "That Memorial," an editorial from the Washington Post and Times Herald entitled "Squashing the Sphere," an editorial from the Washington Daily News entitled "Leave It to Alice," and a letter from Miss Harlean James, who is a director of the American Planning and Civic Association, all of them pertaining to this matter.

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

[From the Washington Star, Aug. 22, 1960]

THAT MEMORIAL

Perhaps the simple solution of the problem of an appropriate memorial to Theodore Roosevelt is to sculpture his likeness in bronze, equip it with a sword in one hand and a big stick in the other, mount in on an energetic horse galloping up a hill plainly labeled in large type "San Juan" and plant the whole thing beneath the noble scrub oak of Roosevelt Island's forest primeval.

The same general idea has been applied before to perpetuate the memory of national heroes and it seems to work. It avoids the dangers of imagination or of doing anything new. The symbolism, though subtle, is understandable to some Members of Congress and even their constituents. In some respects such a memorial would be even more pleasing to the eye than either a Dutch or Ohio bell tower, and less noisy. Congress, to be sure, could set up still another commission, composed of anybody who wished to publicize himself by expressing cute opinions on subjects of which he is singularly unqualified to speak. Members ex-officio of the new commission would be all present and future descendants of the 26th Presidents of the United States.

At any rate, everything else has been tried—and without much success. The prospects of obtaining money for the memorial selected by the most dedicated admirers of Theodore Roosevelt, the trustees and members of the Theodore Roosevelt Memorial Association, from the designs submitted by distinguished artists and approved by various groups of experts in such things appear, at this time, to be rather dim.

[From the Washington Post]

SQUASHING THE SPHERE

One of the community's great natural assets is Alice Roosevelt Longworth's tongue, and it has seldom been used with such wholesome lethal effect as on the so-called "celestial sphere" intended to commemorate her father. President Eisenhower can only make his voice bounce off a satellite. But Mrs. Longworth was able to send a 50-foot celestial sphere crunching to earth by speaking sharply, if not softly. That "globular jungle gym," said TR's daughter, "would desecrate the memory of anyone." With a stinging final flick, she added, "I only wondered why they hadn't thought to add Muzak."

The poor sphere, squashed and limp, was given a decent burial by the Senate. Senators JAVITS and KEATING, sponsors of the bill authorizing the $900,000 memorial on Theodore Roosevelt Island, were properly contrite. No monument would be erected, they said, unless it was acceptable to the lineal descendants of the President.

But weren't the Senators listening? Mrs. Longworth shares in the general community consensus that the best memorial is the island as it is—undecorated by metal geegaws, whether hexagonal or pear-shaped. "That lovely wild island should be left as it is," said Teddy's daughter. "It's a splendid memorial to my father."

[From the Washington Daily News, Aug. 20, 1960]

LEAVE IT TO ALICE

Back in 1931, Congress authorized a memorial to President Theodore Roosevelt. They have been planning it ever since.

This year it was decided that instead of raising the price for the memorial by public subscription, the taxpayers would put up the money, $886,400.

In Washington, where there are so many planning agencies it usually takes ages to get them together on any project, an astonishing agreement was reached on the Roosevelt proposal. In July, the House gave its OK and the Senate probably would have followed suit, except—

Somebody thought to ask Alice Roosevelt Longworth, daughter of the late President, what she thought about the design. Mrs. L. didn't hesitate: She said the "armillary or celestial sphere" the boys had planned would "desecrate the memory of anyone." She called the thing a "globular jungle gym."

This prompted Senator Russell to say that when he saw the thing he wept.

No wonder. Here is the official description of the design: "This skeletal globe, consisting of three circular bronze bands, having neither beginning nor end, will symbolize infinity both in space and time. * * * The sphere, as a whole—open to the sun and the moon, the stars, and all the winds of heaven, with bounds suggested but not defined—betokens the free spirit, universal in its nature, timeless in its being, and abiding within the orbit of eternal law."

This was to be erected on Theodore Roosevelt Island, a beautiful, 90-acre forested spot in the middle of the Potomac River.

Congress could do a lot worse than go along with Mrs. Longworth's idea:

"That lovely, wild island should be left just as it is. It's a splendid memorial for my father."

It is, indeed.

AMERICAN PLANNING AND CIVIC ASSOCIATION,
Washington, D.C., August 22, 1960.

Hon. FRANCIS CASE,
U.S. Senate, Washington, D.C.

MY DEAR SENATOR CASE: Though I am retired, I try to keep posted on the affairs for which I have worked for so many years. I congratulate you on your intervention into the Roosevelt memorial planned for the island. I agree with you, Mrs. Longworth, and Kermit Roosevelt. Of course the land was purchased by the memorial association and given to the Federal Government. I understood that the original plan was to preserve the natural features of the island with only such provisions for access as might be justified. I hope the association will modify its plans to carry out the original purpose and then I feel sure that the Federal agencies will accept their proposals.

It is no surprise to me to find you taking a firm stand when needed, for I can remember such occasions during the years when I was in active service.

With warm regards and high esteem, I remain,

Sincerely yours,

HARLEAN JAMES.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that we 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. At what point would the Senator's suggested language be inserted in the bill?

Mr. CASE of South Dakota. Line 1, page 2, after the words "as may be approved by" insert the words "the living children of Theodore Roosevelt," and then the language would follow, "the Theodore Roosevelt Association, the Commission of Fine Arts, and the National Capital Planning Commission."

Mr. COOPER. Mr. President, I should like to ask the distinguished Senator from South Dakota and the Senator from New York a question.

If the amendment should be agreed to, would there be any ambiguity? Would there be a question as to whether these living children could actually override a judgment or a decision made by the Commission? Would there be some ambiguity?

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEATING. Mr. President, I ask unanimous consent that we 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. CASE of South Dakota. There is not intended to be any ambiguity. It is intended that the bill will say, "as may be approved by the living children of Theodore Roosevelt," and that the memorial would require the approval of the three living children.

Mr. COOPER. Mr. President, I think in my own right I am entitled to 5 minutes.

The PRESIDING OFFICER. The Senator technically may reserve the right to object. However, the bill has not been taken up. The bill was not called on the calendar.

Mr. COOPER. Mr. President, I reserve the right of object.

The PRESIDING OFFICER. The Senator requests time?

Mr. COOPER. Yes. I wish to say that I concur wholeheartedly in what has been said by the Senator from New York and by the Senator from South Dakota. I think they both deserve the approbation of the Senate for objecting to the bill and raising this issue.

It seems to me the most simple issue connected with the establishment of the memorial for Theodore Roosevelt is that it should be appropriate to his character, to his life, and to his service to his country. The very fact that doubts have been raised about the design and about the monument which is to be erected upon this beautiful island indicates absolute doubt upon the part of those who have studied Theodore Roosevelt's life, who have known him, and who observed him. Many feel this would not be a proper design.

Certainly the wishes of Theodore Roosevelt's family—of Mrs. Longworth and others who knew him better than anyone else—should be taken into consideration. His life as we knew it was one of simplicity, of ruggedness, of a devotion to the simple and pioneer virtues of this country. The memorial should be in accord with those virtues.

I remember that when I was 11 years of age I saw Theodore Roosevelt when he came through my small town in Kentucky. I remember that when he stepped off the train, all the people in our town, a town of 5,000 or 6,000, rushed up. I shall never forget the impression I then obtained of Theodore Roosevelt. I saw not only the first President I had ever seen in my life, but I saw something more. I saw his great strength and simplicity.

The proposed memorial should be in accord with those virtues. I hope and trust that those who propose the amendment will be sure that it will not be treated in some way which will enable the Commission to ignore the wishes of Mrs. Longworth and the other 2 children of Theodore Roosevelt.

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

Mr. COOPER. I yield.

Mr. KEATING. The bill which has been introduced by the senior Senator from New York [Mr. JAVITS] and myself calls for approval by the Theodore Roosevelt Association, the Commission of Fine Arts, and the National Capital Planning Commission. Those bodies have approved the existing design, but they agreed unanimously that the approval of the living children of Theodore Roosevelt should also be obtained. I feel that such provision would sufficiently protect the family in an agreement upon an appropriate design. Also I feel certain that these Commissions and associations would not under any circumstances, under the proposed wording, ask for a design to be approved and for authorization of appropriations to be made without the approval of the family. The real joker in this bill is that it is only an authorization. If the association and the Commissions did not comply with the wishes of the children of the great President, I feel certain that Congress would unanimously deny an appropriation.

Mr. President, I realize this bill should not have action until the majority leader has been consulted. I withdraw my unanimous-consent request at this time.

ORDER OF BUSINESS

Mr. McCLELLAN. Mr. President, has the call of the calendar been completed?

The PRESIDING OFFICER. The call of the calendar is finished.

Mr. McCLELLAN. Is a unanimous-consent request in order at this time?

The PRESIDING OFFICER. A unanimous-consent request is in order.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Is the Senate operating under a unanimous-consent agreement entered into yesterday?

The PRESIDING OFFICER. The Senator from Arkansas is desirous of making a unanimous-consent request at this time.

Mr. McCLELLAN. Is not the Senate operating under a unanimous-consent agreement with respect to the call of the calendar and further proceedings on another subject?

The PRESIDING OFFICER. The Senate is not operating under a unanimous-consent request insofar as the call of the calender is concerned. Upon completion of the call of the calendar, the Senate will be operating under a unanimous-consent agreement with respect to S. 3625.

PAYMENT OF ADDITIONAL OBLIGATIONS INCURRED BY SELECT COMMITTEE ON IMPROPER ACTIVITIES IN THE LABOR OR MANAGEMENT FIELD

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. Would it be more appropriate to make a unanimous-consent request now, before the conclusion of the call of the calendar, or after the call of the calendar?

The PRESIDING OFFICER. The Senator may make such a request now if he so desires.

Mr. McCLELLAN. If I may, I ask unanimous consent that I may send to the desk a Senate resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. Res. 373) was read, as follows:

Resolved, That S. Res. 155, 86th Congress, 1st session, agreed to August 21, 1959, is amended by striking out the amount "$4,500" in line 1 and inserting in lieu thereof the amount "$8,500."

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCLELLAN. Mr. President, I have discussed this item with representatives of both the majority and the minority. It is simply a matter of bookkeeping. The resolution provides for the reimbursement of one fund with money from another fund. It is actually costing the Government nothing. I ask that the resolution be unanimously agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

The PRESIDING OFFICER. The unanimous consent agreement provides that the time shall be limited to 30 minutes on any amendment, to be equally divided and controlled by the mover of the amendment and the majority leader, and 1 hour on the bill.

The bill is open to amendment.

Mr. THURMOND. Mr. President, I yield myself a minute and a half.

CONNALLY RESERVATION TO THE WORLD COURT TREATY

Mr. THURMOND. Mr. President, one of the most widely discussed issues which confronts our National Government today centers around the Connally reservation to the World Court Treaty. This matter is, of course, of particular interest to members of the legal profession and has been a primary topic of debate in the American Bar Association and in the various State bar associations.

The Connally reservation was discussed by various speakers before the New York State Bar Association at Saranac Inn, Saranac, N.Y., on June 24, 1960. At this time one of the most able presentations in favor of retention of the Connally amendment which I have read was made by Mr. Alexander Dick of the New York bar.

Mr. Dick clearly exposes the fallacies of the arguments of those who are striving for the repeal of the Connally reservation. I am proud that Mr. Dick is originally a South Carolinian, who was born in Union, S.C., educated in elementary, grammar, and high schools of South Carolina and is a graduate of the College of Charleston. Both his capacity for sound analysis and his energetic defense of American interests are a credit to his native State. I ask unanimous consent that Mr. Dick's address to which I have referred be printed in the RECORD at this point in my remarks.

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

ADDRESS BY ALEXANDER C. DICK TO THE NEW YORK STATE BAR ASSOCIATION AT SARANAC INN, SARANAC, N.Y., ON FRIDAY, JUNE 24, 1960, ON THE SUBJECT AS STATED ON THE PROGRAM: "THE CONNALLY AMENDMENT"

I am deeply grateful for the honor of addressing this association.

Most of what Mr. Belknap said in introducing me is accurate. Perhaps in courtesy and cordiality he overstated my international qualifications.

Few of us can aspire to be international lawyers, clients being in short supply. I speak to you as a brother "domestic" lawyer—deeply concerned with the welfare and safety of our country; jealous of its sovereignty, and convinced that we should scrutinize carefully any proposal that might erode that sovereignty.

The question before us may be simply phrased thus: Shall the vast power which the World Court already has over this country be expanded?

We have given the Court complete power over disputes on international matters, excluding domestic affairs as defined by us. Shall we now surrender to the Court power to define domestic affairs?

The question will appear in perspective and focus if we review briefly the formation of the Court, glance at its 13-year record, and analyze the current agitation in this country for expansion of its powers.

The World Court was brought into being by article 92 of the United Nations Charter as "the principal judicial organ of the United Nations" to function in accordance with the statute of the International Court of Justice, "an integral part" of the charter. (The statute is usually printed with the charter, under the caption: "Charter of the United Nations" together with the "Statute of International Court of Justice."

Article 93 provides that "all members of the United Nations are ipso facto parties to the statute." Under the provisions of article 94, each member of the United Nations "undertakes to comply with the decision of the Court."

The statute, comprising 70 articles, covers the organization of the Court, its competence and procedure. (Subsequent references are to articles of the statute.)

The Court consists of 15 judges, no 2 from any one nation (art. 3). They are elected by majority vote of the General Assembly and of the Security Council (art. 4), proceeding independently (art. 8), from a list of persons nominated by "national groups."

Electors are directed (art. 9) to "bear in mind that in the body as a whole, the representation of the main forms of civilization and the principal legal systems of the world should be assured." At the present time, only three judges are from common-law countries. Four are Latin Americans. Two are from Moslem and two from Communist countries. There is one judge each from Free China, Greece, France, and Norway. Thus the Court is not, and never can be anything that most of us recognize as a court of law.

The judges are elected for staggered terms of 9 years and may be reelected. A judge can be dismissed only by the unanimous vote of his fellow members (arts. 13 and 18). Having no law to administer, the judge takes no oath but instead makes "a solemn declaration in open court that he will exercise his powers impartially and conscientiously" (art. 20). The Court elects a President and Vice President for 3-year terms, and appoints its registrar and other staff officers (art. 21).

Only nations can be litigants (art. 34). The Court is open to nations parties to the statute and, under certain conditions, to nonparties (art. 35).

JURISDICTION

Now this international tribunal, though it is called a court, is not a court in any usual sense of the term. Having been created by agreement (the United Nations' so-called charter is merely a treaty or agreement), the Court can have no real jurisdiction. The statute provides (art. 36) that it can hear only cases "which the parties refer to it." Having no real jurisdiction, the Court has to fall back on what is termed, somewhat loosely, jurisdiction by consent.

The idea of jurisdiction by consent is developed in the statute elaborately and with considerable semantic skill. Instead of saying simply that any member nation can file a general consent enabling the Court to hear cases of a nature specified, the statute in article 36(2) confers upon "all states, parties to the statute"—as if it were a great boon—the privilege of declaring that "they recognize as compulsory ipso facto and without special agreement in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

(a) The interpretation of a treaty;

(b) Any question of international law;

(c) The existence of any fact which, if established, would constitute a breach of an international obligation;

(d) The nature or extent of the reparation to be made for the breach of an international obligation.

Thus there was established by article 36 of the statute that strange and weird phrase, "acceptance of compulsory jurisdiction." I ask you to note carefully that there was nothing compulsory about it, that what is termed compulsory jurisdiction is the result of an act which is purely voluntary, and which any nation filing a declaration does without respect to what any other nation may do or fail to do. Of course, as this declaration is voluntary, it may be made conditionally or otherwise, and be limited or unlimited in time—this is specifically recognized in paragraph 3 of article 36.

Unless and until a nation files a declaration under article 36, it is in no way subject to the Court's jurisdiction.

The United States filed its declaration promptly and fully. True to our tradition of supporting any agency that might settle international disputes amicably, we acted almost immediately after the Court was organized. On the 14th day of August 1946, President Truman signed our declaration, after appropriate action by the Senate on August 2. We accepted jurisdiction in precisely the matters and terms I have read to you from the enabling article of the statute. The declaration was to remain in force 5 years, and thereafter until terminated on a 6-month notice.

In the course of time, 36 members of the United Nations (and 2 nonmembers) filed declarations. None were fuller than ours, some were more restricted. A few were for a longer term; many for a shorter term. Twelve, including six of the British Commonwealth nations, can be terminated immediately on notice. Six mention no time, presumably they are terminable on notice.

Included among the 36 countries are many of the great nations. "Included out," as the saying goes, is the U.S.S.R.—also, most of the other Iron Curtain countries. They seem to want no part of the Court.

Let me digress here to note an anomalous situation about judges of the Court: There are now 82 member States of the United Nations. Thirty-six have submitted to the Court's jurisdiction, 46 have not.

But each of those 46 can nominate candidates for the office of judge, and participate in the election. Conceivably the 46 nations not subject to the Court's jurisdiction could elect all 15 judges from their own nationals to pass on the controversies of the 36 who have voluntarily submitted to the jurisdiction. Unlikely, do you say? Yes, but possible.

However, I give you an actuality which is just as strange and more disturbing. Soviet Russia, our declared enemy, has filed no declaration of submission to the Court's jurisdiction, nor has Poland. Yet each country has a judge on the bench. Our enemy, in short, controls two judges—and being quite adept in United Nations politics, may control more, but cannot be hailed into court, as can we.

EXTENSIVE POWERS OF THE COURT

Our declaration contained some provisos and reservations. Before discussing them, I make a few observations about the broad powers of the Court. Once past the question of jurisdiction, the Court has powers far beyond what we are accustomed to in our courts.

This World Court settles finally any question as to whether it has jurisdiction, and there is no appeal from this or any other decision. It is the Court of first and last resort.

The law which the Court administers is so vague that the Court can improvise as it goes along. Hear it as defined in article 38 of the statute:

"The Court, whose function is to decide disputes in accordance with international law, shall apply: (a) International conventions—establishing rules expressly recognized by the contesting states; (b) international custom, as evidence of a general practice accepted as law; (c) the general principles of law recognized by civilized nations (names not given, nor rules for deciding who is civilized); and finally, (d) 'judicial decisions and the teachings of the most highly qualified publicists of the various nations.' "

How would you like while arguing a case to be faced with the 17th or even the 20th century teachings of some highly qualified publicists from say, India or Egypt, of whom you had never heard and never could or would read?

An even more serious and unbridled power is in connection with evidence. Article 50 says:

"The Court may, at any time (i.e. before, at or after hearing) entrust any individual, body, bureau, commission, or other organization that it may select, with the task of carrying out an inquiry or giving an expert opinion."

Not a lawyer in this country, I venture to say, would submit a case to arbitrators who had the power to have their own appointed agents make inquires and collect evidence unsubjected to cross-examination.

Can we be comfortable with our country exposed to a procedure which we would never approve for our clients?

THE PROTECTIVE CONNALLY RESERVATION

But to get back to our declaration, and the reservations therein: I have said that we gave full jurisdiction to the Court over international disputes. That is all the Court is supposed to want. But just to make sure that it limits itself to international disputes, we added the proviso:

"That such declaration shall not apply to (b) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States."

That was a natural precaution in view of the provision of article 36 of the statute that "in the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court." Many of the nations filing declarations included similar provisos.

But Senator Tom Connally, of Texas, saw that something further was necessary. The Court could still reach out for jurisdiction of domestic matters if it retained the power to define "domestic" and "international," and run the line between them which once was distinct and straight, but which was even then growing dim in the hands of One Worlders. (A few years later our State Department declared that there is no longer "any real difference between domestic and foreign affairs" (State Department Publication 3972, Foreign Affairs Policy Series 26, released September 1950). Senator Connally proposed and the Senate accepted the addition of eight words to the second proviso, so that it eliminated from the jurisdiction of the Court "matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America."

This protective provision was obviously wise. It has served us well. For some 12 years no objection to it was heard, no complaint was raised about its operation. Then all of a sudden, agitation commences for its repeal. The question keeps pressing, Why?

What are the arguments of the repealists? What reason do they urge? They seem well organized and determined. What are their motives? What is their strategy?

THE RESERVATION ERRONEOUSLY DUBBED "SELF-JUDGING"

The first thing the repealists do is to attempt to damn the Connally reservation with a bad word. They refer to it as "the self-judging reservation." Rarely is a speech made by a repealist or an article written without falsely emphasizing that term, "self-judging." (The most recent example appeared in the June issue of the Bar Bulletin just published. An article was included captioned in large type: "The Case for Withdrawal of the Self-Judging Reservation" to the U.S. acceptance of the optional compulsory jurisdiction of the International Court of Justice.)

The use of this adjective is clearly intended to suggest something unhealthy, unfair, underhanded, and unworthy of our Nation, and it has had the desired effect on the thinking of laymen, from the President down.

Most laymen are familiar with the maxim that "a man should not be a judge in his own cause." They comprehend that easily, and the justice of the inhibition appeals to them.

Laymen do not understand what every lawyer knows, that you are not judging your own cause if you question the jurisdiction of a court to try a particular case. You commit the offense only when you are both a judge and a party (plaintiff or defendant) to an action.

I submit to you, fellow lawyers, that we should be very careful in the use of this term, to make sure that the laymen to whom we are talking understand the limitation of its application, and its full significance.

At any stage of an action the jurisdiction of a court can be questioned. We gave jurisdiction to the World Court, as I have pointed out, freely and voluntarily. It was open to us to impose any condition that we wished. We imposed the condition that the right should remain ours to determine what matters were domestic. Exercise of that right is entirely proper. There is nothing wrong in it, or unfair or unworthy. It should not be condemned by a bad word improperly applied.

EFFECTIVENESS OF COURT SAID TO BE IMPAIRED

The complaint against the Connally reservation most often heard is that it has impaired the effectiveness of the Court. Stated another way: We must repeal the reservation in order to increase the Court's usefulness.

The only way to increase the usefulness of a court is give it more cases to try. The suggestion clearly is that with the Connally reservation out of the way, there would be more cases filed. In which, of course, the United States would be defendant.

This has no appeal whatsoever. Better that the Court should stay at a low level of utility. Fancy suggesting to a client that he move into a county where a lot of people could conveniently sue him, for the purpose of keeping the court in that county busy, thereby increasing its usefulness.

I first heard the foregoing urged at a meeting of the Association of the Bar of the City of New York. The speaker, who was chairman of the Committee on International Law, followed with the statement that the reservation "had in practice operated particularly to the disadvantage of the United States." A bill of particulars, demanded at the winter meeting of this association, has not been furnished. The speaker who preceded me made the same charge, and furnished no particulars. A motion to preclude appears to be in order.

This gentleman first referred to above finished his speech with the assertion of opinion "that there is no risk on the basis of the Court's record" to the United States in repealing the reservation. He didn't say what the record of the Court was. Actually it has been rather pitiful:

Since its organization in 1946, only 32 contentious cases have been filed; 5 are still pending; 3 were withdrawn; 13 were dismissed on jurisdictional grounds; 11 cases were decided on the merits. The predecessor tribunal under the League of Nations did twice the amount of business.

The present Court has little effectiveness, it is true, as its sad record indicates. The nations seem to have no confidence in it for settlement of disputes. The lack of confidence, or distrust, I suggest, stems from the composition of the Court. What nation wishes to submit an important question to a court whose membership is always to represent the unidentified "main forms of civilization" and unlisted "principal legal systems of the world"? And which might before decision is rendered, include judges from nations unmasked as mortal enemies?

CONFIDENCE IN THE JUDGES OF THE WORLD COURT

The repealists say we must trust, and have confidence in, the judges of the World Court. My reply is, Why? Why should we trust them?

We had only the smallest voice in their election. Only one or two at most did we nominate. We could not possibly know much about most of those for whom we voted. They sit in a foreign country after election, with no possibility of keeping the spotlight of publicity or public opinion on them.

We have difficulty enough getting men of wisdom, and integrity on our own High Court, and don't always succeed, even though full information about every candidate is available, and though we can draw from all the other courts in the country, as well as a vast array of able lawyers and teachers. Putting on a judicial robe does not bring wisdom or understanding, and does not always bring a sense of responsibility. All too often, it brings only a ruinous sense of power.

Our own judges realize this, and many have spoken of it—none more forcefully

than Justice Frankfurter. Judges because of their office and power, may become oblivious of their human frailties and fallibilities. "Therefore," he said, "judges must be kept mindful of their limitations and of their ultimate public responsibility by a vigorous stream of criticism expressed with candor, however blunt." Justice Stone to the same effect:

"Where courts deal with great public questions, the only protection against unwise decisions, and even judicial usurpation, is careful scrutiny of their action and fearless comment on it."

There can be no opportunity for careful scrutiny of the action of the World Court's judges sitting in Holland. There is small chance that fearless comment would ever reach their ears, or be understood if it did.

SHOWING OUR SINCERITY AND INFLUENCING PEOPLE

We are also told by advocates of Connally repeal that such is necessary to assure other nations of our sincerity in calling for extension of law in world affairs, and to influence such nations in like efforts.

This argument has no validity whatsoever, and is mistakenly motivated. A statute or provision is wise or unwise, good or bad, right or wrong because of its inherent qualities. It should be adopted or rejected on such considerations. It should never be adopted or rejected for its influence on others, or to prove to them our sincerity or good faith. Uncle Sam is not in a contest for election as Mr. Sincerity of the Universe.

As a nation we are surely beyond the adolescent concern of winning friends and influencing people. No fair and intelligent person of any nation in the world, viewing our record, has any doubt of the sincerity of our desire to establish law and settle disputes by rules of law. And if doubts are entertained on that score, they are not going to be removed by repeal of the Connally reservation.

I believe we should always keep in mind that this Government was instituted for the sole basic purpose of securing—of making secure to its citizens, the God-given, unalienable rights of life, liberty, and property. These are, if you please, domestic rights. Our national Government was not instituted to submit disputes about these rights to the jurisdiction of an alien or international tribunal. If the Senate did so, or lets itself get tricked into a position where this might happen, it would betray the most sacred trust committed to it by the States of this Union and the people in adoption of the Constitution.

The Connally reservation was designed to make sure, to make very sure, that such trust was in no danger of being betrayed.

SLOGANS DO NOT BRING PEACE

There is not time to answer in detail any more of the alleged reasons for repealing the reservation, but I want to mention one feature which makes them all suspect. It is this: they all came in on the wings of a slogan—world peace through world law—with the implied promise that if you increase the power of the World Court by repeating the Connally reservation, you would improve the chances of world peace.

Reflection will show the slogan to be false, and its promises, or hopes proceeding from its promises, to be unjustified and illusory. Peace and order are not the result of existence of rules of law, but only of the enforcement of such rules.

The individual inclined to run amuck is not deterred by law; but only by the presence of police ready and able to inflict penalties for breaking the law; or by a magistrate with power to bind him over to keep the peace. The nation bent on aggression is not stopped by rules of conduct for nations, or by the possibility of a world court assessing damages after the strife. When a nation is determined to start a war, the last thing it would think of doing is to submit its case for arbitration or judgment. That is done only by a nation sure of the justice of its cause, and sincerely wishing to avoid war.

World peace is a consummation devoutly wished and prayed for everywhere, and rule by law is a principle to which this Nation and its citizens have always been dedicated. But combining of the two phrases into a single shibboleth involves an oversimplification which is both misleading and dangerous.

Americans are fond of slogans, and one is frequently tempted to employ them for selling—selling goods or selling ideas. But they should never be used to influence serious legislation in a critical period, and no one will deny that this is a critical period. Lawyers, of all people, should be careful not to latch on to a slogan which can possibly deceive, beguile, or raise false hopes.

CONCLUSION

In closing I would say this—though I am opposed to repeal of the Connally reservation, feeling that such a step might have tragic consequences, I am not at all opposed to reconsidering and amending, if necessary, the Declaration of Adherence to the World Court, of which the Connally reservation is a part.

I firmly believe that the reservation furnishes our country protection which it must have, but I do not maintain that the reservation is necessarily the only method of accomplishing the protection it was designed to secure.

Our declaration was filed in 1946. Not a word has since been changed. It stands today in its original form. A review and reevaluation of the declaration might well be in order at this time.

In the 14 years which have elapsed since 1946 there have been serious and violent changes in attitudes of many nations and in our relations with them. During that period our strongest ally has become our sworn enemy, threatening to bury us. Our strongest foe of that period is not among our firmest friends.

The hope was strong in 1946 that all the united nations were truly united in purpose to outlaw war—to make impossible the kind of carnage and strife, memories of which were then still vivid. It is now apparent—and becomes more evident week by week—that the nations are not united in the purpose indicated. Several at least are determined not to maintain peace, but on the contrary maintain war, cold or hot.

In view of such changing circumstances, we must stand always ready to reemphasize our international commitments. Perhaps the time is ripe to review the terms of adherence to the World Court and possibly alter them. Other nations have done so—notably the United Kingdom which in November 1958 filed an amended declaration, different in important respects from preceding ones.

Most of us still believe that a World Court is something more than a noble experiment. No one wants to scrap the idea of building a World Court properly manned to adjudge disputes between nations. The immediate task is to do what can be done to increase the effectiveness of the present court in its proper sphere of action, without jeopardizing our own complete control over affairs which are definitely and properly within our own jurisdiction.

From high places in recent months have come suggestions that instead of retaining the Connally reservation, we might have the declaration "contain an exhaustive list of matters considered by the United States as essentially domestic matters," and that such a list might be an open-ended one, combined with a clause including "any other matters which have been traditionally considered by the United States as matters within the domestic jurisdiction of the United States" (Prof. Louis V. Sohn, ABA Journal, January 1960). This suggestion appeals to some, and merits study and consideration.

Our President is to be congratulated on his determination not to let this great bar association rush into a decision before its nigh 11,000 members have time and opportunity to become fully informed on the various aspects and far-reaching effects of our Declaration of Adherence to the World Court.

He might well appoint a committee to reappraise the entire declaration, which would include the effects of the Connally reservation. Such a body could hold hearings and get the benefit of views and opinions of members of our association. Its conclusions would embody such views, and might be of real help to Senators, and others bearing the responsibility of decision.

The membership of such a committee should, I suggest, be evenly balanced between repealists of the Connally reservation, and its defenders.

In any event, I am deeply grateful to Mr. Belknap for affording me this opportunity to present some of the views of the defenders—and to you, ladies and gentlemen, for listening to them so patiently.

MEDICAL CARE FOR THE ELDERLY—A MATTER OF RIGHT, NOT CHARITY

Mr. HUMPHREY. Mr. President, notwithstanding the unanimous consent agreement I ask unanimous consent that I may be permitted to introduce various items for the RECORD for not over 10 minutes.

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

Mr. HUMPHREY. Mr. President, I wish to call the attention of my colleagues to an excellent editorial in today's New York Times. The Times supported and continues to support the social security approach to medical aid to the elderly.

The social security approach is the best and most practical way to provide adequate medical aid to the elderly on a national scale. No new administrative apparatus would be necessary, and no one would have to undergo a degrading means test to qualify. The principle of such a program would be that aid to the elderly is not a matter of charity, but a right which has been earned by way of payments during one's working years.

I am sure that all of us who have worked to give adequate medical aid to our elderly will continue until we are successful in our efforts to provide with what they so deeply need and so earnestly desire. I ask unanimous consent that the Times editorial entitled "Health Aid for the Elderly," be printed at this point in the RECORD.

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

[From the New York Times, Aug. 25, 1960]

HEALTH AID FOR THE ELDERLY

Few issues have aroused such prolonged and warm debate during this session of Congress as has the question of providing adequate financing for the medical needs of persons over 65. Among the various alternatives available we favored the principle of attaching to the social security system a

mechanism for accomplishing this end. This principle the Senate has now rejected, and whatever plan emerges from conference with the House is bound to be less than adequate.

The arguments for the social security approach may be briefly summarized. It would avoid anything resembling a "means" test for eligibility, a kind of test we believe Americans find abhorrent. It could have taken effect nationally in short order because the apparatus required already exists in the present administrative arrangements for social security measures. There is no objectionable element of compulsion involved because Americans already accept the principle of paying social security taxes, and the change involved would only be a slight increase in those taxes accompanied by corresponding benefits for those meeting eligibility requirements. And we believe there is no real element of socialism attached since hospitals, doctors, and others involved in giving medical care to beneficiaries would not be controlled by the State as they are where systems of socialized medicine exist.

By now the use of the social security system as the means by which our society attempts to provide a minimum cushion and protection for the elderly is a well-established part of our American tradition and practice. Its extension to medical care for this same group seems logical and beneficial. We hope and believe it will ultimately prevail.

The increased number of our people in the elderly population bracket and the steadily rising cost of medical care combine to present a problem that must for humane reasons be solved, and before too much time has passed. The Congress will have to come to grips more realistically with this problem when it reconvenes in January after the political season.

MINNESOTA'S WILDERNESS PARADISE

Mr. HUMPHREY. Mr. President, the natural resources of the United States have contributed immeasurably to the greatness this Nation now enjoys. One of these natural resources was the frontier wilderness which gave our pioneering forefathers the great opportunity to develop their talents and build their fortunes with a minimum of interference and limitation by society. It was this vision of freedom which attracted so many millions to our shores from the countries in Europe and Asia where society was tightly bound in the class system, and individual talents were often stifled.

Today our unexplored frontiers are the challenges of outer space, of international cooperation, of public education, of public health, of atomic technology, and of the many other problems of the modern age. But let us not forget the heritage of our old frontier, the wilderness. There are still remaining in this country large areas of wilderness which can be visited by all Americans who, during their vacations, wish in some way to relive the life of their forefathers. Let us continue to preserve our wilderness as a constant reminder of the old frontier which we have conquered, and as a source of inspiration in our efforts to conquer the new frontiers of this modern age.

Minnesota's Quetico-Superior wilderness canoe area offers many opportunities for healthy recreation to vacationing Americans. In recent years thousands of canoeists have paddled over the many miles of ancient water routes of this area and have been able to enjoy its natural beauty and solitude.

Mr. President, more and more Americans are visiting the wild areas of this country and practicing the self-reliance of their forefathers. More and more thousands are taking advantage of the unique vacationing opportunities of northern Minnesota. I ask unanimous consent to insert in the RECORD an article which appeared in the Minneapolis Tribune of August 21, 1960, describing the recreational opportunities of northern Minnesota, particularly with reference to Ely, Minn., and the Quetico-Superior canoe region of northern Minnesota.

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

RECORD NUMBER—16,000 CANOEISTS PADDLE ELY AREA

ELY, MINN.—An all-time record number of 16,000 canoeists will peacefully paddle Minnesota's roadless wilderness in the Quetico-Superior canoe region this summer.

This beneficial pastime has had an amazing growth the past few years. This is the only place in the United States where canoeists may glide over the ancient water routes.

Some 13,000 will take off from the Ely area, about 3,000 from the Gunflint Trail, and others from Sawbill Trail, Crane, and Rainy Lakes.

Most of them will be outfitted by 20 canoe outfitters who have 950 canoes. In addition, nearly 100 canoes are used by those who set forth from the several youth camps in this northeast tip of Minnesota. Scores bring their own canoes.

Ely's 9 outfitters have 800 canoes and they expect to handle over 9,000 people. Bill Rom is the largest operator, with 300 canoes. Others here are Basswood Wilderness Outfitters, Fishermen's Headquarters, Boundary Waters Canoe Outfitters, Border Lakes, Quetico-Superior, Kawishiwi Outing Camp, Canadian Border, and Basswood Beach.

There are 7 outfitters on the Gunflint Trail with 215 canoes. Janet Hanson, Gunflint Lake Northwoods Outfitter, is the trail's largest, with 90 canoes. Janet expects to outfit about 1,800 canoeists this year.

Other Gunflint outfitters include Skrein's Way of the Wilderness and Griffis Chikwauk, both on Saganaga Lake; Blankenburg's Seagull Lake; Fuller's Tuscarora; Shevitts' Happy Voyageur; and Cavanaugh's Bearskin Lake Outfitters.

More than 95 percent go without guides. They are furnished with excellent detailed maps and most portages are well marked.

The 20 canoe outfitters have nearly 1,000 tents, hundreds of sleeping bags, complete camping equipment, and huge grocery stores.

Outfitters predict paddlers will double in next decade.

SHOPPING CENTERS FOR LOCALLY OWNED BUSINESS

Mr. HUMPHREY. Mr. President, the other day I noticed a press release which caught my eye particularly because it related to some work being done by the Senate Select Committee on Small Business.

There are great satisfactions in operating one's own retail store as an independent small businessman. I know, because I have experienced it. And, if this were not the case, there wouldn't be so many of these small stores, and the Nation would be the poorer for it. But there are also innumerable frustrations and irritations in the small businessman's life; I know about those from personal experience too.

The smaller retail merchant, in his competition with stores owned by a giant chains or giant manufacturers, must labor under and overcome many disadvantages of size—lower capital power—alone. Some of these are inherent in the mere fact of smallness and are inescapable. For example, the big store can buy a full-page newspaper ad every day; the small store cannot. Such disadvantages are not subject to remedy by legislative or governmental action. The small retailer just has to live with them and try, by superior customer relations, to hold his portion of the market.

Some of the small businessman's disadvantages, however, are not the inescapable byproduct of his lesser capital power. Indeed, in some areas of competition he may be the equal or superior of the giant competitor—yet still find himself unnaturally discriminated against and disadvantaged. A glaring example of this small-business problem—the type of problem that enlightened government can do something about—is discrimination against small, locally owned business in suburban shopping centers.

The salt in the wounds of the small, highly successful store owner is that though the developer of a projected shopping center may want him as a tenant he is, financially speaking, an untouchable. The local retailer may have a highly successful record; his bills may be discounted regularly; in 30 years he may never have broken a lease or breached a contract; he may be a substantial citizen with impressive sales volume—but he cannot get in the shopping center. The space he wants—the choice corner spot—goes to a big chain's outlet. If he gets in at all, it is down the line somewhere and, what is worse, he often must pay a higher annual rent per square foot than the chain competitor in the same shopping center and the same line of business.

The Senate Small Business Committee last year began to look into this astonishing situation, and it was my privilege, as chairman of the Subcommittee on Retailing, Distribution and Fair Trade Practices, to lead the investigation and hold hearings.

Mr. President, we knew before we began the hearings, which were held on April 27 and 28, 1959, that this appalling situation existed. Twenty witnesses, representing diverse interests and points of view, did not refute the facts, as I described them.

The basic fact, quite simply, is that small, local businesses are excluded or given second choice because the financiers of the shopping centers, the lenders of the construction money, the mortgagees, insist on a majority of tenants with triple-A-1 credit ratings, a rating that is, by definition, limited to concerns with a net worth of $1 million or more.

The differences among witnesses were only on the extent to which this situation may fairly be described as an "evil" and on the cure for this evil. Even when there is general agreement on the diagnosis, Mr. President, honest men can differ on the remedy.

Actually, there may be several remedies for the condition I have described, no one necessarily exclusive of the others. In our committee report on this subject we recommended consideration of a program of Government-sponsored lease bonds. My subcommittee went on to explore with the Small Business Administration the feasibility of expanding the authority of that Agency to enable it to insure lease bonds written by private surety companies, similar to the manner now employed by the FHA, which insures private lending agencies on construction loans and home and apartment mortgages.

We have been following up vigorously on this matter with the SBA since the report was issued last January, and other approaches have also been considered. Our committee, of course, in its first recommendation, also urged continued work toward a solution by the private business interests involved, without Government intervention. One most promising approach has been the development of shopping centers by corporations made up exclusively of the small business tenants of the center. Two examples of this class of enterprise have been investigated on the spot by my subcommittee staff. Another approach is erection of centers by local development companies. But neither the tenants' corporation nor the local development company can avoid the problem I have described—the requirements of the mortgagees of the center for triple-A-one leaseholders, unless they put in a higher percentage of equity capital than many can afford.

On August 19, 1960, to my very great pleasure, the SBA announced a new program, under existing authority, for loans to local development companies for construction of shopping centers to be occupied exclusively by small businesses. SBA Administrator Philip McCallum says that these loans will be for "construction, conservation, or expansion—including acquisition of land." Regulations will soon be available.

Mr. President, a new day of opportunity may be dawning for small business, local business, in the suburban shopping centers. I urge those interested to get the report of the Small Business Committee. That document may be obtained free by requesting "Shopping Center Report" from the Senate Small Business Committee, Washington, D.C.

It is a matter of great satisfaction to me that the efforts of my subcommittee have now borne fruit in the form of this fine new SBA program. I hail the program and congratulate the Administrator, Mr. McCallum. I urge small retailers to take fullest advantage of it.

Mr. President, I ask unanimous consent that the text of SBA Press Release No. 675, a brief release, be printed at this point in the RECORD.

There being no objection, the text of the press release was ordered to be printed in the RECORD, as follows:

SBA PRESS RELEASE

Philip McCallum, Administrator of the Small Business Administration, announced today that his Agency has inaugurated a program of loans to local development companies for construction of shopping centers to be occupied exclusively by small businesses.

He said the loans would be for construction, conversion or expansion—including acquisition of land—for shopping centers. Mr. McCallum said:

"We are pleased to announce a plan within our existing authority, under which the Small Business Administration may be of assistance to small firms so that they can participate in shopping centers, which have been developing significantly across the country.

"The problem has been under study for many months and there have been conferences with bankers, small business owners, and civic leaders. The Small Business Administration will welcome the participation of banks and other lending institutions in the financing. However, where private lenders are not in a position to participate, the Small Business Administration will make direct loans.

"A major deterrent to small business tenancy in shopping centers has been a requirement by financing organizations of a top financial rating for the tenants or a guaranteed lease by the small business firm seeking tenancy in the shopping center."

Mr. McCallum explained that under the program of his Agency, loans up to $250,000 for each small business to be assisted may be made to local development companies for shopping centers. The number of loans to a local development company would be limited only by the number of small businesses to be assisted, and by the amount of its own funds which the local development company can inject into the project. These companies must have a financial interest in the project, he said.

The SBA Administrator said there are about 3,200 local development companies across the country and that many of them are now in a position to participate in the SBA program to assist small firms and provide jobs.

Loans to local development companies for shopping center projects may be made for a period not to exceed 10 years with an allowance for construction, conversion or expansion times and will be amortized generally on an equal monthly installment repayment basis. All or part of the loan may be prepaid at the borrower's discretion without penalty.

Interest charges on loans to local development companies under this program will be 5½ percent per annum for direct loans by the SBA. Where bank participation is involved, the rate of interest may be fixed by the bank. However, the interest on the Small Business Administration's share of the loan in such cases will not exceed 5½ percent, nor be less than 5 percent per annum should the participating bank elect to charge a lower rate of interest.

Interest on these loans will be on a per annum basis on only the outstanding indebtedness, payable at the time each installment repayment is due.

Regulations to govern granting of these loans are being completed and will soon be available at Small Business Administration regional offices in Boston, New York, Philadelphia, Richmond, Atlanta, Cleveland, Chicago, Minneapolis, Kansas City, Detroit, Dallas, Denver, San Francisco, Seattle, and Los Angeles.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time be not charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

CHANGE OF CONFEREES ON S. 690, TO PROVIDE FOR INCREASED USE OF AGRICULTURAL PRODUCTS

Mr. DIRKSEN. Mr. President, I ask unanimous consent that on Senate bill 690, having to do with the increased use of agricultural products, which is now in conference, the Senator from South Dakota [Mr. MUNDT] be substituted for the Senator from Iowa [Mr. HICKENLOOPER] as a conferee. Otherwise, the Senator from Iowa would be assigned to two conferences which were meeting at the same time.

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 11207) to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses, and for other purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. RAINS, Mr. MULTER, Mr. McDONOUGH, Mr. WIDNALL, and Mr. BASS of New Hampshire were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the 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; that the House receded from its disagreement to the amendments of the Senate numbered 2, 5, 16, 23, 24, 40, 44, 46, 56, 64, 80, and 82 to the bill, and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 9 and 21 to the bill, and concurred therein each with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills

and joint resolution, in which it requested the concurrence of the Senate:

H.R. 3392. An act relating to duty-free imports of Philippine tobacco;

H.R. 6292. An act to authorize the acceptance by the Government of gifts to be used to reduce the public debt;

H.R. 9000. An act to provide that States and political subdivisions which operate liquor stores shall not be required to pay more than one tax as a retail dealer in liquor;

H.R. 10960. An act to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars;

H.R. 11266. An act to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to be included in gross income for the taxable years to which the dues relate;

H.R. 11681. An act to amend section 902 (b) of the Internal Revenue Code of 1954 to allow a credit for foreign taxes paid by a foreign corporation 20 percent or more of the voting stock of which is owned by another foreign corporation in which a domestic corporation has a substantial stock interest;

H.R. 12329. An act relating to the gift and estate tax treatment of the relinquishment of certain powers in the case of reciprocal and other trusts;

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price; and

H.J. Res. 799. Joint resolution establishing a George Washington Carver Centennial Commission.

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 Vice President:

H.R. 2339. An act to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service";

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; and

H.R. 11666. An act making appropriations for the Departments of State and Justice, the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by their titles and referred, as indicated:

H.R. 3392. An act relating to duty-free imports of Philippine tobacco;

H.R. 6292. An act to authorize the acceptance by the Government of gifts to be used to reduce the public debt;

H.R. 9000. An act to provide that States and political subdivisions which operate liquor stores shall not be required to pay more than one tax as a retail dealer in liquor;

H.R. 10960. An act to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars;

H.R. 11266. An act to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to be included in gross income for the taxable years to which the dues relate;

H.R. 11681. An act to amend section 902 (b) of the Internal Revenue Code of 1954 to allow a credit for foreign taxes paid by a foreign corporation 20 percent or more of the voting stock of which is owned by another foreign corporation in which a domestic corporation has a substantial stock interest;

H.R. 12329. An act relating to the gift and estate tax treatment of the relinquishment of certain powers in the case of reciprocal and other trusts; and

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price; to the Committee on Finance.

H.J. Res. 799. Joint resolution establishing a George Washington Carver Centennial Commission; to the Committee on the Judiciary.

ADDITIONAL REPORTS OF COMMITTEE ON FINANCE

The following additional reports of the Committee on Finance were submitted:

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

H.R. 10960. An act to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars; (Rept. No. 1915); and

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price (Rept. No. 1916).

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

Mr. MANSFIELD. Mr. President, is the Senate now operating under a limitation of time?

The PRESIDING OFFICER. The Senate is operating under a limitation of time on S. 3625, in accordance with the unanimous-consent agreement entered yesterday.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time for the quorum call not be charged to either side.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12677) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of interstate retail enterprises, to increase the minimum wage under the act to $1.15 an hour, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BARDEN, Mr. LANDRUM, Mr. ROOSEVELT, Mr. DENT, Mr. KEARNS, Mr. AYRES, and Mr. HIESTAND were appointed managers on the part of the House at the conference.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

Mr. JOHNSON of Texas. Mr. President, what is the business before the Senate?

The PRESIDING OFFICER. The unfinished business is S. 3625, to establish the Wabash Interagency Water Resources Commission, under the unanimous consent agreement.

Mr. JOHNSON of Texas. Mr. President, I yield myself such time as I may require.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mr. JOHNSON of Texas. Mr. President, the purpose of the bill is to authorize the establishment of a Wabash Basin Interagency Water Resources Commission along the line followed by legislation previously enacted for several States. The first, I believe, was Oklahoma; subsequently there was legislation for Alabama, Georgia, Texas, and for other States, I believe.

The commission would be responsible for coordination of Federal, State, and local plans for development of water and related resources in the Wabash Basin; preparing and keeping up to date a comprehensive, integrated, joint plan for water and related water resources development; recommending a long-range schedule of priorities for the collection and analysis of basic data, for investigation and project planning, and for construction of projects in such basin; and fostering and undertaking studies of water resources problems in the basin.

The Commission would be composed of members who would be appointed by the President from the various Federal departments or agencies having a substantial interest in the work to be undertaken and one or more members, as the President determines appropriate, from each of the States of Indiana and Illinois, as well as one member from each interstate compact commission which has jurisdiction over any of the waters of the Wabash Basin. The President would also be empowered to appoint the Chairman of the Commission. The Governors of the two States would be authorized to nominate the members from the States of Indiana and Illinois. The President, at such times as he deems appropriate, may terminate the Commission.

Mr. President, we have found that this would save a great deal of time, money, and talent spent in connection with the studies, which is ordinarily duplicated as between State agencies and Federal agencies or as between Federal agencies which may have different points of view, such as the Corps of Engineers and the Bureau of Reclamation.

I have nothing else to say on the measure, Mr. President, and if other

Members desire to discuss it I shall be glad to yield such time as they may desire.

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

Mr. JOHNSON of Texas. I yield 5 minutes to the Senator from Indiana.

Mr. CAPEHART. Mr. President, at first I thought I was in favor of the bill. I at least did not have any objection to it. The more I study it, the more I think about it, and the more I hear from people in Indiana concerning it, the more convinced I am that possibly it is unnecessary.

We now have an interstate compact between Illinois and Indiana, approved by the Federal Government, to do this sort of thing. In Indiana we also have a very fine Water Resources Board which has done an excellent job on flood control and such matters.

The bill would simply set up another commission to do what the Army Engineers are doing, what the Congress is doing, what the Indiana Water Resources Board is doing, and what the State organization is doing.

I do not know how much money this would cost. The members of the Commission would be paid up to $75 a day, I believe not to exceed $7,500 a year each. These members are to be appointed by the President. That would make it a Federal organization.

What we do not know is whether the organization would supersede the Indiana Water Resources Board.

There are many questions which are unanswered with respect to the proposed legislation. I am vitally interested in flood control for both Illinois and Indiana. I always have been. I have been quite successful in helping get through the Congress necessary funds for flood control.

The Federal Government has already authorized the Army Engineers to completely study the needs of the so-called Wabash Basin Valley, which they have done. We know exactly what should be done and what can be done. The problem, of course, is that we do not have the money. It is a matter of needing appropriated funds.

Would this be an instance of simply piling on top of the other commissions another commission which will cost money and obtain no results?

I think I can truthfully say I have not received a single letter or communication from the State of Indiana recommending this be done. I also wish to say, on behalf of my colleague (Mr. HARTKE), who introduced the proposed legislation, I am confident he is sincere and conscientious in wanting to develop flood control in the Wabash Valley, as I am. I am not questioning his intentions in this regard, because I think he is sincere and conscientious. I do question, however, the advisability of this sort of legislation, when there is no demand in Indiana for it, when it would be simply piling another organization on top of present organizations.

I repeat, we know now what ought to be done. We need to straighten the Wabash River and its tributaries. We need to build some levees along the Wabash River and its tributaries. We need reservoirs to hold back the water. This measure is 100 percent for flood control. There is no irrigation involved. There is no power involved. This is purely flood control.

I must make the record in regard to the matter. I say, in all fairness to my colleague, at first blush I thought I was in favor of the proposed legislation. I thought it might be a good thing. The more I study it, the more convinced I am it might even do harm. It might even retard flood control measures, rather than improve them.

For example, I should like to ask the author of the bill this question. The bill provides for the establishment of a Wabash Basin Interagency Water Resources Commission, which would be responsible for the following:

1. Serve as the principal agency for the coordination of Federal, State, and local plans for the development of water and related land resources in the Wabash Basin.

Would such a Commission have jurisdiction over the Indiana Water Resources Board? That board was created by State law. It is a very far-reaching organization and has done a good job. The permission of that board must be obtained in order to build bridges, levees, or ditches, and to do all sorts of things related to water in the State of Indiana. Would this Commission supersede that organization?

All Commissioners would be appointed by the President of the United States. It is a fact that the Governor of Indiana and the Governor of Illinois would be able to recommend one Commissioner each, but the President would appoint the members of the Federal agencies involved. I presume the Federal agencies involved would be the Corps of Army Engineers, perhaps the Department of Agriculture, the Department of the Interior, and other Departments. Then the Governor of Indiana and the Governor of Illinois would recommend one member of the Commission, but the President would appoint.

Frankly, I should like to see this legislation lie on the table until next year, when we can give more study to it.

I presume it would have no chance of passing in the House at this session, which means it would have to be reintroduced next year. Can any Senator tell me whether the measure has been considered in the House or not?

Mr. JOHNSON of Texas. I believe it is a Senate bill.

Mr. CAPEHART. Has it been considered in the House?

Mr. JOHNSON of Texas. No.

Mr. CAPEHART. It is a Senate bill.

Mr. JOHNSON of Texas. Yes.

Mr. CAPEHART. I presume there would be no possibility of passage in the House, because the House would not hold hearings and pass the bill within the next few days, would it?

Mr. JOHNSON of Texas. I do not know. I am unable to speak on that subject.

Mr. HRUSKA. Were hearings held?

Mr. CAPEHART. Some hearings were held on the bill. I do not think any witnesses were called.

I dislike to speak on the bill when my colleague, the Senator from Indiana [Mr. HARTKE], who was the author of the bill, is not present. I do not want any Senator to feel that I think my colleague is not sincere and conscientious in trying to do something for the Wabash Valley and to do something for flood control in Indiana, because he is. However, I question the advisability of this particular legislation. I think representatives of the States of Indiana and Illinois should be heard on the question. I would not want to do damage to our Indiana resources board, knowing of the great service that board has rendered to the State of Indiana.

I see the able senior Senator from Illinois [Mr. DOUGLAS] is present in the Chamber. I would be very happy to hear his viewpoint on this subject, inasmuch as the bill cannot possibly pass the House.

Mr. JOHNSON of Texas. I did not say that.

Mr. DOUGLAS. I shall be very glad to speak when the Senator from Indiana has finished, rather than to ask him to yield some of his precious time. I should like to speak on my own time rather than on the time yielded to me by him and to do so only after he has finished.

Mr. JOHNSON of Texas. Mr. President, I yield 5 minutes to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I heartily support the bill introduced by the junior Senator from Indiana [Mr. HARTKE]. I regret very much that the senior Senator from Indiana [Mr. CAPEHART] has taken a somewhat critical attitude toward it. I hope he is not doing so because his name is not attached to the bill. My name is not attached to the bill either. Nevertheless, I think it is a worthy measure. My colleague, the junior Senator from Illinois [Mr. DIRKSEN], has frequently introduced bills referring to the State of Illinois and has not included my name. Nevertheless, I have always felt that I should overlook those personal matters and consider the good of the State and the good of the Nation; and I hope mature deliberation will cause the Senator from Indiana to take a similar attitude.

The Wabash Valley certainly needs protection. They have had a large number of devastating floods there which have occurred with frequency. A protective program is obviously needed. Programs have been worked out for upstream control of the water with a series of reservoir lakes, most of which are in Indiana, but some of which are to be in Illinois. I do not know that all of these lakes are desirable, but certainly the general plan is good. Another proposal is for a series of levees on the lower river.

We in Illinois look with a somewhat skeptical eye upon our friends from Indiana when they propose levees, because a few years ago the Senators from Indiana were successful—and I believe my

colleague, the senior Senator from Indiana [Mr. CAPEHART] was one of those—in having levees constructed on the Indiana side of the Wabash River at the city of Vincennes, which protected Indiana homes and Indiana land from being flooded, but which threw the water over onto the Illinois side and flooded Illinois homes and Illinois lands.

Now my Indiana friends are proposing to do the same thing opposite the city of Mount Carmel, to build levees there which will protect Indiana land and increase the values of Indiana land at the expense of land on the Illinois side, across which the water would be thrown, thus flooding Illinois homes and Illinois lands.

I hope that the Wabash agency will be truly a bistate agency and not an Indiana device to protect Indiana interests at the expense of its neighbors. If any tricks are played similar to the tricks played by Indiana at Vincennes, I can only say that I shall oppose these appropriations at the water's edge, in the streets, in the cities, and in the committee rooms, and fight to the very death against them. But I hope that this warning may induce the interstate agency to follow a constructive path rather than to favor one State at the expense of the other.

I think the junior Senator from Indiana is to be commended for the fine attitude which he has taken in this matter, and I hope the senior Senator from Indiana will find himself willing to cooperate, as I have always cooperated with the junior Senator from Illinois even if at times I have felt I had been left out of the proposals which he has advanced.

Mr. CAPEHART. Mr. President, I regret exceedingly that the able senior Senator from Illinois was not present at the time I spoke to hear my remarks, because he is running 100 percent true to form; namely, he has criticized me, as he does other Senators, without having the facts.

If he had heard what I had said in my speech, he certainly would not have made the speech he did. For example, to show the Senate how ridiculous and how silly he is—I mean that term—when he rises and says that I am opposed to this bill because the junior Senator from Indiana did not invite me to cosponsor it, there is absolutely no truth in that statement.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. I ask the Chair whether the Senator from Indiana has not violated rule XIX of the Senate?

Mr. CAPEHART. I will be very happy to use a different word than "silly" if the Senator from Illinois wishes me to do so. There are other words.

Mr. DOUGLAS. No; the sweetness of the Senator's voice and the melody of his prose are so charming, I would not suggest that.

The PRESIDING OFFICER. The Chair will answer that question by stating that it is for the Senator from Illinois to determine whether he wishes to make a point of order.

Mr. DOUGLAS. I ask the Chair if the words of the Senator from Indiana did not constitute a violation of rule XIX.

The PRESIDING OFFICER. That is not within the prerogative of the Chair to pass upon. Does the Senator from Illinois wish to invoke the rule?

Mr. DOUGLAS. I do not wish to invoke rule XIX, because I do not wish to be too harsh on the Senator from Indiana.

Mr. CAPEHART. Mr. President, I ask unanimous consent to withdraw the term "silly." I will try to use a better term to describe how I feel.

Mr. DOUGLAS. I refuse to consent to that. Let the word stand as a tribute to the chaste and refined style of the Senator from Indiana.

Mr. CAPEHART. Mr. President, I did not start this discussion. I rose to speak for a few minutes and made what I thought was a good, sound argument with reference to the proposed legislation. I said that at first blush I thought it was good legislation, but that now I was beginning to question it. At no time did I say I was opposed to it. At no time did I say I would vote against it. I was merely asking some questions about it. I said that I had not heard from any one in Indiana who was supporting the proposed legislation. I described our setup in Indiana, of our water resources board, set up by compact between the State of Illinois and the State of Indiana, to take care of things of this kind. Then I asked a few questions about it, particularly whether the proposed commission would have authority over the Indiana Water Resources Board. No hearings were held on the proposed legislation. At no time did I say I was opposed to it. At no time did I do anything or say anything in opposition. I have the highest praise for the junior Senator from Indiana. I did not question his sincerity of purpose, because I know he is as much interested as I am in flood control in Indiana. The able Senator from Illinois—he will notice that I am now using a nice term—did not hear what I said.

Mr. DOUGLAS. Mr. President——

Mr. CAPEHART. I refuse to yield for the moment. He came into the Chamber after I had taken my seat, and he proceeded to criticize me and embarrass me, and put into the RECORD the statement that I was opposed to the bill, and that he supposed I was opposed to it because I was not a coauthor of it. Unfortunately, the rules of the Senate do not permit me to say what I would like to say, and what ought to be said.

Mr. DOUGLAS. Mr. President——

Mr. CAPEHART. I refuse to yield now. Why should he question my motives? How did he know whether I was opposed to it or whether I had or had not been asked to cosponsor it? The fact is the junior Senator from Indiana did ask me to cosponsor it. We did discuss cosponsoring the bill. At no time have I ever been opposed to it.

I only talk about these things because it is the pattern of the able Senator from Illinois to say the kind of things he has said, and to talk the way he has been talking. If he gets any satisfaction out of it, it is perfectly all right with me. I hope he does. I hope he will be rewarded for going completely out of his way, not only on this occasion, but on many other occasions, in trying to put words in the mouths of other Senators, and trying to embarrass other Senators. If he gets any satisfaction out of that, it is all right with me.

However, I should think that he would be a little ashamed of the remarks he made, not having heard my speech. I will leave it to the people in the gallery and to the members of the press as to what I said about the bill and what I said about my colleague, and the questions I asked about the bill.

If there is any person who will say that I at any time said I was opposed to the bill or at any time criticized my colleague for having introduced it, I will be willing to treat everybody in the Chamber.

If anyone owes anyone an apology, the able Senator from Illinois [Mr. DOUGLAS] owes me an apology, instead of my owing him one. He said the reason I was opposed to the proposed legislation was that the junior Senator from Indiana did not ask me to cosponsor it. There is absolutely no truth to that statement. The Greeks had a word for it, but I cannot use it here.

Mr. DOUGLAS. Mr. President——

Mr. RUSSELL. Does the Senator desire some time? I shall be glad to yield him a minute.

Mr. DOUGLAS. I wish to rise to a point of personal privilege.

Mr. CAPEHART. I am perfectly willing to let my case rest with the people in the gallery and with the members of the press and the Senators who heard my remarks about the proposed legislation.

Mr. DOUGLAS. Mr. President, I rise to a point of personal privilege.

The PRESIDING OFFICER. The majority has 7 minutes remaining; the minority has 30 minutes remaining.

Mr. RUSSELL. I yield 3 minutes to the Senator from Illinois.

Mr. DOUGLAS. Mr. President, I was present in the Senate during the latter portion of the remarks of the learned Senator from Indiana. I heard his comments on the bill and I believe they can be summarized best in the lines of Alexander Pope, which I believe have a direct bearing on his discussion:

Dam with faint praise, assent with civil leer,
And, without sneering, teach the rest to sneer.

THE OBLIGATION TO LEAD

Mr. SCOTT. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "The Obligation To Lead," written by Jay G. Hayden and published in the Philadelphia Bulletin of August 19.

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

THE OBLIGATION TO LEAD—WHAT'S HAPPENED TO 86TH CONGRESS?—DEMOCRATS HAVE BEEN INEFFECTIVE

(By Jay G. Hayden)

WASHINGTON.—The 86th Congress, which began its career by surprisingly belying the

leftist coloration claimed for it, is threatening as its last act a blow damaging to the election chances of the Kennedy-Johnson ticket.

In the wake of the voting in November 1958, which gave the Democrats just short of a two-thirds majority in both houses, two predictions were all but universal.

First, it was agreed that the combination of this big gain for his partisan opposition and the constitutional prohibition of a third presidential term would severely clip President Eisenhower's wings for the more than 2 years remaining of his White House tenure.

Second, it was predicted that the Democrats during that period would completely rule the legislative roost with the effect of returning to the economic and social reform era of the Roosevelt "New Deal," except as Mr. Eisenhower's veto power might prevent.

JOHNSON'S PROMISE

The Senate Majority Leader, Lyndon B. Johnson, of Texas, declared at the opening of the 1959 session:

"This is the starting of a new era * * * in all history of the Senate never has one party won so many seats at a single election as we have won. We have by our majority here an obligation to lead. We shall honor that mandate."

Paul Butler, chairman of the Democratic National Committee, said at the same time:

"While it will undoubtedly be impossible for Congress to overcome administration objection to do all that should be done, it should now be possible to enact legislation that the administration has previously defeated and to put through a large portion of the clear and comprehensive program."

TOO MUCH BICKERING?

In 19 months since those statements were issued the Congress has failed to bring to enactment a single distinctly Democratic measure, and this mainly because of the inability of Democrats to agree among themselves.

First, there has continued the North-South split which similarly hamstrung Franklin D. Roosevelt, beginning with the 1939 session, and defeated President Truman in virtually all his domestic legislative ventures throughout his nearly 8-year tenure.

Second, there has been the bitter antagonism between the Democratic congressional leadership, headed by Senator JOHNSON and Speaker SAM RAYBURN, and the "New Deal" element of the party, marshalled by Chairman Butler and the National Advisory Council he appointed.

The latter included, originally, former President Truman, Mrs. Eleanor Roosevelt, Averell Harriman, Dean Acheson, Governor G. Mennen Williams of Michigan, Senators Hubert Humphrey of Minnesota, and Estes Kefauver of Tennessee—and, recently added, Senator John F. Kennedy.

Speaker RAYBURN and Senator JOHNSON gave that organization the back of their hand in its beginning and continue to do so.

TWO BIG EFFORTS

The point of which is that over 2 years the only times the huge Democratic majority has coalesced to the point of beating any Eisenhower veto were on a river and harbor pork barrel bill near the end of last year's session, and on a recent pay raise for all civilian (that is, voting) Federal employees.

Democratic hopes now have boiled down to four measures—minimum wage, old-age medical care, aid to education, and housing.

By a vote of 12 to 5, with the majority equally divided between Democrats and Republicans, the Senate Finance Committee last week rejected Senator KENNEDY'S move for medical care of all social security recipients, to be paid for by higher exactions from the pay envelopes of younger workers.

That committee decision could be reversed in the Senate, but certainly not in the House.

RAYBURN PESSIMISTIC

Senator KENNEDY was forced to cut the coverage of his $1.25 minimum wage bill before its passage last night. The House version stops at $1.15, and with fewer workers added.

Speaker RAYBURN has virtually written off new housing legislation so far as this session is concerned; and the chance for any school aid beyond what President Eisenhower has recommended is even less.

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

The Senate resumed the consideration of the bill (S. 3625) to establish a Wabash Basin Interagency Water Resources Commission.

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

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

Mr. RUSSELL. Mr. President, I am advised by the opposition that they are prepared to yield back the remainder of their time. I am prepared to do likewise.

The PRESIDING OFFICER. All time for debate has expired. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

WABASH BASIN INTERAGENCY WATER RESOURCES COMMISSION

SECTION 1. There is hereby established a Commission to be known as the Wabash Basin Interagency Water Resources Commission, hereinafter referred to as the "Commission".

DECLARATION OF PURPOSES

SEC. 2. (a) Because a well-integrated and comprehensive plan of development and utilization of water resources in the Wabash River Basin can only be achieved on a cooperative basis with the participation of all affected Federal agencies, States, and local agencies and interests, it is essential that a full and complete investigation, study and survey be made of the land and water resources and their utilization for the region within the Wabash Basin, consisting of the watershed of the entire Wabash River and its tributaries, located within States of Indiana and Illinois.

(b) It is intended that the Commission, in the performance of its duties will—

(1) serve as the principal agency for the coordination of Federal, State, and local plans for the development of water and related land resources in the Wabash Basin;

(2) prepare and keep up to date a comprehensive, integrated, joint plan for water and related land resources development in such basin;

(3) recommend a long-range schedule of priorities for the collection and analysis of basic data, for investigation and project planning, and for construction of projects in such basin; and

(4) foster and undertake studies of water resources problems in such basin.

MEMBERSHIP OF THE COMMISSION

SEC. 3. The Commission shall be composed of members to be appointed by the President of the United States as follows:

(1) A Chairman who shall not, during the period of his service on the Commission, hold any other position as an active officer or employee of the United States, but a retired military officer or a retired civilian officer or employee of the Federal Government may be appointed under this clause without prejudice to his retired status and he shall be entitled to the compensation payable under this Act or to his retired pay or annuity, whichever he may elect;

(2) One member from each Federal department or agency determined by the President to have a substantial interest in the work to be undertaken by the Commission;

(3) One or more members, as determined by the President, from each of the States of Indiana and Illinois, to be nominated by the Governor of such State, or, in the event of the failure of the Governor to nominate a person satisfactory to the President within sixty days after a request by the President to make a nomination, by the President upon his own nomination, and unless otherwise determined by the President, the term of each such member shall run for the same period as that of the Governor making the nomination; and

(4) One member from each interstate commission created by a compact to which the consent of Congress has been given, which has jurisdiction over any of the waters of the Wabash Basin, to be nominated by such commission, or, in the event of the failure of such commission to nominate a person satisfactory to the President within sixty days after a request by the President to make a nomination, by the President on his own nomination.

ORGANIZATION OF THE COMMISSION

SEC. 4 (a) The Commission shall organize for the performance of its duties within thirty days after all of its initial members have been appointed and funds have become available for carrying on its work. At such time as he deems appropriate, the President may terminate the Commission, and all property, assets, and records of the Commission shall thereafter be turned over to such agency or agencies of the United States as the President may designate.

(b) The Commission shall elect a Vice Chairman from among its members.

(c) Vacancies in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

DUTIES OF THE COMMISSION

SEC. 5. (a) It shall be the duty of the Commission—

(1) to engage in such activities and to make such studies and investigations as are necessary or desirable in the accomplishment of the purposes set forth in section 2 of this Act;

(2) to submit to the President a report on its work at least once a year, and such report shall be transmitted by the President to the Congress, and to the head of each Federal department or agency, the Governor of each State, and the chairman of each interstate commission, from which a member of the Commission has been appointed; and

(3) to submit to the President a comprehensive, integrated, joint plan, and any necessary major revision thereof, for water and related land resources development in the Wabash Basin, but before the Commission transmit such plan or major revision to the President, it shall transmit a copy of the

proposed plan or revision to the head of each Federal department or agency, the Governor of each State, and the chairman of each interstate commission, from which a member of the Commission has been appointed, and each such department and agency head, Governor, and commission chairman shall have ninety days from the date of the receipt of the proposed plan to report his views, comments, and recommendations to the Commission, and such views, comments, and recommendations shall be transmitted to the President with such plan or major revision after such modification by the Commission as may be necessary because of such views, comments, and recommendations.

(b) Each member of the Commission, other than the Chairman, shall from time to time report on the work of the Commission to the head of the Federal department or agency, the Governor of the State, or the chairman of the interstate commission from which he was appointed, and shall present to the Commission for its consideration any comments or suggestions received as a result of such report.

POWERS AND ADMINISTRATIVE PROVISIONS

SEC. 6. (a) For the purpose of carrying out its duties under this Act, the Commission may hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and print or otherwise reproduce and distribute so much of its proceedings and reports thereon as it may deem advisable; acquire, furnish, and equip such office space as is necessary; use the United States mails in the same manner and upon the same conditions as the departments and other agencies of the United States, employ such personnel as it deems advisable; purchase, hire, operate, maintain, and dispose of such vehicles as it may require; pay in accordance with the standardized Government travel regulations for travel, subsistence, and other necessary expenses incurred by it or any of its members, officers, or employees, in the performance of duties vested in it; and exercise such other powers as are consistent with and reasonably required to perform its functions under this Act.

(b) A majority of the members of the Commission holding office at any time shall constitute a quorum but a lesser number may conduct hearings.

(c) The Chairman of the Commission, or any member thereof designated by him for the purpose, is authorized to administer oaths when it is determined by the Commission that testimony shall be taken or evidence received under oath.

(d) To the extent permitted by law, all appropriate records and papers of the Commission may be made available for public inspection during the ordinary office hours of the Commission.

(e) Upon request of the Chairman of the Commission or any member or employee thereof designated by him for the purpose, the head of any department or agency of the Government is authorized (1) to furnish to the Commission such information, suggestions, estimates, and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed, and (2) to detail to temporary duty with the Commission such personnel within his administrative jurisdiction as it may need or believe to be useful for carrying out its functions, and such department or agency shall be reimbursed for the services of such personnel.

(f) The Chairman shall be responsible for (1) the appointment and supervision of personnel employed by the Commission, (2) the assignment of duties and responsibilities among such personnel, and (3) the use and expenditure of funds available to the Commission. In carrying out his functions under this subsection, the Chairman shall be governed by the general policies of the Commission with respect to the work to be accomplished by it and the timing thereof.

COMPENSATION OF COMMISSION MEMBERS

SEC. 7. (a) Members of the Commission appointed pursuant to section 3(2) of this Act shall receive no additional compensation by virtue of their membership on the Commission, but shall continue to receive, from appropriations made for the agency from which they are appointed, the salary of their regular position when engaged in the performance of the duties vested in the Commission.

(b) Members of the Commission appointed pursuant to section 3 (3) and (4) of this Act, shall each receive compensation at the rate of $75 per day when engaged in the performance of the Commission's duties, but the aggregate compensation received by any such member shall not exceed $7,500 in any calendar year. The per annum compensation of the Chairman shall be at the rate provided for grade GS–16 under the Classification Act of 1949, as amended, or if he is not employed on an annual basis, $75 per day but not to exceed $12,000 in any calendar year.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

AMENDMENT OF SMALL BUSINESS ACT RELATING TO LOANS TO SMALL BUSINESSES

Mr. SPARKMAN. Mr. President, at the request of the Senator from Virginia [Mr. ROBERTSON], the chairman of the Committee on Banking and Currency, I ask that the Chair lay before the Senate the message from the House of Representatives of the bill, H.R. 11207, to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses and for other purposes.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 11207) to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

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

The motion was agreed to, and the Presiding Officer appointed Mr. FULBRIGHT, Mr. SPARKMAN, Mr. PROXMIRE, Mr. BYRD of West Virginia, Mr. CAPEHART, and Mr. BENNETT conferees on the part of the Senate.

JURISDICTION OF INTERNATIONAL COURT OF JUSTICE

Mr. BUTLER. Mr. President, the Connally reservation regarding the jurisdiction of the International Court of Justice continues to be a potential cause celebre. Distinguished authorities from every corner of this country have declared their support of the Connally reservation which reserves the right of the United States to determine disputes which are and which are not within the domestic jurisdiction of the United States.

Frank Holman, former president of the American Bar Association, supports the Connally reservation. So does Alexander Dick, a distinguished member of the New York State Bar Association and the founder and president of an Ad Hoc Group of Rhodes Scholars for the Preservation of the Connally Reservation.

Now Eleanor H. Finch, executive secretary of the American Society of International Law, and a member of the District of Columbia bar, has written a brilliant article in defense of the Connally reservation in the August issue of the American Bar Association Journal. She writes:

> Although such a reservation had no precedent as far as the statute of the present International Court of Justice is concerned, it actually represents in substance the consistently maintained policy of the United States with regard to compulsory adjudication of international disputes—a policy which it has followed from the earliest days of its existence.

Continuing, she writes:

> The Connally reservation represents in succinct form the consistent policy of the United States as laid down by the Senate. The proposal to withdraw the reservation is essentially one to alter radically the U.S. position on the subject.

After quoting extensively from several treaties all corroborating the premise that the Connally reservation is a continuation of long-established American policy, Miss Finch concludes:

> In the light of present conditions and current events, it is difficult to question the correctness of this judgment of the Committee of Peace and Law Through the United Nations that no change be made by the Senate of the United States in regard to compulsory jurisdiction of the International Court of Justice.

Mr. President, I might add, not only difficult but impossible. I ask unanimous consent to have printed in the body of the RECORD the article by Eleanor H. Finch, in the August issue of the American Bar Association Journal entitled "United States Policy Regarding International Compulsory Adjudication."

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

U.S. POLICY REGARDING INTERNATIONAL COMPULSORY ADJUDICATION

(By Eleanor H. Finch of the District of Columbia bar)

It is a generally accepted principle that when jurisdiction is conferred by international agreement upon an international tribunal to decide a particular dispute or certain categories of disputes between nations, and there arises between the parties to a dispute a disagreement as to the jurisdiction of the tribunal over such dispute, the tribunal shall decide as to its own competence. It is also a generally recognized rule that in deciding upon its competence in such a case a tribunal shall look to the instrument which conferred jurisdiction upon it. Reliance is placed upon article 36, paragraph 6, of the Statute of the International Court of Justice in arguing that the U.S. reservation of domestic questions as determined by the United States cannot deprive the Court of the competence to determine its own jurisdiction as provided in that clause

of the statute. From an examination of the discussion of the statute of the Permanent Court of International Justice, upon which the statute of the present International Court is based, and of the U.S. declaration of acceptance of the compulsory jurisdiction of the International Court, it appears to have been generally agreed that the instrument which confers compulsory jurisdiction on the Court is the declaration of acceptance by the party states. The competence of the Court, including the competence to define its own jurisdiction, is therefore limited to the jurisdiction which has been accepted under the declarations of the adhering states.

The point at issue in the current debate on the so-called Connally Reservation by which the United States has excepted from the jurisdiction of the Court disputes with regard to matters which are essentially within the domestic jurisdiction of the United States of America as determined by the United States of America, is whether the United States or the International Court should determine that a matter in dispute between the United States and another state is essentially within the domestic jurisdiction of the United States and hence not subject to adjudication by the Court. It is not seriously questioned that the intent of the U.S. Senate in attaching the Connally Reservation to the U.S. acceptance of the Court's compulsory jurisdiction was to retain for the United States the final determination as to whether a dispute involving matters within its domestic jurisdiction should be submitted for international adjudication.

The Committee on Peace and Law through United Nations of the American Bar Association, in its report to the Association in 1947, stated:

"Your committee does not suggest that the Connally amendment, in adding the words 'as determined by the United States' * * * violates the charter or the statute, or is beyond the right of a state in depositing it declaration. When a dispute involving the United States arises, it still would be for the Court to decide whether the issues are within the obligatory jurisdiction accepted by the American declaration. The Court would undoubtedly have to say that no jurisdiction exists where the United States, or the other party to the dispute, itself determines and announces that the matter is within its domestic jurisdiction."[1]

Moreover, Charles DeVisscher, a former Judge of the Permanent Court of International Justice and of the International Court of Justice, writing on the Interhandel case before the International Court, has stated:

There is no doubt as to the prime importance of the automatic reservation in the framework of the declaration made by the United States. The debates in the Senate indeed show that the question of the conformity of the reservation with the statute was clearly present in the minds of the Members of Congress and that it even dominated the discussion. On the other hand, examination of the precedents establishes the fact that the automatic reservation is only one of the manifestations of the consistent determination of the United States to reserve to itself the power to make the ultimate determination as to its obligations with regard to treaties of general obligation for arbitral or judicial settlement. Before such a persistent affirmation of freedom of action, the Court, whose competence is based exclusively upon the consent of the defending state, can only respect an essential condition of this consent and give it its full effect.

"Two consequences result from these premises. First of all, there can be no question of the Court, in the presence of a reservation of such a clearly subjective character, assuming to itself the power of determining whether the use made of it in a given case accords with reason or good faith. The terms of the reservation as well as the persistent insistence of the United States upon its right of unilateral decision in the matter of obligatory settlement of disputes give this right an absolute character the exercise of which is not subject to the control of the Court. To interpret the reservation as implying that the determination of its national competence by the United States must be reasonable or made in good faith is to submit to the Court something that the reservation was precisely intended to remove from its jurisdiction.

"It appears to us to be established that the reservation has been very deliberately adopted by the United States as an essential condition of its declaration, without which the latter would not have been made. To detach this reservation from the declaration and retain the rest of it could lead to holding the United States bound by an acceptance different from what it had undertaken, and contrary to the principle that the consent of the interested governments is the foundation of all obligatory jurisdiction, to submit it to a jurisdiction which it intended to exclude.[2]"

AMPLE PRECEDENT FOR THE CONNALLY RESERVATION

The question of retaining the Connally reservation is therefore one of policy for which there is ample precedent. In an article in the January 1960 issue of the American Bar Association Journal, Prof. Louis B. Sohn has stated with regard to the reservation that "There was no precedent for this reservation at the time it was made, but it has now been copied by several states, thus causing a general devaluation of the idea of compulsory jurisdiction."

Although such a reservation had no precedent as far as the statute of the present International Court of Justice is concerned, it actually represents in substance the consistently maintained policy of the United States with regard to compulsory adjudication of international disputes—a policy which it has followed from the earliest days of its existence. That policy has been that no dispute should be submitted to adjudication except by special agreement made by and with the advice and consent of the Senate, and that matters of vital national interest should be excluded from the scope of general treaties of arbitration or adjudication. In an article in the January issue of the American Journal of International Law, 1958, Prof. Sidney B. Jacoby made the following statement:

"The contention seems to be made that prior to the Connally reservation the United States did not claim the right unilaterally to invoke a domestic jurisdiction reservation. But such a right has always been claimed by the United States.

"The policy of unilaterally determining a domestic jurisdiction exception was not novel when the so-called Connally amendment inserted it into the U.S. acceptance of the jurisdiction of the International Court of Justice in 1946. The Swiss Government itself so recognized * * * in its message concerning the ratification of the Treaty of February 16, 1931."

Mr. Jacoby then quotes the statement of the Swiss Government relative to the exception of questions of exclusive domestic jurisdiction from the scope of the Arbitration and Conciliation Treaty of 1931 between the United States and Switzerland.[3]

It may be of interest to recall that on Jan. 27, 1926, the U.S. Senate adopted a resolution (S. Res. 5, 69th Cong., 1st sess.), advising and consenting to the adherence by the United States to the Protocol of Signature of the Statute of the Permanent Court of International Justice (without accepting or agreeing to the optional clause for compulsory jurisdiction), with certain conditions attached, and containing these further provisions:

"Resolved further, As a part of this act of ratification that the United States approve the protocol and statute hereinabove mentioned, with the understanding that recourse to the Permanent Court of International Justice for the settlement of differences between the United States and any other state or states can be had only by agreement thereto through general or special treaties concluded between the parties in dispute; and

"Resolved further, That adherence to the said protocol and statute hereby approved shall not be so construed as to require the United States to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign state; nor shall adherence to the said protocol and statute be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.[4]

The Protocol of Accession by the United States to the Statute of the Permanent Court of International Justice, which was drawn up in Geneva in 1929 to meet the Senate conditions to U.S. adherence, was submitted in 1932 to the Senate, along with the Protocols of Signature and of Revision of the Statute, in a report from the Foreign Relations Committee (S. Rept. 758, 72d Cong., 1st sess.) with the same reservations in the proposed resolutions consenting to adherence as those quoted above.[5] The question was not considered by the full Senate until 1935, when another resolution of adherence to the Court was introduced and the same provisos again attached to it.[6]

The resolution failed to receive the necessary two-thirds vote of the Senate.[7]

RESERVATION IS IN LINE WITH U.S. POLICY

The Connally reservation represents in succinct form the consistent policy of the United States as laid down by the Senate. The proposal to withdraw the reservation is essentially one to alter radically the U.S. position on the subject. As an indication of the virtually unchanged policy of the United States, the provisions of a number of its arbitration treaties may be cited.

The Arbitration Convention of 1908 with Great Britain[8] contains the following provisions:

"ARTICLE I

"Differences which may arise of a legal nature or relating to the interpretation of treaties existing between the two Contracting Parties and which it may not have been possible to settle by diplomacy, shall be referred to the Permanent Court of Arbitration established at The Hague by the Convention of the 29th of July 1899, provided, nevertheless, that they do not affect the vital interests, the independence, or the honor of the two Contracting States, and do not concern the interests of third Parties.

"ARTICLE II

"In each individual case the high contracting parties, before appealing to the Permanent Court of Arbitration, shall conclude

[1] 72 A.B.A. Rept. 429 (1947).

[2] Translation by the writer from an article in 63 Revue General de Droit International Public 413, at 418–419 (1959).

[3] 52 A.J.I.L. 107 at 110–111 (1958).

[4] 20 A.J.I.L. Supp. 73, 74 (1926).

[5] See Hudson, "The World Court Protocols Before the United States Senate," 26 A.J.I.L. 569 (1932).

[6] See 79 CONGRESSIONAL RECORD 425, 916, 1196, 1205; Hudson, "The United States Senate and the World Court," 29 A.J.I.L. 301 (1935).

[7] Ibid. 304.

[8] 1 Mallory, Treaties 814; 2 A.J.I.L. Supp. 299 (1908).

a special agreement defining clearly the matter in dispute, the scope of the powers of the Arbitrators, and the periods to be fixed for the formation of the Arbitral Tribunal and the several stages of the procedure. It is understood that such special agreements on the part of the United States will be made by the President of the United States, by and with the advice and consent of the Senate thereof.

"Such agreements shall be binding only when confirmed by the two Governments by an Exchange of Notes."

The Arbitration Treaty of 1928 with France [9] provides:

"ARTICLE II

"All differences relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy, which have not been adjusted as a result of reference to the above-mentioned Permanent International Commission [of investigation and report], and which are justiciable in the nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Arbitration established at The Hague * * * or to some other competent tribunal, as shall be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define its powers, state the question or questions at issue, and settle the terms of reference.

"The special agreement in each case shall be made on the part of the United States of America by the President of the United States of America by and with the advice and consent of the Senate thereof.

"ARTICLE III

"The provisions of this treaty shall not be invoked in respect of any dispute the subject matter of which

"(a) is within the domestic jurisdiction of either of the high contracting parties,

"(b) involves the interests of third parties,

"(c) depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, commonly described as the Monroe Doctrine,

"(d) depends upon or involves the observance of the obligations of France in accordance with the covenant of the League of Nations."

The Treaty of Arbitration and Conciliation with Switzerland, 1931,[10] referred to above, provides:

"ARTICLE V

"The Contracting Parties bind themselves to submit to arbitration every difference which may have arisen or may arise between them by virtue of a claim of right, which is juridical in its nature, provided that it has not been possible to adjust such difference by diplomacy and it has not in fact been adjusted as a result of reference to the Permanent Commission of Conciliation constituted pursuant to Articles II and III of this Treaty.

"ARTICLE VI

"The provisions of Article V shall not be invoked in respect of any difference the subject matter of which

"(a) is within the domestic jurisdiction of either of the Contracting Parties."

The issue involved in the Senate action on the unratified Taft treaties of 1911 is peculiarly apropos of the present discussion of the Connally Reservation. The Treaty of Arbitration of 1911 with Great Britain (Conf. Exec. H, 62d Cong., 1st sess.)[11] provided in article I:

"All differences hereafter arising between the high contracting parties, which it has not been possible to adjust by diplomacy, relating to international matters in which the high contracting parties are concerned by virtue of a claim of right made by one against the other under treaty or otherwise, and which are justifiable in their nature by reason of being susceptible of decision by the application of the principles of law or equity, shall be submitted to the Permanent Court of Aribitration established at The Hague by the Convention of October 18, 1907, or to some other arbitral tribunal as may be decided in each case by special agreement, which special agreement shall provide for the organization of such tribunal if necessary, define the scope of the powers of the arbitrators, the question or questions at issue, and settle the terms of reference and the procedure thereunder."

This article also provided that the special agreement in each case should be made on the part of the United States by the President of the United States by and with the advice and consent of the Senate, and should be confirmed by the parties through an exchange of notes.

Under article II of the treaty the parties agreed "to institute as occasion arises * * * a joint high commission of inquiry to which, upon the request of either party, shall be referred for impartial and conscientious investigation any controversy between the parties within the scope of article I, before such controversy has been submitted to arbitration, and also any other controversy hereafter arising between them even if they are not agreed that it falls within the scope of article I; provided, however, that such reference may be postponed until the expiration of one year after the date of the formal request therefor, in order to afford an opportunity for diplomatic discussion and adjustment of the questions in controversy, if either party desires such postponement" [12]

Under the terms of article III of the treaty the joint high commission was authorized to examine into and report upon matters referred to it, to define the issues presented thereby, and to include in its report appropriate recommendations and conclusions. Article III further provided:

"The reports of the commission shall not be regarded as decisions of the questions or matters so submitted either on the facts or on the law and shall in no way have the character of an arbitral award.

"It is further agreed, however, that in cases in which the parties disagree as to whether or not a difference is subject to arbitration under article I of this treaty that question shall be submitted to the joint high commission of inquiry; and if all or all but one of the members of the commission agree and report that such difference is within the scope of article I, it shall be referred to arbitration in accordance with the provisions of this treaty." [13]

In its resolution of advice and consent to the ratification of the treaty, the Senate amended the treaty by, inter alia, striking out the last paragraph of article III as quoted above, and included the following proviso:

"That the Senate advises and consents to the ratification of the said treaty with the understanding, to be made part of such ratification, that the treaty does not authorize the submission to arbitration of any question which affects the admission of aliens to the educational institutions of the several States, or the territorial integrity of the several States or of the United States, or concerning the question of the alleged indebtedness or monied obligation of any State of the United States, or any question which depends upon or involves the maintenance of the traditional attitudes of the United States concerning American questions, commonly described as the Monroe Doctrine, or other purely governmental policy." [14]

In view of the terms of the Senate resolution, President Taft did not proceed with the exchange of ratifications of the treaty.

The majority report on the treaty by the Committee on Foreign Relations [15] made this comment on the reference in article I to the application of the principles of law or equity in arbitrable disputes:

"In England and the United States, and wherever the principles of the common law obtain, the words 'law or equity' have an exact and technical significance, but that legal system exists nowhere else and does not exist in France, with which country one of these treaties is made. We are obliged, therefore, to construe the word 'equity' in its broad and universal acceptance as that which is 'equally right or just to all concerned; as the application of the dictates of good conscience to the settlement of controversies.' It will be seen, therefore, that there is little or no limit to the questions which might be brought within this article, provided the two contracting parties consider them justiciable."

It was the last paragraph of article III with reference to decision by a joint commission as to whether a difference between the parties was subject to arbitration under the treaty which gave rise to vigorous debate in the Senate. The majority report of the Committee on Foreign Relations stated:

"The last clause of Article III, therefore, the Committee on Foreign Relations advises the Senate to strike from the treaty and recommends an amendment to that effect. This recommendation is made because there can be no question that through the machinery of the joint commission, as provided in Articles II and III, and with the last clause of Article III included, the Senate is deprived of its constitutional power to pass upon all questions involved in any treaty submitted to it in accordance with the Constitution. The committee believes that it would be a violation of the Constitution of the United States to confer upon an outside commission powers which, under the Constitution, devolve upon the Senate. It seems to the committee that the Senate has no more right to delegate its share of the treaty-making power than Congress has to delegate the legislative power. The Constitution provides that before a treaty can be ratified and become the supreme law of the land it shall receive the consent of two-thirds of the Senators present. This necessarily means that each and every part of the treaty must receive the consent of two-thirds of the Senate. It can not possibly mean that only a part of the provisions shall receive the consent of the Senate.

"To take away from the Senate the determination of the most important question in a proposed treaty of arbitration is necessarily in violation of the treaty provisions of the Constitution. The most vital question in every proposed arbitration is whether the difference is arbitrable. For instance, if another nation should do something to which we object under the Monroe Doctrine and the validity of our objection should be challenged and an arbitration should be demanded by that other nation, the vital point

[9] U.S. Treaty Series, No. 785; 46 Stat. 2269; 22 A.J.I.L. Supp. 37, 38 (1928).

[10] U.S. Treaty Series, No. 844.

[11] 5 A.J.I.L. Supp. 253, 254 (1911).

[12] Ibid., 255.

[13] Ibid., 255–256.

[14] The text of the resolution is reprinted in 6 A.J.I.L. 460–461 (1912).

[15] S. Doc 98, 62d Cong., 1st sess. Quoted in editorial by James Brown Scott. "The Pending Treaty of Arbitration between the United States and Great Britain," in 6 A.J.I.L. 167, at 171, 172–173 (1912).

would be whether our right to insist upon the Monroe Doctrine was subject to arbitration, and if the third clause of Article III remains in the treaty the Senate could be debarred from passing upon that question.

"One of the first sovereign rights is the power to determine who shall come into the country and under what conditions. No nation which is not either tributary or subject, would permit any other nation to compel it to receive the citizens or subjects of that other nation. If our right to exclude certain classes of immigrants were challenged, the question could be forced before a joint commission, and if that commission decided that the question was arbitrable the Senate would have no power to reject the special agreement for the arbitration of that subject on the ground that it was not a question for arbitration within the contemplation of Article I. In the same way our territorial integrity, the rights of each State, and of the United States to their territory might be forced before a joint commission, and under Article III, in certain contingencies, we should have no power to prevent our title to the land we inhabit from being tried before a court of arbitration. Today no nation on earth would think of raising these questions, which will readily occur to everybody. But if we accept this treaty with the third clause of Article III included we invite other nations to raise these questions and to endeavor to enforce them before an arbitral tribunal. Such an invitation would be a breeder of war and not of peace, and would rouse a series of disputes, now happily and entirely at rest, into malign and dangerous activity. To issue such an invitation is not, in the opinion of the committee, the way to promote that universal peace which we all most earnestly desire."

The minority report of the Foreign Relations Committee,[16] presented by Senator Elihu Root, stated in connection with the above-quoted views:

"It is true that there are some questions of national policy and conduct which no nation can submit to the decision of anyone else, just as there are some questions of personal conduct which every man must decide for himself. The undoubted purpose of the first article of these treaties is to exclude such questions from arbitration as nonjustifiable.

"If there is danger of misunderstanding as to whether such questions are indeed effectively excluded by the terms of the first article, such a danger, of course, should be prevented. No one questions the importance of having the line of demarcation between what is and what is not to be arbitrated clearly understood and free from misunderstanding; for nothing could be worse than to make a treaty for arbitration and then to have either party charged by the other party with violating it.

"The real objection to the clause which commits to the proposed joint commission questions whether particular controversies are arbitrable is not that the commission will determine whether the particular case comes within a known line, but that the commission, under the general language of the first article, may draw the line to suit themselves instead of observing a line drawn by the treatymaking power. If we thought this could not be avoided without amending the treaty, we would vote for the amendment to strike out the last clause of Article III, for it is clearly the duty of the treatymaking power, including the Senate, as well as the President, to draw that line, and that duty cannot be delegated to a commission.

"We do not think, however, that any such result is necessary * * * it can be effectively prevented, without amending the treaty by following a practice for which there is abundant precedent, and making the construction of the treaty certain by a clause in the resolution of consent to ratification.

"Such a clause may well be, in substance, as follows:

" 'The Senate advises and consents to the ratification of the said treaty with the understanding, to be made a part of such ratification, that the treaty does not authorize the submission to arbitration of any question which depends upon or involves the maintenance of the traditional attitude of the United States concerning American questions, or other purely governmental policy.' "

If one reads "International Court" for "Joint Commission" in the above-cited paragraphs, it can be seen that the same essential questions were raised in the United States Senate 50 years ago as were raised in the Senate in 1946, and that the later Senate made in principle the same reservation as the earlier one. The arguments in favor of the United States retaining the right to determine what matters are properly subject to the jurisdiction of the International Court have the same, if not greater, cogency today, and lead to the conclusion that the policy heretofore laid down by the United States Senate should not be altered. The Committee on Peace and Law through United Nations stated in its 1949 report:

"Until there has been a clarification of the power of United Nations to determine international law and the effect of Article 2(7) of the Charter, the committee does not believe that it is advisable that any change be made by the Senate of the United States in regard to compulsory jurisdiction of the International Court of Justice." [17]

In the light of present conditions and current events, it is difficult to question the correctness of this judgment.

AMENDMENT OF COMMUNICATIONS ACT OF 1934, RELATING TO PROCEDURE IN OBTAINING A LICENSE AND FOR REHEARINGS

The PRESIDING OFFICER (Mr. CANNON in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such act, which were to strike out all after the enacting clause and insert:

SHORT TITLE

SECTION 1. This Act may be cited as the "Communications Act Amendments, 1960".

REPEAL OF PROVISION PERMITTING ACCEPTANCE OF HONORARIUMS

SEC. 2. The third sentence of subsection (b) of section 4 of the Communications Act of 1934 (47 U.S.C. 154(b)) is amended by striking out the following: "; but this shall not apply to the presentation or delivery of publications or papers for which a reasonable honorarium or compensation may be accepted".

SHORT-TERM GRANTS

SEC. 3. Subsection (d) of section 307 of the Communications Act of 1934 (47 U.S.C. 307) is amended by adding at the end thereof a new sentence as follows: "Consistently with the foregoing provisions of this subsection, the Commission may by rule prescribe the period or periods for which licenses shall be granted and renewed for particular classes of stations, but the Commission may not adopt or follow any rule which would preclude it, in any case involving a station of a particular class, from granting or renewing a license for a shorter period than that prescribed for stations of such class if, in its judgment, public interest, convenience, or necessity would be served by such action."

PREGRANT PROCEDURE

SEC. 4. (a) Section 309 of the Communications Act of 1934 (47 U.S.C. 309) is amended to read as follows:

"ACTION UPON APPLICATIONS; FORM OF AND CONDITIONS ATTACHED TO LICENSES

"SEC. 309. (a) Subject to the provisions of this section, the Commission shall determine, in the case of each application filed with it to which section 308 applies, whether the public interest, convenience, and necessity will be served by the granting of such application, and, if the Commission, upon examination of such application and upon consideration of such other matters as the Commission may officially notice, shall find that public interest, convenience, and necessity would be served by the granting thereof, it shall grant such application.

"(b) Except as provided in subsection (c) of this section, no such application—

"(1) for an instrument of authorization in the case of a station in the broadcasting or common carrier services, or

"(2) for an instrument of authorization in the case of a station in any of the following categories:

"(A) fixed point-to-point microwave stations (exclusive of control and relay stations used as integral parts of mobile radio systems),

"(B) industrial radio positioning stations for which frequencies are assigned on an exclusive basis,

"(C) aeronautical en route stations,

"(D) aeronautical advisory stations,

"(E) airdrome control stations,

"(F) aeronautical fixed stations, and

"(G) such other stations or classes of stations, not in the broadcasting or common carrier services, as the Commission shall by rule prescribe,

shall be granted by the Commission earlier than thirty days following issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereof.

"(c) Subsection (b) of this section shall not apply—

"(1) to any minor amendment of an application to which such subsection is applicable, or

"(2) to any application for—

"(A) a minor change in the facilities of an authorized station,

"(B) consent to an involuntary assignment or transfer under section 310(b) or to an assignment or transfer thereunder which does not involve a substantial change in ownership or control,

"(C) a license under section 319(c) or, pending application for or grant of such license, any special or temporary authorization to permit interim operation to facilitate completion of authorized construction or to provide substantially the same service as would be authorized by such license,

"(D) extension of time to complete construction of authorized facilities,

"(E) an authorization of facilities for remote pickups, studio links and similar facilities for use in the operation of a broadcast station,

"(F) authorizations pursuant to section 325(b) where the programs to be transmitted are special events not of a continuing nature,

"(G) a special temporary authorization for nonbroadcast operation not to exceed thirty days where no application for regular operation is contemplated to be filed or pending the filing of an application for such regular operation, or

[16] S. Doc. 98, 62d Cong., 1st sess. Quoted in 6 A.J.I.L. 173–174 (1912).

[17] 74 A.B.A. Rep. 336 (1949).

"(H) an authorization under any of the proviso clauses of section 308(a).

"(d)(1) Any party in interest may file with the Commission a petition to deny any application (whether as originally filed or as amended) to which subsection (b) of this section applies at any time prior to the day of Commission grant thereof without hearing or the day of formal designation thereof for hearing; except that with respect to any classification of applications, the Commission from time to time by rule may specify a shorter period (no less than thirty days following the issuance of public notice by the Commission of the acceptance for filing of such application or of any substantial amendment thereof), which shorter period shall be reasonably related to the time when the applications would normally be reached for processing. The petitioner shall serve a copy of such petition on the applicant. The petition shall contain specific allegations of fact sufficient to show that the petitioner is a party in interest and that a grant of the application would be prima facie inconsistent with subsection (a). Such allegations of fact shall, except for those of which official notice may be taken, be supported by affidavit of a person or persons with personal knowledge thereof. The applicant shall be given the opportunity to file a reply in which allegations of fact or denials thereof shall similarly be supported by affidavit.

"(2) If the Commission finds on the basis of the application, the pleadings filed, or other matters which it may officially notice that there are no substantial and material questions of fact and that a grant of the application would be consistent with subsection (a), it shall make the grant, deny the petition, and issue a concise statement of the reasons for denying the petition, which statement shall dispose of all substantial issues raised by the petition. If a substantial and material question of fact is presented or if the Commission for any reason is unable to find that grant of the application would be consistent with subsection (a), it shall proceed as provided in subsection (e).

"(e) If, in the case of any application to which subsection (a) of this section applies, a substantial and material question of fact is presented or the Commission for any reason is unable to make the finding specified in such subsection, it shall formally designate the application for hearing on the ground or reasons then obtaining and shall forthwith notify the applicant and all other known parties in interest of such action and the grounds and reasons therefor, specifying with particularity the matters and things in issue but not including issues or requirements phrased generally. When the Commission has so designated an application for hearing the parties in interest, if any, who are not notified by the Commission of such action may acquire the status of a party to the proceeding thereon by filing a petition for intervention showing the basis for their interest at any time not less than ten days prior to the date of hearing. Any hearing subsequently held upon such application shall be a full hearing in which the applicant and all other parties in interest shall be permitted to participate. The burden of proceeding with the introduction of evidence and the burden of proof shall be upon the applicant, except that with respect to any issue presented by a petition to deny or a petition to enlarge the issues, such burdens shall be as determined by the Commission.

"(f) When an application subject to subsection (b) has been filed, the Commission, notwithstanding the requirements of such subsection, may, if the grant of such application is otherwise authorized by law and if it finds that there are extraordinary circumstances requiring emergency operations in the public interest and that delay in the institution of such emergency operations would seriously prejudice the public interest, grant a temporary authorization, accompanied by a statement of its reasons therefor, to permit such emergency operations for a period not exceeding ninety days, and upon making like findings may extend such temporary authorization for one additional period not to exceed ninety days. When any such grant of a temporary authorization is made, the Commission shall give expeditious treatment to any timely filed petition to deny such application and to any petition for rehearing of such grant filed under section 405.

"(g) The Commission is authorized to adopt reasonable classifications of applications and amendments in order to effectuate the purposes of this section.

"(h) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject: (1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein; (2) neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act; (3) every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 of this Act."

(b) Section 319(c) of the Communications Act of 1934 (47 U.S.C. 319(c)) is amended by striking out "and (c)" and inserting in lieu thereof "(c), (d), (e), (f), and (g)".

(c) Section 405 of the Communications Act of 1934 (47 U.S.C. 405) is amended—

(1) by striking out "and party" in the first sentence and inserting in lieu thereof "any party", and

(2) by inserting after the fourth sentence a new sentence as follows: "The Commission shall enter an order, with a concise statement of the reasons therefor, denying a petition for rehearing or granting such petition, in whole or in part, and ordering such further proceedings as may be appropriate: *Provided,* That in any case where such petition relates to an instrument of authorization granted without a hearing, the Commission shall take such action within ninety days of the filing of such petition."

(d)(1) Subsections (a) and (b) of this section shall take effect ninety days after the date of the enactment of this Act.

(2) Section 309 of the Communications Act of 1934 (as amended by subsection (a) of this section) shall apply to any application to which section 308 of such Act applies (A) which is filed on or after the effective date of subsection (a) of this section, (B) which is filed before such effective date, but is substantially amended on or after such effective date, or (C) which is filed before such effective date and is not substantially amended on or after such effective date, but with respect to which the Commission by rule provides reasonable opportunity to file petitions to deny in accordance with section 309 of such Act (as amended by subsection (a) of this section).

(3) Section 309 of the Communications Act of 1934, as in effect immediately before the effective date of subsection (a) of this section, shall, on and after such effective date, apply only to applications to which section 308 of such Act apply which are filed before such effective date and not substantially amended on or after such effective date and with respect to which the Commission does not permit petitions to deny to be filed as provided in clause (C) of paragraph (2) of this subsection.

(4) The amendment made by paragraph (2) of subsection (c) of this section shall only apply to petitions for rehearing filed on or after the date of the enactment of this Act.

LOCAL NOTICE AND LOCAL HEARINGS; PAY-OFFS

SEC. 5. (a) Section 311 of the Communications Act of 1934 (47 U.S.C. 311) is amended to read as follows:

"SPECIAL REQUIREMENTS WITH RESPECT TO CERTAIN APPLICATIONS IN THE BROADCASTING SERVICE

"SEC. 311. (a) When there is filed with the Commission any application to which section 309(b)(1) applies, for an instrument of authorization for a station in the broadcasting service, the applicant—

"(1) shall give notice of such filing in the principal area which is served or is to be served by the station; and

"(2) if the application is formally designated for hearing in accordance with section 309, shall give notice of such hearings in such area at least ten days before commencement of such hearing.

The Commission shall by rule prescribe the form and content of the notices to be given in compliance with this subsection, and the manner and frequency with which such notices shall be given.

"(b) Hearings referred to in subsection (a) may be held at such places as the Commission shall determine to be appropriate, and in making such determination in any case the Commission shall consider whether the public interest, convenience, or necessity will be served by conducting the hearing at a place in, or in the vicinity of, the principal area to be served by the station involved.

"(c)(1) If there are pending before the Commission two or more applications for a permit for construction of a broadcasting station, only one of which can be granted, it shall be unlawful, without approval of the Commission, for the applicants or any of them to effectuate an agreement whereby one or more of such applicants withdraws his or their application or applications.

"(2) The request for Commission approval in any such case shall be made in writing jointly by all the parties to the agreement. Such request shall contain or be accompanied by full information with respect to the agreement, set forth in such detail, form, and manner as the Commission shall by rule require.

"(3) The Commission shall approve the agreement only if it determines that the agreement is consistent with the public interest, convenience, or necessity. If the agreement does not contemplate a merger, but contemplates the making of any direct or indirect payment to any party thereto in consideration of his withdrawal of his application, the Commission may determine the agreement to be consistent with the public interest, convenience, or necessity only if the amount or value of such payment, as determined by the Commission, is not in excess of the aggregate amount determined by the Commission to have been legitimately and prudently expended and to be expended by such applicant in connection with preparing, filing, and advocating the granting of his application.

"(4) For the purposes of this subsection an application shall be deemed to be 'pending' before the Commission from the time such application is filed with the Commission until an order of the Commission granting or denying it is no longer subject to rehearing by the Commission or to review by any court."

(b) Section 313 of such Act (47 U.S.C. 313) is amended—

(1) by inserting after the word "LAWS" in the heading of such section the following: "; REFUSAL OF LICENSES AND PERMITS IN CERTAIN CASES"; and

(2) by inserting "(a)" after "SEC. 313." and adding at the end of such section the following subsection:

"(b) The Commission is hereby directed to refuse a station license and/or the permit hereinafter required for the construction of a station to any person (or to any person directly or indirectly controlled by such person) whose license has been revoked by a court under this section."

SUSPENSION, REVOCATION, AND CEASE AND DESIST ORDERS

SEC. 6. (a) Section 312 of the Communications Act of 1934 (47 U.S.C. 312) is amended to read as follows:

"ADMINISTRATIVE SANCTIONS

"SEC. 312. (a) The Commission may revoke any station license or construction permit—

"(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to section 308;

"(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license or permit on an original application;

"(3) for willful or repeated failure to operate substantially as set forth in the license;

"(4) for willful or repeated violation of, or willful or repeated failure to observe any provision of this Act or any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States;

"(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section; or

"(6) for violation of section 1304, 1343, or 1464 of title 18 of the United States Code.

"(b) Where any person (1) has failed to operate substantially as set forth in a license, (2) has violated or failed to observe any of the provisions of this Act, or section 1304, 1343, or 1464 of title 18 of the United States Code, or (3) has violated or failed to observe any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States, the Commission may order such person to cease and desist from such action.

"(c) The Commission may suspend any station license for a period of not more than ten consecutive days—

"(1) for false statements knowingly made either in the application or in any statement of fact which may be required pursuant to secton 308;

"(2) because of conditions coming to the attention of the Commission which would warrant it in refusing to grant a license on an original application;

"(3) for negligent or intentional failure to operate substantially as set forth in the license;

"(4) for negligent or intentional violation of, or negligent or intentional failure to observe any provision of this Act or any rule or regulation of the Commission authorized by this Act or by a treaty ratified by the United States;

"(5) for violation of or failure to observe any cease and desist order issued by the Commission under this section; or

"(6) for violation of section 1304, 1343, or 1464 of title 18 of the United States Code.

"(d) Before revoking a license or permit pursuant to subsection (a), issuing a cease and desist order pursuant to subsection (b), or suspending a license pursuant to subsection (c), the Commission shall serve upon the licensee, permittee, or person involved an order to show cause why an order of revocation or suspension or a cease and desist order should not be issued. Any such order to show cause shall contain a statement of the matters with respect to which the Commission is inquiring, and shall call upon the licensee, permittee, or person to appear before the Commission at a time and place stated in the order, but in no event less than thirty days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period. If after hearing, or a waiver thereof, the Commission determines that an order of revocation or suspension or a cease and desist order should issue, it shall issue such order, which shall include a statement of the findings of the Commission and the grounds and reasons therefor and specify the effective date of the order, and shall cause the same to be served on said licensee, permittee, or person.

"(e) In any case where a hearing is conducted pursuant to the provisions of this section, both the burden of proceeding with the introduction of evidence and the burden of proof shall be upon the Commission.

"(f) The provisions of section 9(b) of the Administrative Procedure Act which apply with respect to the institution of any proceeding for the suspension or revocation of a license or permit shall apply also with respect to the institution, under this section, of any proceeding for the issuance of a cease and desist order."

(b) The first sentence of section 307(d) of the Communications Act of 1934 (47 U.S.C. 307(d)) is amended by inserting "suspended or" before "revoked".

(c) The second sentence of section 308(b) of such Act (47 U.S.C. 308(b)) is amended by inserting "suspended or" before "revoked".

(d) Section 402(b)(5) of such Act (47 U.S.C. 402(b)(5)) is amended by inserting ", suspended," after "modified".

FORFEITURE PROVISIONS RELATING TO BROADCAST LICENSEES

SEC. 7. (a) Section 503 of the Communications Act of 1934 (47 U.S.C. 503) is amended (1) by striking out the center heading and inserting in lieu thereof "Forfeitures"; (2) by inserting "(a)" after "SEC. 503."; and (3) by adding at the end thereof the following subsection:

"(b) In any case where the licensee or permittee of a broadcast station has negligently or intentionally failed to operate his station substantially as set forth in his license, or has negligently or intentionally violated, or has negligently or intentionally failed to observe any of the provisions of this Act or any rule or regulation of the Commission authorized by this Act or by any treaty ratified by the United States, or has violated or failed to observe any cease and desist order issued by the Commission, the Commission may order such licensee or permittee to forfeit to the United States a sum not to exceed $1,000 for each day during which the Commission finds that such violation or failure has occurred. Such forfeiture shall be in addition to any other penalty provided by this Act."

(b) Section 504(b) of such Act is amended by striking out "section 507" and inserting in lieu thereof "section 503(b) and 507".

PROVISIONS REQUIRING ANNOUNCEMENTS AND DISCLOSURE OF CERTAIN PAYMENTS WITH RESPECT TO MATTER BROADCAST

SEC. 8. (a) Section 317 of the Communications Act of 1934 (47 U.S.C. 317) is amended to read as follows:

"ANNOUNCEMENT WITH RESPECT TO CERTAIN MATTER BROADCAST

"SEC. 317. (a)(1) All matter broadcast by any radio station for which any money, service, or other valuable consideration is directly or indirectly paid, or promised to or charged or accepted by, the station so broadcasting, from any person, shall, at the time the same is so broadcast, be announced as paid for or furnished, as the case may be, by such person: *Provided*, That 'service or other valuable consideration' shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast unless it is so furnished in consideration for an identification in a broadcast of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property on the broadcast.

"(2) Nothing in this section shall preclude the Commission from requiring that an appropriate announcement shall be made at the time of the broadcast in the case of any political program or any program involving the discussion of any controversial issue for which any films, records, transcriptions, talent, scripts, or other material or service of any kind have been furnished, without charge or at a nominal charge, directly or indirectly, as an inducement to the broadcast of such program.

"(b) In any case where a report has been made to a radio station, as required by section 508 of this Act, of circumstances which would have required an announcement under this section had the consideration been received by such radio station, an appropriate announcement shall be made by such radio station.

"(c) The licensee of each radio station shall exercise reasonable diligence to obtain from its employees, and from other persons with whom it deals directly in connection with any program or program matter for broadcast, information to enable such licensee to make the announcement required by this section.

"(d) The Commission may waive the requirement of an announcement as provided in this section in any case or class of cases with respect to which it determines that the public interest, convenience, or necessity does not require the broadcasting of such announcement.

"(e) The Commission shall prescribe appropriate rules and regulations to carry out the provisions of this section."

(b) Title V of the Communications Act of 1934 (47 U.S.C., subchapter V) is amended by adding at the end thereof the following section:

"DISCLOSURE OF CERTAIN PAYMENTS

"SEC. 508. (a) Subject to subsection (d), any employee of a radio station who accepts or agrees to accept from any person (other than such station), or any person (other than such station) who pays or agrees to pay such employee, any money, service, or other valuable consideration for the broadcast of any matter over such station shall, in advance of such broadcast, disclose the fact of such acceptance or agreement to such station.

"(b) Subject to subsection (d), any person who, in connection with the production or preparation of any program or program matter which is intended for broadcasting over any radio station, accepts or agrees to accept, or pays or agrees to pay, any money, service or other valuable consideration for the inclusion of any matter as a part of such program or program matter, shall, in advance of such broadcast, disclose the fact of such acceptance or payment or agreement to the payee's employer, or to the person for whom such program or program matter is being produced, or to the licensee of such station over which such program is broadcast.

"(c) Subject to subsection (d), any person who supplies to any other person any program or program matter which is intended for broadcasting over any radio station shall, in advance of such broadcast, disclose to such other person any information of which he has knowledge, or which has been disclosed to him, as to any money, service or other

valuable consideration which any person has paid or accepted, or has agreed to pay or accept, for the inclusion of any matter as a part of such program or program matter.

"(d) The provisions of this section requiring the disclosure of information shall not apply in any case where, because of a waiver made by the Commission under section 317 (d), an announcement is not required to be made under section 317. The inclusion in the program of the announcement required by section 317 shall constitute the disclosure required by this section.

"(e) The term 'service or other valuable consideration' as used in this section shall not include any service or property furnished without charge or at a nominal charge for use on, or in connection with, a broadcast, or for use on a program which is intended for broadcasting over any radio station, unless it is so furnished in consideration for an identification in such broadcast or in such program of any person, product, service, trademark, or brand name beyond an identification which is reasonably related to the use of such service or property in such broadcast or such program.

"(f) Any person who violates any provision of this section shall, for each such violation, be fined not more than $10,000 or imprisoned not more than one year, or both."

DECEPTIVE CONTESTS

SEC. 9. Title V of the Communications Act of 1934 (47 U.S.C., subchapter V), as amended by section 7(b) of this Act, is further amended by adding at the end thereof the following section:

"PROHIBITED PRACTICES IN CASE OF CONTESTS OF INTELLECTUAL KNOWLEDGE, INTELLECTUAL SKILL, OR CHANCE

"SEC. 509. (a) It shall be unlawful for any person, with intent to deceive the listening or viewing public—

"(1) To supply to any contestant in a purportedly bona fide contest of intellectual knowledge or intellectual skill any special and secret assistance whereby the outcome of such contest will be in whole or in part prearranged or predetermined.

"(2) By means of persuasion, bribery, intimidation, or otherwise, to induce or cause any contestant in a purportedly bona fide contest of intellectual knowledge or intellectual skill to refrain in any manner from using or displaying his knowledge or skill in such contest, whereby the outcome thereof will be in whole or in part prearranged or predetermined.

"(3) To engage in any artifice or scheme for the purpose of prearranging or predetermining in whole or in part the outcome of a purportedly bona fide contest of intellectual knowledge, intellectual skill, or chance.

"(4) To produce or participate in the production for broadcasting of, to broadcast or participate in the broadcasting of, to offer to a licensee for broadcasting, or to sponsor, any radio program, knowing or having reasonable ground for believing that, in connection with a purportedly bona fide contest of intellectual knowledge, intellectual skill, or chance constituting any part of such program, any person has done or is going to do any act or thing referred to in paragraph (1), (2), or (3) of this subsection.

"(5) To conspire with any other person or persons to do any act or thing prohibited by paragraph (1), (2), (3), or (4) of this subsection, if one or more of such persons do any act to effect the object of such conspiracy.

"(b) For the purposes of this section—

"(1) The term 'contest' means any contest broadcast by a radio station in connection with which any money or any other thing of value is offered as a prize or prizes to be paid or presented by the program sponsor or by any other person or persons, as announced in the course of the broadcast.

"(2) The term 'the listening or viewing public' means those members of the public who, with the aid of radio receiving sets, listen to or view programs broadcast by radio stations.

"(c) Whoever violates subsection (a) shall be fined not more than $10,000 or imprisoned not more than one year, or both."

And to amend the title so as to read: "An act to promote the public interest by amending the Communications Act of 1934, to provide a pre-grant procedure in case of certain applications; to impose limitations on payoffs between applicants; to grant authority to suspend station licenses; to require disclosure of payments made for the broadcasting of certain matter; to grant authority to impose forfeitures in the broadcast service; and to prohibit deceptive practices in contests of intellectual knowledge, skill, or chance; and for other purposes."

The PRESIDING OFFICER. The question is on agreeing to the amendments of the House.

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

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

Mr. PASTORE. Mr. President, I ask unanimous consent that during the consideration of S. 1898, the debate be limited on any amendment to one-half hour, the time to be evenly divided between the proponents and the opponents, under the usual rule of germaneness, so far as amendments are concerned; and to 1 hour on the bill itself, the time to be equally divided.

Mr. PROXMIRE. Mr. President, reserving the right to object, and I do not intend to object, I should like to have it understood that on one amendment I may require more than the 15 minutes on my side. It is my understanding that the distinguished Senator from Rhode Island will yield me some time from the time on the bill for that purpose.

Mr. PASTORE. Mr. President, I revise the proposed unanimous-consent agreement so as to provide 1½ hours on the bill itself, so that time may be yielded for further discussion of amendments, if necessary, from the time on the bill itself; the agreement to be subject to the usual provision of germaneness.

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

The unanimous-consent agreement, as subsequently reduced to writing, is as follows:

UNANIMOUS-CONSENT AGREEMENT

Ordered, That during the further consideration of the House amendment to the bill (S. 1898) to amend the Communications Act of 1934 with respect to the procedure in obtaining a license and for rehearings under such Act, debate on any amendment, motion, or appeal, except a motion to lay on the table, shall be limited to one-half hour, to be equally divided and controlled by the mover of any such amendment or motion and the majority leader: *Provided*, That in the event the majority leader is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the minority leader or some Senator designated by him: *Provided further*, That no amendment that is not germane to the provisions of the said bill shall be received.

Ordered further, That on the question of agreeing to the amendments to the House amendments, debate shall be limited to 1½ hours, to be equally divided and controlled, respectively, by the majority and minority leaders: *Provided*, That the said leaders, or either of them, may, from the time under their control on the passage of the said bill, allot additional time to any Senator during the consideration of any amendment, motion, or appeal.

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendments of the House to S. 1898 with the following amendments of the Senate, which I send to the desk. I ask unanimous consent that the reading of the amendments be dispensed with, but that they be printed at this point in the RECORD.

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

On page 14 of the House engrossed amendments, line 4, strike out "SUSPENSION, REVOCATION," and insert "REVOCATION".

On page 14 of the House engrossed amendments, line 6, strike out "(a) Section" and insert "Subsections (a) and (b) of section", and in line 7 strike out "is" and insert "are".

On page 14 of the House engrossed amendments, line 23, after "any" insert "final".

On page 15 of the House engrossed amendments, after the period in line 10 insert quotation marks, and beginning with line 11, strike out the remainder of such page and all of pages 16 and 17.

On page 18 of the House engrossed amendments, beginning with line 8, strike out the remainder of such page and in lieu thereof insert the following:

"(b)(1) Any licensee or permittee of a broadcast station who—

"(A) willfully or repeatedly fails to operate such station substantially as set forth in his license or permit,

"(B) willfully or repeatedly fails to observe any of the provisions of this Act or of any rule or regulation of the Commission prescribed under authority of this Act or under authority of any treaty ratified by the United States,

"(C) fails to observe any final cease and desist order issued by the Commission,

"(D) violates section 317(c) or section 509(a)(4) of this Act, or

"(E) violates section 1304, 1343, or 1464 of title 18 of the United States Code, shall forfeit to the United States a sum not to exceed $1,000. Each day during which such violation occurs shall constitute a separate offense. Such forfeiture shall be in addition to any other penalty provided by this Act.

"(2) No forfeiture liability under paragraph (1) of this subsection (b) shall attach unless a written notice of apparent liability shall have been issued by the Commission and such notice has been received by the licensee or permittee or the Commission shall have sent such notice by registered or certified mail to the last known address of the licensee or permittee. A licensee or permittee so notified shall be granted an opportunity to show in writing, within such reasonable period as the Commission shall by regulations prescribe, why he should not be held liable. A notice issued under this paragraph shall not be valid unless it sets forth the date, facts, and nature of the act or

omission with which the licensee or permittee is charged and specifically identifies the particular provision or provisions of the law, rule, or regulation or the license, permit, or cease and desist order involved.

"(3) No forfeiture liability under paragraph (1) of this subsection (b) shall attach for any violation occurring more than one year prior to the date of issuance of the notice of apparent liability and in no event shall the forfeiture imposed for the acts or omissions set forth in any notice of apparent liability exceed $10,000.

(b) Section 504(a) of the Communications Act of 1934 (47 U.S.C. 504) is amended by inserting after *"Provided,"* in the first sentence thereof the following: "That any suit for the recovery of a forfeiture imposed pursuant to the provisions of this Act shall be a trial de novo: *Provided further,"*.

(c) Section 504(b) of such Act is amended by striking out "section 507" and inserting in lieu thereof "sections 503(b) and 507".

(d) Section 504 of such Act is further amended by adding a new subsection to read as follows:

"(c) In any case where the Commission issues a notice of apparent liability looking toward the imposition of a forfeiture under this Act, that fact shall not be used, in any other proceeding before the Commission, to the prejudice of the person to whom such notice was issued, unless (i) the forfeiture has been paid, or (ii) a court of competent jurisdiction has ordered payment of such forfeiture, and such order has become final."

On page 22 of the House engrossed amendments, line 12, beginning with "The", strike out all through "section." in line 14 and in lieu thereof insert the following:

"(c) The inclusion in the program of the announcement required by section 317 shall constitute the disclosure required by this section."

On page 22 of the House engrossed amendments, line 15, strike out "(e)" and insert "(f)".

On page 22 of the House engrossed amendments, line 25, strike out "(f)" and insert "(g)".

Amend the title so as to read: "An Act to promote the public interest by amending the Communications Act of 1934, to provide a pre-grant procedure in case of certain applications; to impose limitations on payoffs between applicants; to require disclosure of payments made for the broadcasting of certain matter; to grant authority to impose forfeitures in the broadcast service; and to prohibit deceptive practices in contests of intellectual knowledge, skill, or chance; and for other purposes."

Mr. PASTORE. Mr. President, I shall explain the amendments of the Senate in my statement and shall answer any questions which may be propounded by Senators.

The PRESIDING OFFICER. How much time does the Senator from Rhode Island yield himself?

Mr. PASTORE. Mr. President, I yield myself as much time as I may require for my statement.

S. 1898 was originally introduced by the chairman of the Senate Interstate and Foreign Commerce Committee at the request of the Federal Communications Bar Association. After full hearings, S. 1898 was reported favorably and passed by the Senate on August 19, 1959. As it passed the Senate the bill generally was limited to a revision of section 309 of the Communications Act of 1934, title 47, United States Code, section 309. It modified:

First. The requirement now imposed by section 309 that prior to a formal designation of an application for hearing the Commission would advise the applicant and known party in interest of the grounds and reasons for the Commission's inability to make the finding that a grant would serve the public interest, convenience, and necessity; and

Second. Substitute for the present postgrant protest procedure of section 309(c) a procedure of pregrant objection by means of a petition to deny.

With the exception of the so-called pregrant amendments the House amended S. 1898 by incorporating therein a number of substantial amendments for the purpose of carrying out the recommendations made by the Special Subcommittee on Legislative Oversight and other proposals originally introduced in the House of Representatives by the Honorable OREN HARRIS, chairman of the House Interstate and Foreign Commerce Committee. The House of Representatives, after extensive discussions on the legislation, passed S. 1898 with the amendments on June 28, 1960.

Generally, the provisions of the amended bill were as follows:

Provided a pregrant procedure in case of certain applications.

Imposed limitations on payoffs between applicants.

Granted authority to suspend station licenses.

Require disclosure of payments made for the broadcasting of certain matter.

Granted authority to impose forfeitures in the broadcast service.

Prohibited deceptive practices in contests of intellectual knowledge, skill, or chance.

Authorized Commission to issue broadcast licenses for less than 3-year periods.

Authorized local notice and local hearings of broadcast applications.

Requires Commission approval in cases where two or more broadcast applications are compromised or withdrawn as a result of payoffs.

Repeals the provision permitting FCC Commissioners to accept honorariums.

It is obvious after a careful reading of S. 1898, as amended, that in the main the amendments were of a constructive and desirable nature and should be adopted. They represent a thoughtful and considered legislative structure designed to deal affirmatively with the difficult problems revealed by the House Subcommittee on Legislative Oversight. The adoption of the legislation would serve the public interest in providing for more efficient, expeditious, and affirmative procedures by the Federal Communications Commission. It would clarify the existing statutory provisions upon which the Commission should be given guidance and at the same time afford the protection to the public and the broadcasting industry from wrongdoing as revealed during the past year in the television quiz shows and payola practices.

Shortly after the passage of S. 1898 by the House, the Senate Interstate and Foreign Commerce Committee was deluged with calls, correspondence, and statements expressing concern and opposition with respect to the suspension and forfeiture provisions of the legislation. Following careful deliberations, the committee voted to request that the bill be referred to the committee in order to hold hearings so that the controversial phases could be explored. A full and complete hearing was held on August 10. Witnesses representing every phase of the industry and public were afforded the opportunity to present their views. Numerous statements, letters, and telegrams, and other communications were received and considered by the committee. Informal conferences were held with various experts in this field in order that the committee would have the best advice available. The amendments herein recommended involve only the suspension and forfeiture provisions. They represent a constructive approach to a complicated but significant part of the Commission's responsibility in the broadcast field. The reason and the need for the other provisions of the bill adopted by the House of Representatives are set forth in detail in the House of Representatives Report No. 1800, 86th Congress, 2d session.

The amendments recommended by the Senate Interstate and Foreign Commerce Committee are discussed more fully in the report that I have filed. So a full explanation, as well as an effective, sound, legislative history, is available to all Senators.

Mr. JAVITS. Mr. President, will the Senator from Rhode Island yield for a question?

Mr. PASTORE. I yield.

Mr. JAVITS. I hope the Senator will permit me to ask a few questions at this time, even though he has not completed his presentation, because I must soon leave the Chamber, to attend an important meeting.

I wish to say that, like the Senator from Rhode Island, I favor this proposed legislation; and I was appalled, as were all other Senators, by the disclosures which have resulted in the bringing of this measure before us.

I have been approached by a number of the small broadcasters who are opposed to the bill or have concern regarding some parts of the bill. One of the points made is in regard to the provision for a fine of up to $1,000. However, based upon practical experience, is it not true that that provision of the Senate committee amendment will be the maximum, rather than a mandatory amount—in other words, a fine of not to exceed $1,000 a day?

Mr. PASTORE. That is correct.

Mr. JAVITS. On the other hand, we have found that in instances in which administrative agencies have the power to fine, they are very likely—unlike the courts—to impose, immediately, the maximum amount, and to consider that to be the rule which they must observe.

The small radio stations, the small run-of-the-mine stations in the smaller places, may have incomes of $20,000 a year. Hence, a fine of $1,000 a day could be a crushing burden; and I believe that cruel and inhuman punishments, even for acts which we consider very immoral and against the public interest, are to be avoided.

What I should like to suggest, in all good conscience and, I hope, in accordance with the views of the committee, is that we recognize that in this situation there are a number of outfits which simply do not have a great deal of money, and that, therefore, we would expect that the agency would not simply use the maximum amount as its standard rule.

Mr. PASTORE. Of course that matter was of grave concern to the committee at the time of the hearings. As a matter of fact, we have made two modifications of the amendments voted by the House of Representatives. First, we have eliminated completely the suspension provisions.

Mr. JAVITS. I realize that.

Mr. PASTORE. And in regard to the forfeiture provisions, we felt we should include language which would guarantee due process. So we include a provision that the Commission cannot go back more than 1 year—as a statute of limitations—and that the fine imposed cannot exceed $1,000 a day—in other words, that the Commission could not levy a fine of $365,000 for a period of 1 whole year.

Furthermore, I may say that if the Commission became capricious in any way, I would be the first one at the next session to attempt to amend the law.

I agree with the Senator from New York that the fines imposed by the Commission should be commensurate with the violations. But, in addition, under the provisions of the present law, the licensee must be notified of the time when the violation was committed, and also must be notified of the nature of the violation; and after the fine is imposed, he has a right to go to the courts and begin the case de novo, on the merits. So we have protected them in every way in accordance with the judicial procedure.

Mr. JAVITS. One thing the Senator from Rhode Island has not covered in his remarks—which I value very greatly, and I am sure the small broadcasters will also very greatly appreciate them—is that we would expect some consideration to be given to the size of the business and the amount of its earnings, in arriving at the determination in regard to the amount of the forfeiture.

Mr. PASTORE. Exactly; and I hope the Commission would not use that power as an implement of confiscation.

Mr. JAVITS. I thank the Senator from Rhode Island.

Mr. PROXMIRE. Mr. President, will the Senator from Rhode Island yield to me?

Mr. PASTORE. I yield.

Mr. PROXMIRE. I think the presentations being made here are developing a good legislative history.

It is a fact that such action by the Commission could be a devastating blow to a small station. On the other hand, I believe—and I shall discuss this point later on, in connection with my remarks—that the provision in regard to $1,000 a day for only 10 days is not adequate—is not adequate to handle problems at the other end of the scale for the really big boys.

But is it not true that that provision was modified; and that, as the measure now stands, the fine will not take effect between the date of the appeal and the final decision of the court?

Mr. PASTORE. Yes, that is true if an appeal is taken.

Mr. PROXMIRE. Yes.

Mr. JAVITS. Let me refer to another thing which has been pointed out. I doubt that it is one of the evils we are trying to correct; but it has been pointed out, and so I refer to it for the record, for the consideration of the Senate. It is that it is alleged that some broadcasting stations have in the past run "phony" contests, and also have sought to "pad" their audiences or to encourage broadcasting of the type which temporarily could give the stations better or larger audiences and, thus, higher ratings, and that under such circumstances some of them utilize the same technique in that way, also, in order to build up unrealistic achievement records for the stations, whereas the audiences are really being induced by improper means to listen.

I realize this matter is hardly within the context of the improprieties with which we are trying to deal, but I believe I should mention this to the Senator from Rhode Island, and should obtain his comment on it.

Mr. PASTORE. As far as the ratings are concerned, I know that the Senator from Oklahoma [Mr. MONRONEY] has been very, very much concerned about that matter; and we have already suggested that the Federal Trade Commission undertake a study and investigation in regard to the ratings, as I think it is doing.

The Senator will recall that the other day the question of polls was brought up. Of course, today there is much poll-taking.

I do not know how much of it involves fraud and deception or the puffing up that customarily takes place in the advertising world, under our system of free enterprise, or how much of this polling is effective. At any rate, we have called attention to it, and the study is now under way by the Federal Trade Commission.

Mr. JAVITS. I should like to refer briefly to the ethical standards of business and the very fine activities of the trade associations, which are helpful to the public interest, although that does not mean this law should be dispensed with. We must have the law; but such activities can be helpful in connection with it.

Does the Senator from Rhode Island agree that, following such disclosures, genuine efforts were made by those in the broadcasting business to try to clean their own house and to do a good job in that regard?

Mr. PASTORE. Certainly there has been no greater advocate or proponent of integrity than the present broadcasting stations in Rhode Island. I know of no segment of business that devotes itself more sincerely to the public interest than do the broadcasters in Rhode Island; and I believe that is generally true of broadcasters throughout the country. Of course it is true that one bad apple in a barrel usually will spoil the entire barrel. If I have said that once, I have said it a thousand times; but that is no reflection on the industry.

But we do need to eliminate the isolated exceptions, and also eliminate the payola evil which has developed into quite a practice. That is why the extensive hearings were held by the House committee. But, thereafter, in reporting the bill, the House committee included suspension provisions and forfeiture provisions which, in my opinion, were much too severe.

I am happy to state that in working out our amendments, we took into consideration the level of participation; and we worked these out with the various groups concerned, including the National Association of Broadcasters, the chief counsel of the Commission, and others. We tried to amend this measure in such a way that it would not hurt anyone who was trying to do a good job, but at the same time would protect the public against injury by those who would perpetrate such deceptions.

Mr. JAVITS. I was thinking of the fact that the great networks—the CBS, with Mr. Paley and Dr. Staunton; NBC, with the Sarnoffs and Mr. Burns and Mr. Kintner; and the American Broadcasting Co. and its chief—have worked on this problem, and have developed some rules for their organizations, and have declared themselves entirely opposed to such practices. I just wondered whether the Senator thought that proved to be helpful.

Mr. PASTORE. Very helpful, and we received their wholehearted cooperation and support even with reference to the pending legislation.

Mr. JAVITS. I am very grateful to the Senator.

Mr. PASTORE. Before I answer any further questions, I ask unanimous consent to have printed in the RECORD the explanation of our forfeiture modifications and suspension deletion.

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

EXPLANATION OF FORFEITURE MODIFICATIONS AND SUSPENSION DELETION

FORFEITURES

Section 7 of the bill as passed by the House would amend section 503 of the Communications Act of 1934 by adding thereto a new subsection (b) to give to the Federal Communications Commission the authority to impose a forfeiture on the licensee or permittee of a broadcast station of up to $1,000 a day for violations of the act, the Commission's rules and regulations, or treaty, or cease and desist orders. Heretofore the Commission has not been given such authority.

When the bill was considered in the House, the forfeiture section was amended on the floor to provide that the violation by the licensee had to be either negligent or intentional. In contrast, section 312 of the Communications Act, which deals with administrative sanctions, provides that violations of that act must be either willful or repeated. The phrase "willful or repeated" has a fixed meaning in the Communications Act and it has been interpreted by the FCC and courts a number of times. In the committee's opinion, it would be unwise at this

time to introduce an entirely new concept for determining a licensee's responsibility for a violation.

At the hearing held by this committee on August 10, strong opposition was expressed by witnesses concerning such undefined terms as well as to the apparent unlimited authority the House bill conferred upon the Commission to order a forfeiture.

Chairman Frederick W. Ford of the FCC, in the course of his testimony before the committee on August 10, suggested that some qualifying language should be written into the forfeiture section so as to provide for a notice to be given to the licensee of the alleged violation of the Communications Act or of the Commission's rules and regulations in question.

Witnesses for the National Association of Broadcasters, the Federal Communications Bar Association, the American Bar Association, as well as other broadcasters, testified in opposition to section 7 of the House bill with respect to forfeitures.

In general, the theme of this opposition was the unlimited authority given the Commission to order a forfeiture on a broadcast licensee before such licensee was informed of the violation of a specific provision of the act or of the violation of a specific rule or regulation of the Commission. Such opposition was also based on the fact that the licensee was not given an opportunity, before the imposition of such forfeiture, either to have a hearing before the Commission or to show why he should not be held liable.

This committee was concerned with the gravity of the lack of due process the bill as passed by the House presented. As reported by this committee, the bill would provide that where a licensee or permittee willfully or repeatedly failed to observe any provision of the Communications Act or the Commission's rules and regulations, the Commission may order such licensee to forfeit to the United States a sum of not to exceed $1,000 for each day during which the offense continued. Such forfeiture would be in addition to any other penalty provided for in the Communications Act. Also, the committee inserted the word "final" before "cease and desist." This is necessary in order to make it clear that if a cease and desist order has been appealed the forfeiture will not be imposed while a final determination is being made on the cease and desist order.

The committee specifically authorizes the imposition of a forfeiture where there is a violation of the amendment herein provided as section 317(c), which concerns the responsibility of a licensee to make announcements with reference to certain matters that are broadcast, as well as the amendment added as section 509(a)(4), which concerns the responsibility of a licensee to prohibit deceptive practices in cases of contests of intellectual knowledge, intellectual skill, or chance.

As further amended by the committee, the bill would provide that before forfeiture liability shall attach, the Commission shall send to the licensee or permittee a written notice of apparent liability. Such notice is to be given to the licensee or sent to him by registered or certified mail. In this notice the Commission would be required to give information as to the date, the facts, and the nature of the violation or charge and also specifically identify the particular provision of the Communications Act or of the specific rule or regulation of the license, permit or cease and desist order involved.

So as to bar the imposition of a forfeiture on a "stale" violation, the forfeiture section, as revised by the committee, would in effect establish a statute of limitation beyond which the Commission could not go in ordering a forfeiture against a licensee. Thus, paragraph (3) of subsection (b), as proposed to be added to section 503 of the Communications Act, would provide that no forfeiture liability under subsection (b)(1) shall attach for any violation occurring more than 1 year prior to the date of the issuance of the notice of apparent liability, and in no event shall the forfeiture imposed for the acts set forth in any notice of apparent liability exceed $10,000.

While the Commission is not limited as to the number of notices of apparent forfeiture liability it may send to any one licensee, nevertheless it is the intention of the committee that the forfeiture sanction will be reasonably administered.

If a licensee flagrantly disregards the provisions of the Communications Act or the Commission rules and regulations, the Commission should resort promptly to the more drastic sanction of revocation or recommend prosecution of such licensee under the criminal sections of the act.

The forfeitures proposed by this bill are not intended to apply to the radio stations governed by the provisions of parts II and III of title III of the Communications Act.

Representatives of the Federal Communications Bar Association and of the administrative law section of the American Bar Association expressed concern as to the lack of authority in the bill for judicial review of Commission action in ordering a forfeiture. Both of these groups urged the adoption of an amendment that would provide for such judicial review.

Accordingly, the committee has recommended an amendment to section 504(a) of the Communications Act (which section prescribes the procedure for the collection of a forfeiture) so as to provide that in any suit for the recovery of a forfeiture, the trial thereof shall be on the merits de novo. Thus, a suit brought by the United States in a U.S. district court to enforce a forfeiture ordered by the Commission would not be merely a collection proceeding, but one in which the person against whom the forfeiture is ordered is given an opportunity to contest on the merits the action of the Commission.

Also, in order to safeguard further the rights of the licensee, the bill as reported by this committee would further amend section 504 of the Communications Act by adding thereto a new subsection designated as subsection (c).

Such new subsection would provide that the pendency of a forfeiture action, prior to final adjudication thereof, as provided in the proposed amendment to section 504(a), shall be without prejudice to the licensee in any other proceeding before the Commission.

When the representatives of the American Bar Association testified before the committee, fear was expressed that the Commission would take into account, in other proceedings before it in which a licensee was involved, the pendency of a forfeiture order which the Commission had issued against such license and prior to final adjudication of the licensee's liability.

The amendment to section 504 of the Communications Act, added by the committee as subsection (c) to said section, is not intended to mean that the facts upon which a notice of forfeiture liability against a licensee is based cannot be considered by the Commission in connection with an application for renewal of a license, for example, or with respect to the imposition of other sanctions authorized by the Communications Act of 1934.

One purpose that the no "prejudice" provision in the committee's proposed addition of subsection (c) to section 504 would serve would be to prevent the mere existence of an order of forfeiture (that had not yet been confirmed after trial in a Federal district court) from being used against the licensee. However, facts going to the fitness of a licensee could be introduced in evidence against such licensee notwithstanding that such facts are the basis of an order of forfeiture. The licensee could not, therefore, complain of the introduction of such evidence so long as he has the right to cross-examine the witnesses introducing it and the further right to offer evidence to rebut it.

SUSPENSIONS

At present the FCC's authority to enforce the Communications Act and other related statutes and its rules and regulations are four in number with revocation of a license or permit the most severe penalty. The four sanctions authorized under existing statute are as follows:

1. Revocation of license, section 312 of the Communications Act;

2. Issuance of cease and desist orders, section 312 of the act; enforcement of cease and desist either through revocation or through court order (sec. 401(b) of the act) for violation of which contempt penalties may be imposed by a court;

3. The criminal penalties of fine or imprisonment, or both, for willfully and knowingly doing anything prohibited by the act, or for willfully or knowingly failing to do a thing required by the act (sec. 501 of the act); and

4. The criminal penalty of a fine of not more than $500 for each and every day during which any person willfully or knowingly violates any rule, regulation, restriction or condition made or imposed by the Commission under the act (sec. 502 of the act).

The obvious purpose for giving the FCC the authority to suspend a license appears to be an effort to provide the Commission with a remedy less drastic than the so-called death sentence—revocation or failure to renew.

In authorizing the FCC to invoke its suspension powers against a broadcaster, careful account must be taken of the effect such action would have on the community served by such a broadcaster. It is obvious that if a broadcaster is required to suspend operation for a specific period of time such a suspension would impose a hardship on the broadcaster and result in the loss of revenue during the period in which he is off the air. Essentially then, suspension can be considered an economic penalty. Yet if a broadcaster were required to suspend service his economic loss would only be part of the penalty; the public would also suffer through the loss of the programing service of the offending station.

For example, if the bill was law, broadcast of an illegal lottery might result in suspension thereby closing down the broadcaster. All other programs of the station about which no question had been raised would go off the air. What if this is the only broadcast the public and the community could receive? What would happen if a hurricane or tornado warning became necessary during that period of broadcasting silence?

The same result, however, the committee believes, could be achieved through the use of forfeitures. The imposition of a forfeiture would cause the broadcaster economic injury since he would be forced to pay a monetary penalty for his conduct. Here the burden would fall directly and entirely on the offending broadcaster, and not on the public. The Senate Interstate and Foreign Commerce Committee is concerned about the service that is made available to the public and it is desirous of taking no action that may adversely affect such service. The committee is mindful of the fact that 8 years ago the Congress provided the FCC with a remedy additional to the original remedy of revocation and criminal sanctions when it incorporated the cease-and-desist procedures in the Communications Act. In the conference report on the 1952 amendments to the act it was stated that the authority to issue cease-and-desist orders would give the Commission a means by which it could secure

compliance by the licensee with the provisions of the act and with the regulations thereunder.

The cease-and-desist power, however, appears to have been little utilized by the Commission. Indeed until this very year it does not appear to have been utilized by the Commission in the broadcasting field. Yet the committee in its report in 1952 noted the cease-and-desist procedure is a successful one in many administrative agencies. It appears, therefore, that it would be unwise to add the suspension power at this time, particularly because of its impact on the general public, when there is no showing that the cease-and-desist power has not worked. The committee is still of the opinion that this can be utilized very effectively.

We feel that the sanctions now available in the Communications Act, plus the forfeiture penalties herein being provided, give the Commission adequate tools to take effective action against offending licensees without the adverse results that flow from a temporary suspension of a broadcasting facility. Experience may prove that cease-and-desist action and monetary penalties are not sufficient. If it does, then the committee will act quickly to remedy the situation.

Mr. ALLOTT. Mr. President, will the Senator yield to me for a short statement, and then possibly some questions?

Mr. PASTORE. I yield to the Senator from Colorado.

Mr. ALLOTT. First of all, I wish to compliment the distinguished Senator from Rhode Island for the usual brilliant work he has done on this bill.

Mr. President, I am happy to voice my support of S. 1898, as recently amended by the Interstate and Foreign Commerce Committee. I supported the original version of this bill, which dealt only with procedure at the FCC. The changes and additions written in the other Chamber made the bill virtually a new piece of legislation.

Following its passage in the House, I received a number of communications from Colorado broadcasters voicing objection to some of the added provisions. Wisely, the Senate Interstate and Foreign Commerce Committee held hearings earlier this month to explore these controversial provisions.

I am pleased that the committee has striven to meet the legitimate objections of the broadcasters. It seems to me the Federal Communications Commission now has adequate authority to deal with broadcasters who fail to operate their facilities according to the law or to the Commission's rules.

And I think it is important to point out that the broadcasting industry as a whole continues to perform a great service in the public interest. To suggest that malpractices are widespread is to distort the true facts. I have personally been impressed by the many accomplishments of the industry, and particularly the Colorado broadcasters.

I assure the Nation's broadcasters that this bill is not a punitive measure. Responsible elements should welcome its passage. I sincerely hope that the House will quickly agree to the amended bill.

I thank the Senator for yielding to me.

Mr. PASTORE. I thank the Senator for his generous complimentary remarks.

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

Mr. PASTORE. I yield to the Senator from California.

Mr. ENGLE. I appreciate the Senator's yielding to me. I, too, join in complimenting the Senator from Rhode Island for his usual competent handling of a difficult piece of legislation.

I have asked the Senator to yield in order that I might address some questions to him with respect to the operation of the bill.

As the Senator knows, perhaps 90 percent or more of the television films are made in the States which I have the honor to represent. Moreover, a considerable portion of the filmed television material is made by the theatrical and motion picture companies that have been in the film business for almost half a century.

I mention this because they are the long-established operators. So far as I know, none of these people has ever been involved in any of the matters which came under investigation, so far as payola is concerned. They have had nothing to do with the quiz scandal or the plugged payoffs, simply because they have not had any association with that kind of business.

Now they find, because of the operation of the broad language of this legislation, they may be suffering stiff penalties in some operations which have been standard in the industry for a long, long time. It is for that reason that I have asked the Senator's indulgence so I may propound a few questions, in an effort to help clarify the intent of Congress in enacting this legislation. I trust, likewise, that the Senator's views may be helpful to the Federal Communications Commission in adopting sensible, workable, and fair rules and regulations.

The matter to which I wish to address my questions is that one of the most common practices in the motion picture industry, which has been followed for 30 years or more by the studios, is an arrangement with a motor car manufacturer whereby the manufacturer makes available a number of automobiles for studio use in return for which the studio agrees that that motor car will be used in the film whenever an ordinary current model car may be required to be shown in a film. There are no plugs, the car is never specifically mentioned by name, or otherwise plugged. Moreover, no one is paid to use the car, and at the end of the year the cars are taken back and replaced by a new fleet. There are no private deals between employees of the studio and the auto manufacturer, although it is quite possible that a number of studio executives and employees use the cars for studio business purposes throughout the year.

Since there is a legal consideration here—the cars are made available in return for screening them whenever a film requires a car—the studio people believe that the new law will compel them to carry a credit line in all films, such as, "The Ford automobile used in this film is made available through the courtesy of the Ford Motor Co."

Is it the Senator's judgment that the pending bill will require this kind of identification to avoid the penalty clause?

Mr. PASTORE. Let me say, at the outset, that of course, the provisions are rather broad, and we can conceive marginal cases where it will be rather hard to draw a line of demarcation or make a differentiation, but on page 22 of the House report there appears a list of explanations which would more or less indicate the guidelines. Explanation No. 17 reads as follows:

An automobile manufacturer furnishes his identifiable current model car for use in a mystery program, and it is used by a detective to chase a villain. No announcement is required. If it is understood, however, that the producer may keep the car for his personal use, an announcement would be required. Similarly, an announcement would be required if the car is loaned in exchange for a mention on the program beyond that reasonably related to its use, such as the villain saying: "If you hadn't had that speedy Chrysler, you never would have caught me."

That is a plug—an advertisement. Naturally, if it is being done for the purpose of promoting that car, an announcement has to be made.

In answer to the question of the Senator from California, if an executive or a studio used that automobile as its own, beyond the circumstance that it was shown as a prop in one of the television shows, then, of course, there would be a consideration. In other words, it would not be a dollar payoff, but a "use" payoff. In that particular instance, I would say, under the strict interpretation of the law, it would have to be announced. But I would hope the FCC would be reasonable about this, because when this question was presented to me by my able colleague from California, I took it upon myself to send our chief staff representative to see the Chairman of the FCC in order to get an understanding on the question. This is the letter he wrote me. I should like to read it into the RECORD:

DEAR CHAIRMAN PASTORE: I understand that some concern has been expressed as to whether or not it is the intent of Congress to require the giving of notice to the public of every special arrangement that a TV motion picture producer makes for the photographing of any prop, background, or other material, or for reference to any industry, production, or service where such producer receives any benefit other than the mere right to photograph the property which is the subject of the agreement.

With respect to this problem I can answer in the negative as the legislative history of S. 1898 relating to the proposed sections 317 and 508 is abundantly clear as to the situations to which it will apply.

The House report (p. 20) comments specifically on section 317(a) as it appears in S. 1898 with reference to making certain exemptions to announcements that are of minor concern and also gives some specific examples of the type of matter which should be exempt from an announcement of sponsorship.

I also invite your attention to the fact that during the drafting of this legislation (proposed secs. 317 and 508), Chairman HARRIS of the House Interstate and Foreign Commerce Committee requested that attorneys from the National Broadcasting Co., the American Broadcasting Co., the Columbia Broadcasting System, the National Association of Broadcasters, the Federal Communications Commission, the legislative counsel of the House, as well as the staff of his own committee, cooperate in drafting the kind of legislation that would cure the ills of which

we are all aware. After many such conferences, the present legislation evolved. I bring this to your attention because the numerous examples set forth in the House report (pp. 20–24), as to the application of these proposed sections, were the result of careful thought and study on the part of that group. In my opinion, they provide reasonable standards and guidelines.

Chairman Ford of the Federal Communications Commission in testifying before your committee on August 10, 1960, stated with respect to this matter:

"The words 'beyond an identification which is reasonably related to the use of such service or property on the broadcast' might raise the problem as to the permissible degree of identification without the necessity of an announcement. However, the House Interstate and Foreign Commerce Committee report incorporated pertinent portions of commentary and specific guidelines which are of considerable assistance in determining the meaning of this language. This would enable the Commission to be in a position to place a reasonable interpretation upon this general language."

This is the important part:

It would seem appropriate that, if the bill becomes law, the Commission would in the near future arrange informal conferences with interested parties to discuss what is a reasonable approach to the implementation of this bill. Later, appropriate rulemaking would be undertaken and formal comment would be considered before final rules are adopted.

Please be assured that the Commission is most interested in passage of this legislation and would at all times seek to fairly implement it consistent with public interest requirements.

Sincerely yours,

ROBERT E. LEE,
Acting Chairman.

I would hope that the Federal Communications Commission would not use the new law in order to harass or to embarrass anybody. What we are seeking to correct is the deception and the fraud which is practiced against the public. I would hope that the illegitimate practices would be spelled out in such a way as not to become a nuisance to the industry as such.

We cannot, in a law, begin to write in the exceptions. After all, if it is payola for a disc jockey to receive records free and to be paid on the side for plugging a record, it would be just as much payola for an executive of a studio to be given a Cadillac car to run around in because every once in a while, when the studio makes a picture, the car is shown in the picture. Payola is payola. I do not know how we would differentiate between one group and another group.

I would hope that we would have the rules drawn up in such a way as to not forget the American system of free enterprise but at the same time protect the public. I hope that answers the question of my colleague.

Mr. ENGLE. Mr. President, will the Senator yield further?

Mr. PASTORE. I yield.

Mr. ENGLE. The response which has been given will certainly be helpful not only with reference to the people about whom I am concerned, but also with reference to the FCC.

The letter from the Federal Communications Commission dated August 24, 1960, is a direct answer to the question I received in the telegram from Walt Disney Productions. I should like to repeat this, to identify the letter with the question.

Mr. PASTORE. Yes.

Mr. ENGLE. They asked for an answer to this question:

Is it the intent of Congress to require the giving of notice to the public of every special arrangement that a television motion-picture producer makes for the photographing of any prop, background or other material or for reference in any program to any industry, product or service where the producer receives any benefit other than the mere right to photograph the property which is the subject of the agreement?

The answer is contained in the letter from the Federal Communications Commission. If I correctly understand the answer, the answer is in the second paragraph, which says:

With respect to this problem, I can answer in the negative as the legislative history of S. 1898 relating to the proposed sections 317 and 508 is abundantly clear as to the situations to which it will apply.

That would seem to answer the specific question.

Mr. PASTORE. We have to make a distinction. Let us assume that the producer is going to show a kitchen. Let us assume that the General Electric Co. furnishes a refrigerator, because it is necessary to show the kitchen furnished. If the refrigerator is furnished, there will be a picture taken of it. It would not be necessary to make a special note of the fact that the studio had a closeup of "GE" to prove that it was a special make of refrigerator. The refrigerator would simply be used as a prop in the kitchen, and when the picture taking was over that would be the end of it. Of course, then it would not be necessary to announce anything.

However, if General Electric at the time it gave the refrigerator said to the producer of the show, "After you have finished taking the picture take the refrigerator home, put some ham and eggs in it, and use it for your family," then of course it would be a payoff; it would require an announcement.

Mr. ENGLE. That is very clear, and these people about whom I am speaking are not concerned with that situation. They do not favor payola.

Mr. PASTORE. That is correct.

Mr. ENGLE. They are against it. They want to see it stopped.

Mr. PASTORE. That is correct.

Mr. ENGLE. However, they are concerned about a situation a little different. If they should plan to show a kitchen, they will set up a place to take the picture of the kitchen. The kitchen will require a refrigerator, a stove, an electric fan, an egg beater, and several other things. The manufacturer may come along and say, "You are going to show a kitchen. We would like to put our stove in it." They will not plug it. They will not say, "This is a GE stove," or, "This is a certain type refrigerator." It will simply be there. People know what those things are. They recognize the commodities.

Mr. PASTORE. That is correct.

Mr. ENGLE. That is the benefit the manufacturers get from it. When they finish the filming of a program like Marshal Matt Dillon, after they have filmed the kitchen they do not wish to take 3 or 4 minutes to say, "In the kitchen scene we had a certain type of refrigerator and a certain type of stove." They do no wish to spend 3 or 4 minutes of the audience's time to explain that to them. That would make the television programs worse than they are, I suppose, and would be a great deal of trouble for everybody. As I understand it, that is not the intent.

Mr. PASTORE. That is not the intent. If there is no payoff or valuable consideration given it would not be covered. The only benefit the manufacturer would get would be the fact that the product was shown. The only benefit the film producer would get would be the fact that he has finished out his list of his props. That is not the intent of the proposal.

However, when someone begins to slip money under a desk or under a counter, or begins to give things away, or begins to compliment people who are interested in making decisions, then we get into the payola. I think the film colony knows pretty much what payola is, and what we are trying to accomplish.

There are further questions, of course. I have seen some of the questions this afternoon, before the discussion started.

Let us assume that later on, after the arrangement is made, the manufacturer decides he does not wish to have his product back. As an afterthought, it may be said, "It will cost more to transport this back than it will cost to give it away." The manufacturer decides to give the product to some poor people, as an afterthought. I would say if that were not the intent in the beginning, it might be considered an exception. That is why I should like to have the Commission provide some ground rules.

When there is an agreement such as this "I will use your automobile as my prop on the condition that you give me the automobile when it is all over, and pay me $50 for the privilege," that is something which has to be announced. That is being done every day.

When we look at the television programs we sometimes learn who was the gown designer. Sometimes we learn about the department store which gave the clothes that one of the actresses has worn, or the shoes the actors wore. That is customary. Proper credit is given.

I hope this will not get out of hand. I hope the FCC will sit down with the industry representatives, with the interested parties, and work out sensible and reasonable rules which will not be an harassment. I think it can be done. It should be done. If it is not done, I shall be the first to ask for its correction at the next session of Congress.

Mr. ENGLE. I have a further question. This is one item which concerns me in addition.

These people who produce the films are producers. They are like the automobile manufacturers. They produce a product.

The purpose of the proposed legislation is to control the networks, the broadcasters, I am informed in the telegram I have received.

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

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

BURBANK, CALIF., *August 23, 1960.*

Senator CLAIR ENGLE,
Room 443, Senate Office Building,
Washington, D.C.:

Proposed section 508 (b), (c), and (g) of the Communications Act presents a serious problem to motion picture producers in requiring notice to the networks of producers' arrangements for use of props, backgrounds, and the like in productions. The notice the networks will require under section 317 will cause unnecessary additional expense that could be substantial, interfere with the time available for the entertainment portion of the program, and be of annoyance to the viewer. The matters required to be disclosed in accordance with a literal reading of the sections are normal business transactions based on the recognition of secondary values which permeate every phase of business. For example, many corporations will have exhibits at the New York World's Fair and will expend tremendous sums of money with no thought of profit or even recovery of investment directly therefrom, but seeking only an association in the public mind of their exhibit with something interesting and enjoyable that the public visited at the World's Fair. In the area of motion picture production it has been a long-standing practice for various businesses, associations, and the like to make available to producers for use in productions the product of the company or the industry at no charge to the producers and, depending upon the values to be obtained, to go beyond a mere photographic usage and to give additional consideration. The production of education series, otherwise impractical from a cost point of view, have been made possible by associations or individual companies financing a portion of the production in consideration of an incorporation of reference to or a visual presentation of its name or product as a part of the program. For example, a series on the milk industry showing, in an entertaining and yet educational manner, the operation of a dairy farm would be too expensive for free television, but if the dairy association could obtain prints of all or part of the programs to use for distribution in schools, churches, and other 16mm markets, they might furnish a portion of the cost of producing the series. Under such arrangements the television public receives a program with more value included, the producer is able to produce a better program at less cost, the sponsor receives a better program for a lower program charge, and the supplier of the props, background, or other matter included in the program receives secondary values from the inclusion of reference or visual presentation of the product or service as the case may be. Under the proposed bill the producer cannot take the chance of assuming that a particular transaction does or does not require notice. He must advise the network in every case or risk a $10,000 and/or 1-year imprisonment penalty for each failure to notify. The networks have already indicated that they intend to take a very cautious and literal view of the language and require a section 317 notice in every instance where there can be any question of its being required. It is therefore very important to the producer to know in advance what Congress intends to cover by this section, and specifically subdivisions B and C which are directed to the producer. We would appreciate having an answer in the CONGRESSIONAL RECORD to this question: Is it the intent of Congress to require the giving of notice to the public of every special arrangement that a television motion picture producer makes for the photographing of any prop, background, or other material or for reference in any program to any industry, product, or service where the producer receives any benefit other than the mere right to photograph the property which is the subject of the agreement? Thank you for your kind consideration and willingness to assist us in obtaining a clarification.

WALT DISNEY PRODUCTIONS.

Mr. ENGLE. These networks are going to sit back and call for an absolute warranty from each one of these producers that the provisions of the new law are being complied with. Then they are going to sit on their warranties and say, "We are scot free. We do not have to go further. We do not have to go back of the warranty at all."

What occurs to me is that we may put the onus of the legislation upon the producers.

Mr. PASTORE. I would not expect that situation.

Mr. ENGLE. Suppose the television networks absolutely require a warranty, a piece of paper that would read: "We, the producers of this film, hereby certify that this film complies in all particulars with the provisions of the act," and it is signed, subscribed, and sworn to. They sit there with that paper, and to anyone who questions them, they say, "Well, we have a statement." How does the Senator from Rhode Island propose to prevent that practice?

Mr. PASTORE. I do not know about the warranty, but the question must be considered in the context of the whole bill. The Senator from California will remember that at the time of the quiz scandals the defense was that those who had perpetrated the fraud were neither the networks nor the broadcasters, but the third parties, the independent producers. In other words, the networks came in and said, "We knew nothing about this practice."

I thought the contention was a little farfetched, but, after all, to prove otherwise would be difficult.

We propose to require the networks and the broadcasters to use reasonable diligence. In using reasonable diligence, naturally they will have to call upon the producers, the people who make the films. Remember the bill only refers to those films intended for broadcasting.

After all, no one wishes to put himself out of business. The proper procedures must be worked out.

If popular films, such as "Gunsmoke," are not available, many people in America will be disappointed. If "Marshal" and other popular films are not shown, I am afraid we shall be in trouble. So one hand will wash the other. I suppose the procedure will be worked out. I hope the Commission would be reasonable. We are imposing on the networks the duty to use reasonable diligence. We are now also reaching out to a third party, such as the independent producers, which up to now have been hiding behind the fact that they were not subject to any control by the FCC. Therefore, in order to reach out and avoid what we have experienced, we had to write the law in the manner in which we did.

The Senator from California has mentioned certain cases which are pretty close to the borderline. The only sensible answer I can give him this afternoon is that I would hope that the FCC would be reasonable.

During the hearings I suggested that the Commission draw rules and regulations that would make sense, and which would not harass producers or networks, and procedures under which we could work so that the industry would function in the public interest. I think we would do so under this proposed legislation.

Mr. ENGLE. I express my appreciation again to the distinguished Senator from Rhode Island for his very fine presentation.

I should like to express the hope that as this legislation goes into law, as I am sure it will, we shall watch the operations of the Federal Communications Commission. I am not so sure that the Commission will deal so kindly with this subject. I think they have a tendency to read the book and to look at every comma and semicolon, and sometimes not to apply discretion, even though they are told to do so in the committee report and on this Senate floor.

So I hope that the FCC will adopt a sensible set of rules under which this industry can live, and by which we can catch the rascals and not torment the good people, so that we can get this problem straightened out in the public interest.

Mr. PASTORE. I agree with my colleague precisely and completely. The junior Senator from Rhode Island is fortunate in that on the committee he has as his colleague the distinguished Senator from California, and we shall both watch the development together.

Mr. ENGLE. I thank the Senator from Rhode Island.

Mr. SCHOEPPEL. Mr. President, will the Senator yield for an observation?

Mr. PASTORE. I yield.

Mr. SCHOEPPEL. I merely wish to say to the distinguished Senator from Rhode Island that I agree with him thoroughly on the explanation which he has set forth with reference to this important piece of legislation. I have followed the matter through the committee and read and noted the amendments that are attached to this measure. I think it has been immeasurably improved in many ways. I think within this proposed legislation, in which the networks and the broadcasting stations have cooperated, the general public will have a definite basis for the protection of its interest. The bill goes to the heart of some of the evils which have been brought out and which necessitated the proposed legislation.

I agree with the distinguished chairman of the subcommittee that there is a responsibility upon the Commission to see that the law is reasonably applied,

using just approaches, and seeing that proper measuring sticks are applied as we go down the line.

Since the subject has been mentioned, I think there is something else that is pretty wholesome in this development and that is the point that the industry has shown a pretty decent attitude in coming in and offering to checkmate and to eliminate many of the practices prevailing, and in cooperating with the Commission as well as those in responsible positions who have something to do with seeing that a fair piece of legislation is enacted.

I merely wish to say that I am for the bill. I think it is a long step forward, and I think we will have in the bill an opportunity to see how much faith and credit will be given to the approaches it provides, and they will go far to eliminate the fraudulent practices which have heretofore prevailed.

Mr. PASTORE. Mr. President, I yield the floor. I have 5 minutes remaining, is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KEATING. Mr. President, will the Senator yield me 2 or 3 minutes to ask a question?

Mr. SCHOEPPEL. Yes, I will be glad to.

Mr. KEATING. I wish to join with the distinguished Senator from Kansas in saying that we are all grateful to the distinguished Senator from Rhode Island for the great attention which he has given to this matter, and the improvement in the legislation which this bill represents with the amendments added.

I ask the Senator from Rhode Island this question: In the original House bill, as it passed the House, was there a provision with respect to suspension, and was that provision changed here?

Mr. PASTORE. That was deleted completely. I have placed in the RECORD the reason for the deletion. To repeat them simply, we deleted them for the reason that as we held the hearing, it was very much impressed upon the committee members that a suspension would work more hardship upon the viewing public than it would upon the broadcasters themselves. We thought that for the time being possibly it would be better to try the operation of the bill without the suspension provision, and then if later on it should become necessary to consider such a provision, we could do so at that time. But I do not think it will ever become necessary.

Mr. KEATING. Mr. President, I hope it will not. I share the view of the distinguished Senator from Rhode Island that the elimination of such a provision at this time is wise because, as I understand, a provision such as this is contained in only one other Federal statute. In this particular case, the provision to allow for suspensions has not been used in something like 25 years. I hope it will never be necessary to use it.

I believe that the amendments which have been introduced by the Senate committee are extremely constructive. I am sure the entire industry as well as the general public have no objection to making it a crime to rig a quiz show or to give or accept "payola." However, those in the industry, particularly smaller stations, are, I know, much concerned about the penalties in S. 1787 as it came to us from the other body.

The Senator has already replied to questions in regard to the forfeiture provisions, and I simply wish to voice my own hope, and I know this is the hope of the Senator from Rhode Island as well, that the Federal Communications Commission will administer this law with fairness and equity to all concerned, and will treat any violators—we hope there will not be any—in a manner which we would expect a court to do so. Consideration should be given, among other factors, to the seriousness of the violation, the size of the corporation or organization involved.

Mr. President, I want to add here that should we pass this bill today and find out at some later time that different and stricter penalties are needed, then I am certain the committee and the Congress will act promptly to rectify this situation.

I am grateful to my friend for yielding to me.

Mr. PROXMIRE. Mr. President, I offer an amendment which I send to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The LEGISLATIVE CLERK. At the end of the House engrossed amendments insert the following:

CONFLICT OF INTERESTS

SEC. 10. Section 308(b) of the Communications Act of 1934 (47 U.S.C. 308(b)), is amended by adding at the end thereof the following new sentence: "In considering the application made by any person for any construction permit or station license, or any modification or renewal thereof, the Commission may not consider as a factor favoring the granting of that application the fact that such applicant is a Member of Congress or the fact that any Member of Congress has any direct or indirect pecuniary interest in the applicant."

Mr. PROXMIRE. I wish to make it clear that the cosponsors of the amendment are Senators CLARK, DOUGLAS, and GRUENING. The amendment had its inception in a news story which appeared in June, in which it was reported that an examiner of the FCC, in deciding on the allocation of Channel 10 in Albany, announced that the reason the successful applicant received the allotment of the channel was that it included among its stockholders five Members of Congress. The FCC examiner said it could not be overlooked that this gave the applicant a peculiar and particular advantage on the basis of the criterion of civic participation. He held that because these stockholders were Members of Congress they had a peculiar and particular interest in their community, that they were civic-minded people, that they added prestige to the applicant, and so forth.

At the time I protested vigorously on the floor. The following day I received a call from the Chairman of the FCC, Mr. Ford. He came to see me. This was not an ex parte conversation. He had taken himself out of the case. Mr. Ford said of this particular case that he felt the examiner was in error because the holdings by the Members of Congress were too small. He said if they had held a substantial block of stock in the applicant, it would have been a criterion of importance.

Mr. President, this is shocking. The fact is that Members of the House and Members of the Senate have peculiar power over the Federal Communications Commission. As Members of the Senate we pass on whether or not they may become members of the FCC. We, of course, determine their salary. We control the rules under which they operate. It seems to me that under those circumstances for a Member of Congress who has been friendly and helpful to a member of the FCC, to be given special consideration as a matter of announced formal policy by the FCC, is bad. It is a bad policy. It is nothing but a subtle form of payola.

Members of Congress should have a perfect right, with any other American citizen, to apply for a holding in a radio or television station. I see nothing wrong with it. I would not want to penalize anyone for it. However, I provide in the amendment that they should not be put at the head of the list because they are Members of Congress. I reserve the remainder of my time.

Mr. PASTORE. Mr. President, I could not agree more with the junior Senator from Wisconsin. The ruling made by the examiner was absolutely unnecessary, and was definitely and infinitely unwise. I do not believe that any Members of Congress, especially those who are in a position to influence anyone, should be given any favoritism or any kind of consideration, especially in this sort of procedure.

However, I urge strongly upon my good friend from Wisconsin not to press his amendment at this time. If he will wait until the next session—and God willing we come back, and if the Senator proposes the amendment in a separate bill—I assure him now that if I am chairman of the subcommittee we will hold extensive hearings. I would be happy to have him appear before the subcommittee and make his presentation there. Then we would hear all the parties concerned and deal with the subject as it should be dealt with.

However, since we are in the twilight of the present session, and inasmuch as we have taken up these modifications with the members of the committee in the other body, in the belief that we would not have to go to conference, because they may accept the amendments which we adopted here, and because it is so important that we modify our law in order to eliminate once and for all payola and these other deceptive practices, for all these reasons I hope that the Senator from Wisconsin will withdraw his amendment at this time and then offer it at the next session of Congress. As I said before, if we do come back, we will hold extensive hearings. I absolutely agree with the Senator. He is absolutely right. The hearing examiner went too far. There is no reason for his holding

the way he did. It is unfortunate. However, I would hope that my good friend would not pursue the matter at this time, for fear that we may leave at the end of this session without doing something about payola and the deceptive practices in quiz shows.

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

Mr. PASTORE. I yield.

Mr. CLARK. As a cosponsor of the amendment with the Senator from Wisconsin, I have been very much interested to hear the remarks of my good friend from Rhode Island. I came in a little late. If I understand his remarks, he is completely in accord with the amendment, but feels that this is not the right time to put it into effect.

Mr. PASTORE. That is correct.

Mr. CLARK. I am willing personally, for myself, in view of the time factor, which we all understand as we are near the end of this bobtailed session, to take the judgment of the Senator from Rhode Island, and I believe I can say, without violating any rules of the Senate, that our friends on the other side of the Capitol are in what may be called a rather difficult and impatient mood right now. I wish to commend him for accepting the principle of the amendment. I assure him I will join the Senator from Wisconsin—if he agrees that we do not need to press the amendment at this time—in pressing it very hard indeed next year. I am happy that we will have the cooperation and support of our friend from Rhode Island.

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

Mr. PASTORE. I yield.

Mr. GRUENING. Mr. President, I associate myself with the remarks of the distinguished Senator from Wisconsin and the remarks of the chairman of the subcommittee, the Senator from Rhode Island [Mr. PASTORE]. I am glad that the Senator from Rhode Island so heartily approves of the amendment, which is absolutely desirable. He has made it clear that accepting it now may jeopardize legislation on the subject under discussion. I welcome his assurance that he will support the amendment vigorously at the next session and hold hearings on it. I am confident that we will be able to adopt the principle next year.

Mr. PROXMIRE. Mr. President, I am very happy to hear the response of the Senator from Rhode Island. In order to get action on this kind of proposal, it is absolutely necessary to get action in the Congress, because we cannot expect the FCC to act under these circumstances. Congress will have to formally act on it by an amendment to a bill. I am delighted that the Senator from Rhode Island favors it. With his assurance, that we will have hearings right off the bat next year and that he enthusiastically supports this proposal, I withdraw the amendment.

Mr. President, I offer another amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the end of the House engrossed amendments insert the following:

REGULATION OF NETWORKS

SEC. 10. The Communications Act of 1934 is further amended as follows:

(1) In section 2(a) after "radio stations" insert "and the regulating of networks".

(2) At the end of section 3 insert the following:

"(hh) 'Network' means any person who operates a system which, for the purpose of simultaneous or delayed broadcasting of identical programs, in any way interconnects or affiliates any two or more broadcasting stations."

(3) At the end of section 303 insert the following:

"(s) Have authority to establish rules and regulations and make orders with respect to networks and such of their activities as affect licensed broadcast stations to operate in the public interest."

Mr. PROXMIRE. Mr. President, first I should like to say that I will need more than 15 minutes on the amendment and, therefore, at a later time I shall ask for more time. I serve notice on the minority, in opposition to the bill, that I shall require more time. I understand that the distinguished Senator in charge of the bill has used up virtually all of his time.

The amendment would bring the great television and radio networks under the control of the Federal Communications Commission. I wish to take a few minutes to establish the fundamental basis for the proposal. Then, as quickly as I can, I will try to justify it.

First, I wish to call the attention of the Senate to a recent column, written by one of the outstanding critics in radio and television, one who has been in that undertaking probably longer than anyone else, John Crosby, of the New York Herald Tribune service.

Mr. President, John Crosby, on August 16, 1960, wrote the following column which was published in the Washington Post:

BACK TO DRIP, DRIP, DRIP AND TV'S "UNTOUCHABLES"

Turning the set back on after a month of almost total relief from the cumulative idiocy of television I was greeted by: Rolaids. Each particle consumes 47 times its own weight in excess stomach acid. Result: it slows the drip, drip, drip of stomach acids.

It was a wonderfully appropriate welcome back to the drip, drip, drip of television which is almost exactly the same action.

The same evening I watched a couple of hoodlums on "The Untouchables" machinegun a young girl. She was running right at the camera at the time and the hoods machinegunned her in the back so that you got the full action like a blow in the face. They have wonderfully interesting ways of killing girls on this show.

Killing men is kids' stuff. No one does that any more. I'm indebted to the Saturday Evening Post for the information that the hoods on "The Untouchables" once gunned down 20 prostitutes lined up in a road—bang, bang, bang—like that.

That leads me to another vagrant thought. I encounter more and more people who tell me they don't look at television but they read about it. Are we getting to the point where television columnists can't bear to look at television and are forced to read about it in the Saturday Evening Post?

Did Pete Martin, who wrote the Post piece see that incident or did someone else tell him about it? Who looks at bread-and-butter television? Well, kids do. And, I suppose, people do. But those responsible don't.

Do you really think executives at NBC (which is saddled with the dreadful thing) really looked at the 25th episode of "Riverboat"? Do you suppose writers, directors, producers, or actors look at it? Do you even suppose the sponsors sit through it? Don't be silly.

When I first became a radio columnist back in the pretelevision days, I found it passing strange that so few people who earned their living in it knew what was on the radio. Radio columnists rarely listened except perhaps Sunday nights. We are headed back into the same situation for almost the same reason.

In America no responsible people look at television. And by nobody, I mean nobody—no clergy, no press, no advertisers, no network executives, no Senators, nobody. Nobody but people.

When you have a vast conglomeration of leaderless people, you have a mob. And when you have a mob, the best place to aim is the groin, which is exactly where most of the high rated television shows aim.

"The Untouchables" is not only the worst show on television; it is the worst show that was ever on television in its inglorious 14-year history. It's a national disgrace, that show, and the only reason it hasn't caused any popular outcry is that television has long since been abandoned by decent people to children of all ages.

I have here a letter from a mother that ought to be tattooed on Desi Arnaz' chest for perpetrating "The Untouchables."

Says this outraged woman:

"I am trying to teach my children Christian precepts. I am trying to teach them that violence breeds violence and that we are distinguished from animals by our faculties of reasoning, and our love of our fellows. These things must be repeated over and over and even so it takes years before children truly believe for themselves. TV is systematically drilling into them: (1) think only of yourself; (2) never think before you speak, (3) authority—parents, teachers, church, police, any authority—is a dope; (4) in any argument, use a weapon, not your brains, common sense, or respect for others."

This mother is simply repeating—though she almost certainly isn't aware of it—what George Bernard Shaw said of our movies almost 40 years ago. In America, Shaw said, the solution to all problems is a punch on the jaw. That fixes everything—a punch on the snoot.

But that was long ago. Now we have the machinegun and those 20 prostitutes on a road. Drip, drip, drip, into the little minds. Hours and hours of violence.

Just a couple of weeks ago, there was a headline: "Juvenile delinquency increases by 175 percent." Why not? We teach juvenile delinquency on television. Sponsored.

Mr. President, I repeat the somber indictment in that last line. "We teach juvenile delinquency on television. Sponsored."

We do and its only because of the pitiful, quavering, weakness of Congress that we let the industry get away with this assembly-line corruption.

Mr. President, that is not a letter written by a crank. It is a serious column, written by one of the greatest critics of television in America. As Senators, we ought to realize that people watch television more than they do anything else, except sleep and work. As a people, we

Americans watch television on an average of 4½ hours a day—and the amount of time we spend on it is increasing.

Mr. President, the basis for my amendment was ably set forth by a man who is a conservative commentator on what is taking place today. He is a man with whom I sometimes disagree, a man who has been very reluctant to project Government into any area of American life. I refer to George Sokolsky. Mr. Sokolsky a few days ago wrote an article entitled "Television Public Service," which was published in the Washington Evening Star. He quoted an outstanding advertising agency representative in New York as follows:

> I don't think TV in any way, shape, or form owes anybody anything, certainly not an apology. I hate to see television, as a medium, knuckle under and sort of give in.

This was Mr. Sokolsky's reply:

> This is very curious language. TV owes its existence to a law passed by Congress when Herbert Hoover was Secretary of Commerce, deciding what should be done about the airways and about the then new device, radio. The whole thing might have become a Government monopoly as it has been in some countries. Hoover set up the system which opened radio and TV to private enterprise but under Government supervision. It was never intended that radio and TV should not be used for public service. The error made at the time was that no details were spelled out as to what was meant by public service and how much time it should require.

Mr. Sokolsky is absolutely right. There is no question that television channels are granted by an instrument of the Government of the United States so that they can be operated in the public interest.

I shall place in the RECORD, as quickly as I can, documentation to indicate how far we have departed from programs which are really in the public interest—programs of enlightenment, inspiration, education, culture, and refinement. Before doing so, I wish to place in the RECORD two excellent articles, one entitled "We'll Think About It, David"; the second, "The Massest Medium."

These articles were recently published in the New Yorker magazine, and were based on a careful study of David Suskind, a man who has dedicated himself for the last several years to trying to improve the quality of television programs, and to trying to sell the agency executives on the idea of putting quality television on the air.

The difficulty is not that those men are not good; that they are not decent; that they are not cultured and public spirited; that they do not favor such a plan. The difficulty arises from the tremendously competitive position in which they find themselves. In their judgment they cannot take such action and survive economically.

It seems to me that the only way in which we can extricate ourselves from such a situation is to have Congress manfully recognize that it is up to us to lay down some guidelines to prove that we mean business.

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

Mr. PROXMIRE. I yield.

Mr. CLARK. I wonder if the Senator would not agree that there is an analogy between the mediocrity, or worse, of our present television and radio programs and Gresham's law in the monetary field. Gresham's law is based on the theory that bad money drives out good money, and it is finally necessary for the Government to provide some kind of regulation to prevent bad coinage from driving out gold and silver. Even today, it is necessary to have adequate reserves to protect our currency, lest we have money in which nobody has confidence and in which the whole fiscal responsibility washes out.

I wonder if that is not what is happening in television. The worse the program, the more popular it appears to certain people. Those who attempt to put on really high-level television programs are usually run out of town, either by the advertisers or by the people whom they represent. The end result is that we get programs which, I agree with the Senator from Wisconsin, are a disgrace to any civilized country.

Mr. PROXMIRE. I thank the Senator from Pennsylvania. His analogy is perceptive and accurate.

Mr. President, I ask unanimous consent that the two articles published in the magazine New Yorker be printed at this point in the RECORD.

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

WE'LL THINK ABOUT IT, DAVID

(By Thomas Whiteside)

In the television industry, spring is the time when the national networks, the sponsors, and the advertising agencies get down to the big annual task of deciding which regular programs the public is going to be confronted with on its home screens during the coming fall and winter evenings.

Spring, consequently, is a season of particular unrest for people in television, a period of hurried activity, with all sorts of executives—vice presidents from Radio City, account chiefs from Madison Avenue, production men from here and from Hollywood, and sponsors from everywhere—displaying, promoting, selling, buying, and conferring and haggling over the packages of daydreams that constitute the basic diet of the television audience. It is all a rather complicated process, in which adman is pitted against adman in a struggle to acquire preferred programs and preferred time periods, network against network to piece together program combinations that will outdraw the competition, and program against program to obtain the biggest audience rating or, less often, the most favorable critical comment.

How long this intensive period of bargaining and scheduling lasts varies from year to year, depending on business expectations in general, which largely determine the amount of money the large manufacturing companies and their advertising agencies are willing to spend on television-network advertising. This year, the network program schedules have been taking shape quite early, primarily because an unusual number of advertisers have been competing for prime evening television time.

There is another reason, too, though, and it is a new one in television history. For some months, the networks have been coming under heavy criticism for engaging in shoddy programing practices, and recently they have received plain warnings from Congress that they had better assume full responsibility for their programs. Goaded by all this—and perhaps taking advantage of their position as sellers in a seller's market—the networks have made at least a show of becoming master in their own house; instead of letting their program schedules be dictated as usual by the random wishes of sponsors and advertising agencies, they have been asserting considerably more authority than they used to in picking their programs.

One might expect that the network executives—thus freed, in principle, from the thralldom of commercial interests—would be able to put far more programs of superior quality on the air and, indeed, they have been busy assuring the country that from now on they will do exactly that. Perhaps they will, but apparently not next season. What is principally in store for evening television watchers, according to the latest network program schedules for the fall, is the privilege of viewing each week 46 programs devoted to crime or violence (22 westerns, 24 mystery and action shows) and 23 programs devoted to situation comedy. "Public service gets mostly lipservice again," a recent article in the trade magazine Sponsor admitted candidly, in reviewing the networks' new schedules. In any event, over the last weeks the people in charge of network television programs have reviewed hundreds of program outlines and hundreds of sample, or "pilot" films in what may well be record time—Advertising Age has sympathetically described the network men as "redeyed" and "pilot-weary"—and practically all of next fall's prime time is already filled up.

However much control the networks now have over their pattern of programs, they produce comparatively few programs themselves. As has been true in the past, probably 80 percent of what is to be shown in prime network time next season will come from outside production companies, some of them closely linked with the networks and others independent. Of the country's hundred or so independent program-packaging outfits, few are more adventurous, or better known to the public, than the New York firm of Talent Associates, Ltd., whose production chief and leading partner is David Susskind. In a period when most of the programs on television are filmed, Talent Associates specializes in live drama. In fact, most of the live dramatic programs that have appeared on the networks during the past few years have been produced by Susskind. In the television season just past, Susskind's organization was responsible for a total of 29 network specials—big, expensive programs that lasted an hour or an hour and a half—including 9 productions of "The Art Carney Show," 9 productions of "Du Pont Show of the Month," 4 "Rexall TV Specials," 6 programs called "Special Tonight" and consisting of adaptations of well-known motion pictures, and a television version of "The Moon and Sixpence," which starred Laurence Olivier. In addition, Susskind produced a series of 26 hour-long semidocumentary dramas on "Armstrong Circle Theater," and between network programs he found time to produce for WNTA, on channel 13, the initial 26 plays in the series "The Play of the Week" (other people took it over after that) and to act as both the executive producer and the onscreen moderator of "Open End," the telescopically extendible Sunday night discussion program on the same channel.

All this has given Susskind the reputation of being one of the livest wires in television, so it was natural enough that I should turn to him when, late in the spring, I decided to see if I could get some first-hand idea of the way in which an independent outfit goes about presenting and selling its program ideas to advertising agencies and networks. Susskind, I knew, took a hand in selling his programs, and at that

moment I was interested not in Susskind the producer or Susskind the performer but in Susskind the salesman. As viewers of "Open End" are aware, Susskind is voluble on a wide range of subjects, including the subject of the television industry itself, which he has unhesitatingly taken to task more than once for a lack of imaginativeness, and I found him no less outspoken about the problems of getting programs sold to and scheduled on the networks.

The headquarters of Talent Associates is a closely packed set of reasonably modern offices on the seventh floor of a building on the west side of Madison Avenue at the corner of 50th Street, and one day I went to see Susskind there, on the first of what turned out to be a number of visits. Susskind's private office—a corner one, with a grand view of Madison Avenue on one side, and, on the other, of all kinds of big new buildings to the north—is a medium-sized, well-carpeted executive lair furnished with a large desk of vaguely Hepplewhite design, a couple of swivel chairs, a sofa, a French Provincial cabinet topped by a clutter of family photographs, and a couple of oil paintings, done in quasi-impressionist style, of Parisian street scenes. As for the physical appearance of Susskind himself—a handsome, stocky, fastidiously dressed man, boyishly energetic at 39—I found it consistent with his night-borne image on the television screen, except, perhaps, for such details as the texture of his close-cropped hair, which is strangely nubbly, like a prize terrier's, and his complexion, which is quite fresh, in spite of the familiar pouches under his eyes. He received me courteously from behind his desk, showed immediate interest when I said I was curious about how programs are marketed, and very soon began talking about his own marketing plans.

"You came at the right time to ask about selling programs," Susskind said. "We're already approaching the climax of the selling season, which is as hectic a one as I can remember. Our own sales effort is deeply launched, and the next few weeks should tell whether we're in or out with most of the many program plans we have been working on since January. This is the crucible time for us. I have put aside all but the most vital aspects of my production work here for a while in order to concentrate on getting these programs sold."

Susskind lit a cigarette, leaned back in his swivel chair, and, puffing away, gave me a lengthy summary of what he had in his crucible. The ingredients included 8 adaptations of children's classics, such as "Tom Sawyer," "Kidnaped," "Ivanhoe," and "David Copperfield"; 10 programs called "The Witness," in which notorious evildoers of the past would be hauled up before a mythical congressional investigating committee; 6 or 8 specials featuring Elaine May and Mike Nichols, a pair of young satirists whose appearances in nightclubs and on the television spectacular called "The Fabulous Fifties" have caused a good deal of talk; 6 or 8 specials featuring Art Carney; 39 programs entitled "Time of My Life," which would dramatize the lives of such well-known people as Helen Hayes and Dr. Jonas E. Salk; and 39 "Great Ghost Stories." With the exception of the specials featuring Art Carney, I learned, these were all new Susskind projects, and all of them, including the Carney specials, were under consideration at various networks and advertising agencies. "The only things that we can definitely count on so far are renewals of two existing shows—the 'Du Pont Show of the Month,' which we've had on the air for 4 years, and 'Armstrong Circle Theater,' which we've had on for 5," Susskind told me. "But we have a lot of motion and excitement around our new projects for next year, and while most of these shows haven't been definitely set yet, we are now in the process of taking stock of our position and planning our strategy for moving in on the networks and agencies on behalf of programs that have not so far evoked a strong sales response. Right now I'd like to concentrate my attention on the Art Carney specials, which have attracted a lot of interest, and the May and Nichols specials, which have a lot of interest around the agencies, too. So far, however, it has been a generic interest, not a specific interest."

At this point, two men walked into Susskind's office, leaving the door ajar, and Susskind introduced them—Al Levy, a short, gentle-eyed middle-aged man, who is Susskind's business partner at Talent Associates, and Mitchell Benson, a tall, gray-haired man, who is the firm's vice president in charge of sales.

"We've got some interest in the May and Nichols specials at Doherty, Clifford, Steers & Shenfield," Benson told Susskind. "They want one of us to go over tomorrow after lunch. They've got money, for Noxzema and Cutex."

"Right," Susskind said, and then Levy and Benson went off into a complicated discussion with Susskind about what progress the account executive for the Aluminum Co. of America at the Fuller & Smith & Ross agency—a man referred to only as Art—had been making in his efforts to persuade the American Broadcasting Co. to open up some time for Alcoa to put "The Witness" on the network once a month. The progress, I gathered, was negligible.

"Art said to me that we were three-quarters of the way home with ABC. I said, 'Art, we're nowhere at all,' that's what I said," Benson told Susskind. But he added kindly after a moment, "Let's give Art one little star for having tried."

"One little star? Forgive me," Susskind said cynically. "If Art doesn't find that time, it's likely to become quite an ulcer to him. Quite an ulcer."

Levy, facing Susskind across the desk, sighed, drew on a cigar, and said to me, "The big problem this year, in lining up shows for next season, is to get time on the networks. Time, anyway, for the kind of quality shows that David has been putting on. The networks are in the driver's seat this year. Last year at this time, the networks were so hard up for sponsors that they were making distress deals all over; this year they seem to have half a dozen sponsors panting for every scrap of prime time. A real seller's market. But not for us. In fact, it's sometimes tougher to do business with the networks than with the agencies. Whatever end you tackle it from, it's hard getting live drama on television nowadays. Ten years ago, you had 10 regular weekly dramatic shows running live on television—'Studio One,' 'Kraft Television Theater,' 'Robert Montgomery Presents,' and all those things—and now David is about the only one who's really doing live drama outside of Robert Saudek. Now, what the agencies and networks want, 90 percent of the time, is westerns and private-eye shows and situation comedies—stuff that we won't produce, because we're not in that business. What we have to do to get on the air with what we do best is to keep approaching responsible sponsors in the business, and keep trying to convince them that quality pays off.

"The kind of companies we feel we can approach are Du Pont and General Motors; they're more concerned than other companies with their corporate names, and they put out high quality and often high-priced merchandise. But when you get to the penny producers in this business—the soaps and the food guys—they don't give a damn about all that. Ask them if they aren't interested in helping their corporate name by putting on quality shows, they'll say that the only thing that interests them is moving goods at the lowest possible cost per thousand viewers. And as for the corporate name, a soap company is just as likely as not to be too busy competing with itself to bother about that. You know—throwing a Mr. Clean against Spic and Span, when both products are made by the same outfit. The same with the pharmaceutical houses. They don't care about the corporate image in today's world. All those B's dropping down into the stomach. The hard sell. What do you suppose 'The Bridge of San Luis Rey' is going to do for Bufferin?"

"Spreading the advertising message everywhere, regardless of the corporate image—that's what you find," Benson said. "I watched 'The Untouchables' the other night. An armed gang was moving in on a girl who had fingered a fellow. The gang moves in as she lies in bed, and they empty their guns into her head. Then there's a dissolve, and on comes a commercial for Carnation milk. The perfect milk for your baby. That's what you're up against. The buckshot advertisers, spraying the message as wide as they can, and figuring that, statistically, they're bound to pick up the customers."

"Contrast that"—Susskind broke in, speaking slowly and deliberately, and emphasizing his words with a chopping motion of his right hand, just as he often does on "Open End"—"contrast that attitude with the attitude of Du Pont when they bought the 'Du Pont Show of the Month.' Du Pont's concern was, above all, for their corporate image. For years, all sorts of special polls had been showing that people had the idea Du Pont was just a huge cabal, with tentacles everywhere, a great monopoly, making millions and millions out of munitions. They were troubled by the image. They wanted to improve it. Buying the 'Show of the Month' has contributed to that improvement. Their ads are not hard sell, and they have the benefit of the association of the Du Pont name with 'The Count of Monte Cristo,' with 'The Bridge of San Luis Rey,' with 'Wuthering Heights.' And look at what Alcoa, another big company that used to be considered a monopoly, did for its name by living with a frequently controversial show like 'See It Now.' Or Standard Oil of New Jersey, jumping in to sponsor 'The Play of the Week' when it was about to fold. Or Armstrong Cork, bringing a particular climate of opinion around its name and around its floor products—which have no repeat usages like toothpaste but which tend to become permanent purchases—by passing up the chance to buy into westerns and sticking instead to 'Armstrong Circle Theater.' Staying with something that's got a little tone, and luster to it."

Thus far in the selling season, however, Susskind went on, the demand for tone and luster was hardly overwhelming. "I've just been over to one agency and seen its program lineup, and there's no change," he said, getting up and pacing his office. "Just filled with the usual westerns, private eyes, adventure shows, and situation comedies. No change except for the names—'Surfside 6,' 'Stagecoach West,' 'Hong Kong,' 'Route 66,' 'Bringing up Buddy.' A Who's Who of junk. And nobody seems to care about it. The only network with any real imaginativeness is Columbia. ABC, which really started the folderol of TV westerns, is so firmly committed to a policy of running assembly-line filmed stuff that it's just about out as a prospect for our kind of program, unless we can persuade an important sponsor, such as Alcoa, to bring pressure to bear on them to provide us with the necessary air time. And that's also about the only way we're likely to get a show on

NBC this season. For its own reasons, NBC has been taking a hostile—a fiercely hostile—attitude toward us lately." Susskind shook his head gloomily and paused in his pacing to gaze down upon Madison Avenue. Then he went back to his chair and, leaning back in it, placed his feet—small feet, elegantly shod—on his desk. "I hate selling," he said.

After a few moments, he brightened up and, all energy, began talking about the sales approaches he planned to make in the next few days—mostly in connection with the Art Carney specials, the May and Nichols specials, and "Great Ghost Stories"—to a number of agency, network, and sponsoring-company officials, including Charles Revson, president of Revlon, Inc., the big cosmetic manufacturer; Oliver Treyz, president of ABC; Oscar Katz, vice president in charge of network programing at CBS Television; and account executives at a dozen or so advertising agencies, among them J. Walter Thompson and Batten, Barton, Durstine & Osborn. "BBDO has some huge accounts that should be good prospects for us," he remarked, for my benefit.

"For example, United States Steel, which, although satisfied with 'The United States Steel Hour,' probably needs to juice things up with people who will generate extra excitement, such as Art Carney or May and Nichols. Then, BBDO has General Mills, which sponsors everything from Wyatt Earp to spectaculars, and Pittsburgh Plate Glass, which does things with a kind of tone to them, and they've just got Pepsi-Cola, a $10 million account." After a pause, Susskind shouted out to his secretary through the door of his office, "Get me Charlie Revson." In an aside to me, he explained, "I want to see Mr. Revson soon. Revlon ran into rating trouble last year with a program called 'The Big Party'—Goody Ace was on that job, and they spent a lot of money, with guest stars like Sir John Gielgud—and they had a hard winter. I want to recommend Art Carney and May and Nichols to him for next season."

Susskind's telephone rang in a minute or two. Mr. Revson was on the line. "Well, hello Charlie," Susskind said cordially. "Hope you had a good vacation. Listen, Charlie, I wanted to go right to you personally on this. You are probably considering a new program for next year, and I wonder whether you will consider these two exciting ideas. The first is Art Carney in six or eight specials"—and Susskind went on to talk at length of the sort of programs, primarily comedy revues, that he had in mind for Carney. Then he said, "Now, the second thing I have, Charlie, is Elaine May and Mike Nichols, also doing six or eight specials. I have the feeling that these two people are going to be the next big comedy phenomenon in the country. I think they're going to hit very big. Charlie, I think there are two ways of bringing these talents to full fruition, and we have these two ways worked out. One is to get top writing talent, and to this end we have Larry Gelbart and Sheldon Keller, two of the top comedy writers in the business. And, next, good solid comedy guest stars to bolster them—stars like Judy Holliday and Tony Randall."

Susskind paused, listening, and the phone vibrated. "Oh, Gobel, Shriner, Sid Caesar," he said after a while. "Well, Charlie, there's a big difference between Caesar and May and Nichols. Caesar had an 8-year run. The public became pretty familiar with the program. They knew Caesar's German psychiatrist, they knew his takeoff on Italian movies. But May and Nichols, Charlie, are on the rise curve." Susskind gazed at the ceiling while the phone vibrated some more. Then he said, "I feel, Charlie, that the appeal of May and Nichols is going to be to the young. I don't mean to children but to the young marrieds—the group that you're probably most interested in reaching. People between 20 and 40. I hope you don't mind if I think 40 is still young, because I'm just about 40." He laughed. "Yes, Charlie. O.K., Charlie. Goodbye, Charlie."

Susskind put the receiver back on the hook and shook his head in a sweeping motion, like a man emerging from a swim and shaking water out of his hair.

"What did he say?" Levy asked, cigar poised in midair.

"He said, 'A little Caesar goes a long way,'" Susskind replied. "Otherwise absolutely noncommittal. But he told me to call him in a couple of days. I don't know. I think we may have a possibility there."

Later that day, Susskind followed up his approach to Revson with a telephone call to Evan William Mandell, the assistant to the president of Revlon, and the result was an invitation to Susskind to have lunch the next day with Mandel and his assistant, George Beck. When Susskind told me about this invitation, I remarked that I'd like to be present, too, if nobody would mind, in order to get some idea of how such negotiations are conducted. Susskind said he wouldn't mind if Mandel didn't, so I telephoned Mandel and explained my mission to him. Mandel expansively invited me to come along.

Revlon, Inc., maintains its executive headquarters on four floors high up in the Tishman Building, on Fifth Avenue. Shortly before 12:30 the next day, I met Susskind by arrangement in the lobby, and was hurtled up with him by automatic elevator to the 26th floor, where a receptionist, seated against a background of photomurals representing Revlon's activities in research, manufacturing, and sales, asked him whom he wished to see. Susskind told her. "My name is David Susskind," he added, in the low, smooth voice with which he introduces himself on "Open End." We were shown into Mandel's office, a businesslike place dominated by a bulletin board covered with color swatches and with proof sheets of Revlon ads. Nobody was there when we went in, but we were soon joined first by Beck, a slim, fair-haired man of about 40, and then by Mandel, a round-faced, sharp-eyed fellow still in his 30's. Susskind got right down to business. "I have something good for Revlon," he said. "I know you have indicated that you want to go in for specials, and I now, of course, that you've signed up Harry Belafonte for two of them next year and two the year after. I have two exciting ideas that I believe are particularly right for Revlon. I'm referring to six or eight Art Carney specials—"

"Seems like a lot," Mandel observed.

"—and Elaine May and Mike Nichols, also in six or eight specials," Susskind continued.

Susskind launched into a speech about the critics' response to "The Art Carney Show" in the season just ending, and about his high hopes for it in the coming year.

"Have you brought the ratings with you?" Beck inquired.

Susskind said he hadn't. He went on to remark that while the Carney program had perhaps not been winning as large an audience as he, Susskind, personally thought it deserved, this was due primarily to its having been scheduled somewhat awkwardly—as an alternate to "The Bell Telephone Hour" once a month. He added that the critics' almost unanimous enthusiasm for the series constituted a great expression of confidence in Carney's talent. "This year, Art Carney has proved himself in serious dramatic roles as well as comedy," he said. "Next season, I think we would emphasize his comedic aspects."

"What are your plans for May and Nichols?" Beck asked.

"I want to have May and Nichols in a series of 1-hour satiric comedy programs, in which we would use the revue format, as we have been doing in Carney's comedy shows." Susskind said. "I'm operating under the conviction that May and Nichols are the next great comedy personalities in America. They're on the come. They've only begun to hit their level. May and Nichols are not—" Susskind paused, raised his right hand, cupped his fingers, and made a judicious twisting motion with his wrist, as though he were trying to unscrew a thought out of the air, like an electric-light bulb. "May and Nichols are not in the ugly school of sick comedians. Theirs is not an out-there kind of comedy that strains credulity and taste."

"You think people understand them?" Mandel said. "The old kind of comics hit you where you live. They made you feel part of everything. You had an emotional attachment to them."

"I think May and Nichols have that," Susskind said firmly.

"You know that refrigerator commercial they did on 'The Fabulous Fifties'—wasn't it a little sophisticated, a little far over?" Mandel said.

"No, I think they achieve a kind of universal response," Susskind said. "Have you heard Mike Nichols doing the great atomic scientist whose mother is phoning him? It's great. It's really something, with that kind of universal response."

Mandel broke in to suggest that it was time for lunch. On our way out, though, he took us on a brief detour to a higher floor, to see a suite of elegantly hushed, sumptuously furnished rooms—one done in Louis XV style, another in Italian Renaissance style, and a third in Bank of England style, all giving on to a long terrazzo-floored corridor with a strip of red carpeting down the middle and with street signs reading "Fifth Avenue" against the walls. The suite, I gathered, served mostly as a showroom for displaying various Revlon products, and as we walked down the corridor, single file, to gaze at all this magnificence, Mandel explained, "We themed this out after the four fashion capitals of the world."

"It's wonderful what lipstick can build," Susskind said.

We headed back toward the elevators, and as we did, I brushed against a small green bush in a large pot. The bush gave off a tinkling sound; it was made of glass. On one of the leaves I noticed a bee; it was made of glass, too, right to the wing tips.

"All done, all conceived and desired, by Charles Revson, with the help of a decorator. And if you know Mr. Revson, you know he really designed it, down to the last little touch," Beck said as the elevator door opened and we squeezed back against a load of other people dropping down the shaft to lunch.

"I know what you mean," Susskind said. "He's got a real—" He paused for the right phrase, and, lifting his hand to a level slightly above the shoulders surrounding him, he tried a couple of thoughtful half turns at his invisible light bulb. But the phrase didn't come.

"Sensitivity," Mandel said. "A manner of perfection. Leaving no detail overlooked."

The lunch took place at the Little Club, on East Fifty-fifth Street off Madison—a well-upholstered, dimly lit place decorated with antiqued mirrors and peopled by an expense-account crowd, including a good many Martini-bearing men standing at a bar near the entrance. We were quickly seated in a leather-padded semicircular booth, and set upon by a number of waiters. Susskind, who rarely drinks at lunch, would have no liquor, and nobody else ordered any, either.

Susskind lit a cigarette and addressed Mandel. "My theory is, Bill," he said, in his emphatic manner, "that the people in this business who really care about the work

they do, and who have something to offer, should not have to go around hat in hand to sell programs. They should be sought out, they should be summoned by people like you. After all, you know, I care about what appears under my name on the screen just as much as Revlon does about its name."

"That's the way we used to do business in earlier times, but not everybody has your talent, David, so we got a little tired, and had to carefully analyze our needs," Mandel said, and added, "I don't know how many flops Beethoven wrote, but when you throw four hundred thousand dollars a week into a show, you owe it to the people you represent to investigate your wants. Don't you think so?"

"I suppose so," Susskind said.

A headwaiter brought some huge menu cards, and after everybody had ordered, Susskind talked on about the projected Art Carney programs. "Art Carney needs no elucidation," he said eventually. "With Carney, we want to do for next season what we have been doing this season, only better." Lighting another cigarette, he changed the subject. "Tomorrow's challenge is exciting, and I can't think of anybody more excitingly ready for tomorrow than May and Nichols," he said. "I don't need to tell you what a smash hit they were in 'The Fabulous Fifties.' They're fresh, they're young, they're funny. Some people"—he looked down at his plate for a moment—"might be inclined to think that they're a little special, but I remember how we started 'Mr. Peepers' on television 8 years ago, and people thought that was special. Nobody gets excited about new talent until it's established, and then the competition gets hysterical. May and Nichols are here now, Bill. Why not catch them on the rise curve? By the way, they're putting on a two-person show on Broadway in October. This, I think, will heighten and implement their strength. And there would be other important peripheral values accruing around their Broadway appearances, too—the addition of added promotional stature through press and magazine exposure. May and Nichols can probably use certain reinforcement, Bill, and, of course, that is something we can give them. Do May and Nichols need top writing? Yes. Do they need solid guest support, with marquee names like Judy Holliday and Tony Randall? Yes. Will they get it? Yes."

Mandel asked whether May and Nichols had had any help so far in preparing material for their sketches. Susskind said that Mike Nichols and Elaine May had been doing the writing themselves but that it seemed doubtful whether they'd be able to turn out all the material needed for the sketches in the proposed television specials. "They'll just have to give up the idea of writing all their own stuff and performing at the same time," he said, and he added that he was authorized by the agent for May and Nichols to say that they would be willing to deliver commercials themselves—"of course, in a kidding way."

Susskind went on to explain that he thought the revue form would be the one best suited to May and Nichols. "Some of the Art Carney hours have been revues, and we've had great success with this form," he said. "In one we satirized the American shibboleth of success, in one we satirized book clubs, and in one we satirized oneworldness. I want to do the same sort of thing with May and Nichols. This would be a show with a thematic point of view. One week May and Nichols would be satirizing suburban living, one week they would be satirizing relations between the sexes. Poking fun at the foibles of our society." He added, "Which we are in need of."

There was quiet at the table for a few moments. A waiter appeared, holding high a 2-foot pepper grinder, and sent down a shower of black pepper upon everybody's salad plate. When he had gone, Mandel spoke. "I'm interested in May and Nichols," he said. "They have that level of sophistication that has arisen during the postwar years. Today we have millions of adults between the ages of 16 and 40 who are far more advanced educationally than people in the same age groups in prewar years. They have a degree of sophistication that kids who never went through high school before the war never had. And then they're had 10 years of exposure to TV. They're pretty hep, and that must go for their appreciation of comedy. In fact, when you find 5-year-old kids giving you the punchlines to classic jokes, it seems as though everybody's hep."

Mandel turned his attention to the food at his place, and while he ate, Susskind talked of the impact that May and Nichols had had upon people he described as opinionmakers, who, he said, were likely to play a great part in starting a vast wave of popularity for them.

"What the social scientists would call the social-leader theory," Mandel said. "The intelligentsia starts everything. They're the leaders. They start the fashion."

"Somebody has to start the wave," Susskind said. "That's where you sponsors must exert leadership."

"We have exerted leadership, David," Mandel said. "We have experimented in this last season with a good show, a superior show, and it was whipped by blood and thunder." This was a reference to Revlon's hard winter with "The Big Party," which had been rendered even harder by the high ratings of the competing "The Untouchables." Mandel added reminiscently, "We had a lot of culture on that show, David. A lot of things that the intelligentsia would want. Sir John Gielgud, standing in front of a fireplace, with well-dressed, beautiful people around, reciting Shakespeare."

"I saw that," Susskind said. "Frankly, Bill, I thought it was a sickly thing. It was a loss of dignity for Sir John Gielgud."

"I can't agree," Mandel said. "I think there was admiration for him, David, even among the people on the set with him."

Susskind shrugged one shoulder in a friendly manner, and, dropping Sir John Gielgud, asked about Revlon's new programing plans thus far, apart from the company's commitment to sponsor two specials starring Belafonte. Mandel replied that he had something else in the wind, but that he wasn't going to talk about it at present.

"Don't you have a dynamic cornerstone personality lined up?" Susskind asked.

"How many dynamic cornerstone personalties are there in the country—guys who can stand for a whole hour of comedy and stay clean?" Mandel said.

At this, Susskind began to complain to Mandel about the low quality of much of the comedy on network television, and he went from there to complain about the taboos imposed on television drama by sponsors and advertising agencies. "I remember one cigarette sponsor calling me into his office the day after we'd put on an hour show of live drama that got rave notices," Susskind said. "He said the theme was too sombre, too downbeat, and he told me never to do anything like it again. He said, 'I want happy shows with people with happy problems.' I said, 'But, sir, what kind of show should I do?' He said, 'That's your problem, not mine.' Bill, the taboos. Every time you do something new, your'e encountering terrific resistance."

"I know, David," Mandel said. "You sponsor a show that has something innocuous about a letter carrier and you get letters from the letter carriers' league saying you're unfair to letter carriers. It seems as though you can't do a show about anything without getting letters of protest from some group or other. I think it's just the times we live in, David. Everybody's associated today."

Susskind found his way back to the subject of May and Nichols. Mandel inquired about the probable cost of the specials, and Susskind replied that he estimated the program costs per program at $170,000.

"We might be interested in two May and Nichols specials," Mandel said after a while.

"I can't sell just two," Susskind said. "May and Nichols want to do television exclusively for a year—no night clubs. They want their own show. I'm confident they can get it, whether for Revlon or some other sponsor."

"Six or eight makes it difficult. We've already lined up three for next season—two Belafonte specials and one other," Mandel said.

"Realistically, I can sell six or eight May and Nichols," Susskind said. "The sponsor interest is there. I would be foolish to settle for two, but I wouldn't mind selling four to you and selling four to somebody else."

"But I would, David," Mandel said. "If we bought these specials, we'd be buying them for corporate impact. We might want to have less commercials to help achieve that impact. We'd want to have that corporate feeling about May and Nichols. We wouldn't want to share them. When I got through putting those specials on, I'd want people to say, 'May and Nichols—oh, yes, they were on the Revlon specials.' We wouldn't want to vitiate that particular impact."

"Plymouth is interested," Susskind said. "Sara Lee is interested."

"Go with Plymouth," Mandel said.

Susskind laughed. "You aren't known as the gentlest sponsor," he said. "I've known Charlie Revson for many years, and when Charlie was unhappy with his show, you knew it."

"Right, David, but if so, why call us?" Mandel said. "When you get a client who may not be so gentle, you can at least say, 'There may be a tough guy, but I'm getting satisfaction from a job well done.'"

Susskind nodded, and passed on to the pressing need—"the desperately pressing need"—for sponsors to back programs of superior quality, especially the programs he had been discussing. "I think," he said, "I'd like to say to Mr. Revson, 'Mr. Revson, our job here is not so much to drive away with the hard metallic sell——'"

"We never have used the hard metallic sell, David," Mandel said. "Only the attempt to convince people that Revlon is the finest cosmetic company in the world. We think our commercials are interesting and informative. Barbara Britton is the softest-sell person in the world."

"She's doing the hard sell," Susskind said.

"The hard sell is Dristan and drain your sinus cavities," Mandel said.

"The soft sell is Phil Silvers doing the Pontiac commercial," Susskind said. "The May and Nichols refrigerator commercial is the soft sell."

"No, no; the nasal drip—that's the hard sell," Mandel insisted. "I consider Phil Silver's commercial, the Victor Borge commercial, or the Nichols and May commercial not the hard sell or the soft sell, but the novelty sell. We never use the hard sell at Revlon, although we may use the novelty sell." And Mandel recited one of the slogans for Revlon's Pango Peach lipstick and nail polish, "From east of the sun, west of the moon—Pango Peach."

"Gee, woman was just coming out of the jungle, and along come you guys," Susskind said.

"A woman is a woman, David, no matter what," Mandel replied. "The feeling she gets when you hand her a lipstick, she's still a

woman; and when we name it Pango Peach instead of No. 12, it means something to her. Last year we came out with a nail enamel called Pineapple Yum-Yum."

"Pineapple Yum-Yum," Susskind said, ruminatively.

"Well," Mandel said briskly, with a glance at his watch, "we'll take May and Nichols under advisement. I think we ought to be receptive to something with sophistication, with youth, with the puncturing of the myths of our society, instead of Walter Brennan. We'll think about it, David. If you don't have it sold in 10 days, we'll get back to you."

Out on the sidewalk, after saying goodbye to Beck and Mandel, Susskind and I headed down Madison Avenue. As Susskind pressed on in a determined, rather stiff-legged, wading stride, I asked him how he thought the meeting had gone. "Not too badly," he said. "My guess is that Charlie Revson will call and take two of the May and Nichols specials." A moment later, he added, "But there's no use sitting back and waiting for the call. It may never come. In this business, you have to keep selling everywhere or you're dead."

Susskind increased his pace. He turned right on 52d Street, and then started down Fifth Avenue, on his way to the offices of Doherty, Clifford, Steers & Shenfield, the people who had the money for Noxzema and Cutex. "Cutex had the living brains knocked out of them by Revlon last year on sales. They should be deeply interested in May and Nichols," he remarked to me as we reached the building where the agency had its offices. We hurried through the lobby and took an elevator to the agency's floor. Susskind walked purposefully over to the receptionist's desk and gave the girl there the name of the vice president he had come to see. "My name is David Susskind," he told her, in his low, smooth "Open End" voice.

[From the New Yorker, July 2, 1960]

THE MASSEST MEDIUM

(By Thomas Whiteside)

Any independent television producer is likely to have his ups and downs—and never more so than in the spring. That is when networks, advertising agencies, and sponsors start to decide in earnest which series of programs they want to present to the American public during the "prime" evening hours of the approaching fall and winter months. It is the independent television production firms—big ones and small ones, specialists in live shows or films—who dream up and supply most of the programs, and spring is the time when their executives rush around Radio City and along Madison Avenue in a turbulent competition to promote program ideas, old and new. The whole process of renewal and creation is one with Darwinian overtones—a struggle of program against program for survival in an environment of adman's thinking, audience ratings, and network vice presidenial strategy—and the casualty rate among programs can be high; of the 116 sponsored network series that were shown last season, for example, only 60 will be continued in the fall. The scramble to get programs on the air is apt to be fierce, and it seems understandable that in springtime a certain fretfulness should afflict the independent producers. Nevertheless, when, early one spring afternoon, I found myself hurrying up Madison Avenue in the company of David Susskind, who at 39 is the leading partner of Talent Associates, Ltd.—the largest producer of live television programs in this country—I felt that Susskind was in a confident mood.

Susskind is also the production chief of Talent Associates—and, of course, the moderator of the channel 13 discussion program "Open End"—but at the time I saw him he had set aside all but the most urgent of his production work in order to concentrate on lining up sponsors and air time for a number of programs that he had in mind for the networks next year, all of them dramas or revues. For everybody in the industry, it was the height of the selling season; and Susskind had agreed to let me sit in with him for several days at conferences to watch how the vital process of selling went. So far that spring day, it seemed not to have gone too badly for Susskind, even though nobody had made any outright commitments. Shortly after noon, Susskind had gone to a client lunch with Evan William Mandel and George Beck, two top advertising executives of the mighty cosmetic firm of Revlon, Inc., and the three men had discussed at some length a proposal of Susskind's that Revlon sponsor six or eight Susskind "specials"—long, live, costly productions—starring the young satirists Elaine May and Mike Nichols. Mandel had expressed interest in May and Nichols, and while he said that the company was not prepared to sponsor all six or eight specials, it might consider sponsoring two. The lunch conference had then broken up inconclusively, with everybody promising to keep in touch. Susskind's next move, since he had no firm commitment from Revlon, had been to stop in at the advertising agency of Doherty, Clifford, Steers & Shenfield to set about persuading a couple of vice presidents there that two of the agency's clients, the makers of Noxzema and the makers of Cutex, would be well advised to sponsor the May and Nichols specials. Susskind can be voluble on almost any subject, as people who have watched him on "Open End" are aware, and after he had spent some time discoursing on the talents of May and Nichols, the Doherty, Clifford people, seemingly impressed, said that they would seriously consider buying three specials—and perhaps even six—on behalf of Noxzema, Cutex, and Triumph Herald cars, on a cosponsorship basis. They said they'd let Susskind know more as soon as they got to the clients. Susskind and I then headed back toward his office. As he walked purposefully along Madison Avenue (he encountered some curious stares on the way, for his generally handsome features and his prematurely baggy eyes are instantly recognized by many people), he told me that several small sponsors for the May and Nichols special suited him just about as well as one large one. "These smaller clients, the Noxzemas and the Cutexes, tend to be more straightforward than the big clients," he said. "They don't try to play us off against the big outfits, like William Morris and MCA. I feel we may be getting somewhere with Doherty, Clifford. Of course, I can't sit still for 2 weeks and await word from them without moving elsewhere. The season is moving too fast for that. I have to keep selling elsewhere."

In a few minutes, we arrived at the headquarters of Talent Associates, a fairly modern but crowded set of offices housing more than 60 employees—production people, secretaries, and so forth—on the seventh floor of a big building on Madison Avenue at 50th Street. After sweeping through the reception room, Susskind engaged in a brief corridor conference on production matters with a member of his staff. Then he hurried to his private office—an elegant, not too large corner room with a fine view—and, sitting down in a swivel chair behind a large desk, prepared himself for an afternoon of proselytizing by telephone. Besides the May and Nichols specials, his projects for the coming season included a number of dramas based on children's classics, such as "Tom Sawyer" and "Kidnapped;" a series entitled "The Witness," which would bring noted villains of the past before a fictitious congressional investigative body; a program called "Time of My Life," which would deal with events in the lives of well-known people; and a set of "Great Ghost Stories." All these were new programs, and in addition Talent Associates was planning to continue three old ones—"Du Pont Show of the Month," "Armstrong Circle Theatre," and "The Art Carney Show." Now, at my request, Susskind summed up how things stood for each of his projects. "The prospects for the 'Children's Classics' are very, very promising," he said. "My proposal here has been for a unique presentation of these, with each show being 2 hours in length but shown in hourly segments on consecutive week nights, thus enabling us to do justice to the flavor of the original story, as well as to build up some cliffhanging excitement. So far as sales are concerned, we have taken a two-pronged attack on this situation, approaching CBS on the one hand and different sponsors on the other, on the sound principle that having sponsors waiting in the wings is likely to make the situation doubly interesting to the networks. We have already developed sponsor interest in the 'Children's Classics' from Shell Oil, Goodyear Tire, Breck Shampoo, and Eastman Kodak, through their agencies. I have strong assurance from James Aubrey, who's head of the CBS Television Network, that he'll preempt the necessary time for the 'Children's Classics.' I'm expecting a formal commitment from him on that any day.

"In this business, by the way, a handshake over a deal is as good as a formal commitment; it usually takes weeks and even months before the legal paperwork catches up. Then we have 'The Witness,' on which we made a pilot tape last year under contract to NBC but which NBC didn't want to do anything about. We own the pilot now, and it's very, very hot with the Fuller & Smith & Ross agency for the Aluminum Co. of America as a once-a-month show on ABC on Tuesday nights from 10 to 11. Alcoa has an option on the 10-to-10:30 period at ABC, and they're trying to pry open the other half hour. 'The Witness' is hot with CBS, too, as a possibility on Wednesday night at 7:30 to oppose 'Wagon Train' on NBC, which has been smothering the opposition. It's also hot, though to a lesser degree, with Dow Chemical through Norman, Craig & Kummel. As for 'Time of My Life,' that has evoked strong interest at Westinghouse through McCann-Erickson and at Breck Shampoo through Reach, McClinton. We have not as yet had much response to 'Great Ghost Stories' for the fall, but it is under consideration at J. Walter Thompson as a summer replacement for 'The Tennessee Ernie Ford Show' on NBC." He added that "Du Pont Show of the Month" and "Armstrong Circle Theater" were sure for next season, but that "The Art Carney Show," which had been sponsored on an alternate basis by AC spark plugs and Delco batteries, needed new sponsorship and was receiving "a lot of interest" at the McCann-Erickson and N. W. Ayer agencies.

"Get hold of an outfit in Chicago called Kitchens of Sara Lee," Susskind called out to his secretary when he had finished his summing up. "I want to talk to the advertising director, a Mr. Kenneth Harris." To me he explained, "I ran into Mr. Harris when I happened to be out in Chicago a few days ago. Sara Lee makes frozen cakes. The stuff is all prepared. All the housewife has to do is to let it defrost. I spoke to Mr. Harris about May and Nichols. It had occurred to me that today's woman would buy Sara Lee cakes where her mother might not, and that the same kind of people—the young marrieds—who would be interested in May

and Nichols would also be the kind of people inclined to buy Sara Lee products. Mr. Harris was struck by the idea, and I said I would be in touch with him again."

After a short delay, the call came through. "Ah, hello there, Mr. Harris. How are you?" Susskind said into the telephone in the low-pitched, well-modulated voice familiar to "Open End" viewers. "Now we agreed to talk about May and Nichols, and I'd be interested in knowing how far you've crystalized your television plans for next season." He settled back in his chair and listened to the voice at the other end for a while, and then he said, "Oh, the only thing that poses a problem there, Mr. Harris, is that May and Nichols want to do TV exclusively next year—no nightclubs. Two specials would be inadequate to their purpose, I'm afraid. They want to do a minimum of six. But could I assume that you would be willing to go along on a cosponsorship situation? You would? Fine." Then Susskind began discussing the budget of the proposed series—he said he calculated the cost of each program at a hundred and seventy thousand dollars—and wound up the conversation by saying, "I'll keep a note of your interest, Mr. Harris, and keep you advised."

"Sara Lee is deeply interested," he told me after he hung up, and with barely a pause he called to his secretary, "Get me Dan Seymour." Seymour is a vice president and the director of radio and television at the J. Walter Thompson Advertising Agency.

"Not in," Susskind's secretary said.

Susskind frowned. "Let me talk to his secretary," he said, and picked up the phone. "Madam," he said into it, in a deep, smooth voice, "my whole friendship with Mr. Seymour is straining at the leash. I called him yesterday, and I called him the day before yesterday, and he hasn't called back. Please have him do so. Will you? And will you tell him that I have a number of very interesting ideas for him? Thank you."

Susskind hung up, lit a cigarette, took a couple of deep puffs, and shook his head in a slightly aggrieved way. "Get me Mary Harris at McCann-Erickson," he called out. Miss Harris works on the Westinghouse Electric Corp. account, and Susskind talked to her at some length about "Time of My Life."

"This is a biographical series, and biography is coming in strongly in show business," he told her. "Note the success on Broadway of 'Fiorello,' 'Gypsy,' and the Helen Keller story. I observe a strong trend in the slick magazines to nonfiction; I hear that nonfiction books are selling equal to or outselling fiction. I've talked to Walter Cronkite about serving as host for 'Time of My Life.' I can see Walter Cronkite saying 'Good evening. Now, we have the drama of Dr. Jonas Salk,' and there is somebody playing Jonas Salk in his lab. Maybe his wife comes in and he says, "Yes; this is it," or maybe—I don't know—the AMA says, "Yes; this is it." This show is different. It's drama unto itself, no voice over, and the writers are excited about it." ("Voice over" is the technique of having the voice of a narrator superimposed upon the action.)

A moment later, Susskind's secretary announced that Mr. Harris, the Sara Lee Kitchens man, was on the line again. Susskind spoke to him briefly and then told me, with satisfaction, "Sara Lee has thought about May and Nichols and has decided that they're ready to sponsor half of four of the specials. So now it looks as though we have something in the bank for May and Nichols." He added, in a slightly more cautious tone, "That is, if we can find the network time." And Susskind went on to talk about how finding time was harder than usual this year, because the networks, reacting to recent congressional investigations, were now assuming a great deal of control over the choice of programs they transmit, instead of automatically bowing to the desires of the big advertising agencies—with the unexpected result that more Westerns, more programs devoted to violence, and more run-of-the-mill situation comedies than ever were scheduled for next season. "More cowboys and more private eyes—that's what we have to fight this year," Susskind said, with feeling. "Securing time on the network schedule for anything that does not fit the established program pattern is the thing that's hardest for us. Of the three networks, only one has any real receptiveness to programs of any quality, and that's Columbia. ABC built itself an empire on Westerns and whodunits, and isn't receptive to the sort of thing we do, and lately we haven't been able to get anywhere at NBC."

Susskind is one of the few people in the television business who have not hesitated to engage in public criticism of network programing practices, and I gathered that about a year ago, when he said, on Mike Wallace's program on channel 13, that NBC had "the saddest case history" in network programing, relations between NBC and Talent Associates had taken a sharp turn for the worse. As Susskind talked about the NBC problem, the very thought of it seemed to goad him physically; he got up from his desk and paced to and fro. "I think there must be personal pique over there," he said. "Bob Sarnoff [Robert W. Sarnoff, chairman of the board of NBC] and I are about the same age, you know." Susskind told me that every effort Talent Associates had made this year to place a program on NBC had met with a rebuff. As for his relations with ABC, Susskind spoke of recent unavailing efforts on his part and on the part of the Fuller, Smith & Ross agency to get ABC to provide the extra half hour of time that would make it possible for Alcoa to sponsor "The Witness," but he added that he hoped the problem could be worked out satisfactorily with Oliver Treyz, the president of ABC. "Ollie is a great wheeler and dealer," he said. "He's just knocked off 'Peter Gunn' at NBC in a raid and taken it over to ABC. Since 'Peter Gunn' and Danny Thomas on CBS have been holding each other pretty even in the ratings between 9 and 9:30 on Monday night, this leaves NBC in a bad way for that half hour. In fact, NBC may blow the whole evening, because I hear that Plymouth has canceled out on 'The Steve Allen Show'—which, by the way, leaves a hole that we could fill with some of our specials, if we could get in there. But, as I say, Ollie is a great wheeler and dealer. I want to talk to him about getting that Tuesday night time for 'The Witness,' I want to talk to him about 'Great Ghost Stories,' and I have an idea for a Sunday afternoon drama series on ABC. I've had an idea for some months that there's only one virgin territory left on television that isn't a vicious competitive struggle, and that's Sunday afternoon. It has 'Meet the Press,' 'Face the Nation,' and 'Twentieth Century,' but it has no live drama at all. I'd like to talk to Ollie about this. ABC has the best studio in town in those old stables on West 66th Street, and because ABC is putting on all those filmed Westerns and private eyes, it just sits there, unused. I'd like to do live drama there."

I remarked to Susskind that it seemed strange that of the dramatic programs he was attempting to put on the networks next season, not one, except possibly the Sunday-afternoon series, involved original plays rather than biographies or adaptations. Susskind appeared a little hurt. "You don't know how fierce the resistance is at the agencies and networks to original drama," he said. "Nobody wants to take a chance on it. For the sponsor, the stakes are in the hundreds of thousands of dollars, and he wants to cover himself by getting a show that will get the biggest possible audience at the lowest possible cost per thousand viewers. I've just about given up trying to sell original drama. This season, I produced one, on 'The Art Carney Show,' and you can't imagine the agony I went through to get it on the air. It was called 'Call Me Back,' and it was about a guy just divorced who spends a night alone in a hotel room drinking and calling people up, and who finally takes sleeping pills. The agencies for A C Spark Plugs and Delco Batteries refused to let me do it. They objected to the combination of divorce, drinking, and sleeping pills. Then I asked permission to sell it elsewhere, and finally they consented and I sold it to the 'Sunday Showcase' people on NBC, and then NBC got nervous about showing it on the Sabbath, especially since the name of the central character was Timothy Francis O'Neill, and they tried to sell it for a week night, but it was a hard sell. They finally sold it to Purex Bleaches for a Saturday night."

Susskind gazed from his office window over Madison Avenue for a few moments. Then he called out to his secretary, "Get me Ollie Treyz."

"He'll call you back," the secretary said in a minute.

"All right, get me Jim Aubrey at CBS" Susskind called out.

"Mr. Aubrey is upstairs at a viewing," the secretary said.

Susskind, frowning, took a couple of puffs at a cigarette.

"Get me Sheldon Moyer at the D. P. Brother agency in Detroit." He called out, and told me, "D. P. Brother has the Oldsmobile account."

This time, the connection was made quickly. "Well, hello, Sheldon," Susskind said cordially into the phone. "Tell me, is Olds still searching for a program solution for next year? Sheldon, I have a great idea for a motorcar company like Olds. I want to do a number of great ghost stories for television. We have a tremendous backlog of ghost stories available, and I want to do them with real tone—produce them to the hilt. Sheldon, I think the show would be unique. Remember that the suspense and danger of the ghost story has an illustrious background. I'm after the classic ghost story—Nathaniel Hawthorne, Edgar Allan Poe, Henry James. No kicking in the groin on this show—it's got class to it. I think it would be different and it would be something that will win an audience.

"Of course, Sheldon, I'm familiar with the motorcar-company requirement of viewer identification of a motorcar-company show with a masculine figure. We have definite ideas on the right male to host the show. Preferably James Mason, Basil Rathbone, or Edward G. Robinson. What I like about this show is that it would suffer no comparison with anything else on the air. Ghost stories are a thing unto themselves. In a season that threatens"—Susskind, looking northward over the roof of the cardinal's residence across the street, raised a half-clenched hand as he sought the right word—"the greatest kind of sameness as last year, the depressing uniformity—oh, trend be damned, Sheldon. You spend a fortune each year designing a car for next year, and if you unveil next year's Olds and it looks just like the Chrysler, you'd commit hara-kiri. Why produce programs exactly like other programs?" Some colloquy about "Great Ghost Stories" and a psychological series already on the air called "One Step Beyond" followed; then Susskind said, "Note how Dow Chemical came along with 'The Dow Hour of Great Mysteries' and went opposite 'The Untouchables' with 'The Bat' and cut "Untouchables' right down to size. Before then, 'Untouchables' had been getting a 42 and the opposition a 13 or 14. 'The Bat' got a 23 or 24, and I think 'Untouchables' was

knocked down to a 28. You say in Trendex it's 'Untouchables' by a country mile? I was going by Arbitron. Oh, well, Sheldon, I suppose it depends on which survey you read. OK, Sheldon. Will you call me with your reaction?"

Susskind tossed the receiver back on its cradle. "Poor old Olds. They never seem to get a good show," he said. He took another deep drag on his cigarette and remarked glumly to me, "Do you know how the Olds man reacted? He looked up 'One Step Beyond' in the rating book on his desk while we were talking and said, 'It only has a 28 percent share of the audience. Compare that with Tennessee Ernie Ford. He got a 40 percent share of the audience, and he's on for Ford.' "

Susskind smoked some more, then stubbed out his cigarette and lit another. His telephone buzzed, and his secretary sang out, "Oliver Treyz returning your call."

Susskind took the receiver and said, "Hello, Ollie." Phone to ear, he moved over to a window near his desk and, hunched over the sill, talked for a couple of minutes about the benefits ABC would receive if it opened up air time for "The Witness." He finished by asking Treyz for an appointment the next morning to discuss a couple of other matters.

After he had put down the receiver, Susskind sat down in his chair and smoked in silence for a while. Then he said to me, in a rising tone, "He won't clear the time for 'The Witness.' The cavalier way"—Susskind flung out his right arm in a sweeping, cutting motion—"the cavalier way he says there's no chance for 'The Witness' on ABC. And for us to be blocked out of that potential time period there when we had Alcoa sold is just—." The right word seemed to elude Susskind, and he passed on to the next clause. "When by any law of logic they should welcome us." And he puffed away furiously at his cigarette.

Just then, Al Levy, who is Susskind's partner in running Talent Associates, came into the room accompanied by Mitchell Benson, the company's vice president for sales. Susskind told them about his conversation with Treyz. "The squeeze is on," Susskind said. "The horrendous thought just struck me that if this network log jam doesn't open up, we may be left with just Du Pont and Armstrong."

"The man at Fuller & Smith & Ross just told me that they're trying to get time on NBC for 'The Witness' in the hole left by Plymouth's cancellation of 'The Steve Allen Show,' and also on the 9-to-10 slot on Friday night, alternating with the A.T. & T. specials," Levy said. "Maybe NBC will listen to the agency where they might not listen to Talent Associates."

"I talked to the Purex man at the Edward H. Weiss agency the other day about several of our specials," Susskind said. "He said Purex was following NBC's advice for next year's programing. But he was so interested in 'The Witness' that he called NBC and asked them to get in touch with us about it. No call from NBC, of course. Gee, you'd think NBC would reach out"—Susskind extended a hand—"and say, 'We're in trouble'."

"You know they won't, David," Levy said, and then, with a sigh, he added, "Well, one day they will, David." With that, he and Benson left the room.

Susskind made a few more telephone calls, speaking in a low and uncharacteristically weary voice. Then he talked to me again about his difficulties with NBC. "I ran into Bob Sarnoff at a party a while ago," he said. "You know what he told me? Bob took me aside and said, 'Listen, if you don't pipe down about TV and programing and keep quiet, you won't be able to sell a show in Sheboygan.' Oh, well, I don't regret what I said on that Mike Wallace show. It was all true. The junk around us. The sea of junk. And after all the scandals, it's worse than ever. If I had a half-hour Western to offer, instead of live drama, that phone there would never stop ringing, and all the agency guys would be saying, 'David, you owe me the right to get the inside track on this one.' Call it what you want—'Saddles West,' 'The Westerner,' 'Rawhide,' or come up with something called 'The Avenger,' 'Moment of Fear,' 'Diagnosis Homicide,' or 'Hong Kong' and you're in. But just try to get in with May and Nichols, the classics, or 'The Witness'—it's like having to blast through with dynamite. All our production people in Talent Associates feel the tension, the uneasiness during the selling season. They know how vital the outcome of all these negotiations is to them. We have to consider their interests. We have 62 people here"—Susskind got up and, pacing about, emphasized his words with short, chopping motions of his arm—"people who are married, people who have responsibilities, people who—who have psychiatry." And, taking a turn into the center of the room, Susskind told me how he had gone to Richard A. R. Pinkham, the senior vice president in charge of radio and television at the Ted Bates agency ("and a nice, bright, cultured guy") with the strong hope of selling "The Witness" to him, only to be told that Pinkham was buying strictly on a cost-per-thousand basis and that that's what the client wants.

"The hypocrisy of it all," Susskind said. "The blatant hypocrisy of TV, this ugly and horrible crucible. And most of the people in the business—educated men like Dick Pinkham, going to the symphony, the ballet, the theater—they know it's horrible, and yet they divide the world into they and I. It's always 'That's what they want,' or 'They'll love it'—never 'That's what I want.' Do these men sit at home and watch 'Maverick,' 'The Rifleman,' or 'The Donna Reed Show'? You bet they don't. I asked Dick Pinkham what a steady diet of this might do to the people of our country—wouldn't it ruin them? He agreed that it might, but he said, 'That's what the client wants and that's what he gets.' Just look out that window"—Susskind flung an arm in the direction of a cluster of new or partly constructed buildings east of Madison Avenue—"look at those great corporation buildings, Colgate-Palmolive, Lever Bros.—all of them built on this kind of stuff. All built on saccharine"—Susskind paused and reached out into the air with his right hand as if to grasp the word he wanted—"suffering." He reached out again, and said, "Debasing soap opera."

Susskind paused, made a despairing gesture with his hands, and went on, "A few days ago, I heard John Crosby, the television critic, lecture before a ladies' club in Rye, and he was complaining about the lack of original drama on television. I felt like jumping up and saying, 'Try it, it's murder.' Look at the trouble we have selling adaptations." In a quieter tone, he added, "Personality, I'm remote from Ionesco and Jean-Paul Sartre. I've never subscribed to putting on weird ballet—just things like 'Ethan Frome' or 'The Devil and Daniel Webster.' But even when you do those you're a freak. A ruffler of the water. This is the only business in the world where thinking straight is being an oddball." And he threw up his hands. "Isn't that—unusual?" he said, and casting himself into his swivel chair, he lit a cigarette and puffed away.

In a minute or two, Susskind seemed to recover his composure. His secretary came in with a couple of checks for him to sign, and he smiled over the fact that one was for $8.34, covering a bill for stationery, and the other was for $174,000, covering recent studio production costs. He signed both and handed them back to his secretary. Just as she was going out of the door, he called out, in a confident voice, "And get me Jim Aubrey, at CBS."

A few days later, I called on Susskind again at his office to see what progress he had made. I found him at the telephone and as busy as ever. But obligingly, between calls, he told me briefly what had been happening. First, he said, he had gone in person to Oliver Treyz at ABC with a couple of requests for network time—one for the Sunday afternoon adult dramas he had told me about and the other for the Art Carney specials. "Ollie had no appetite for the adult dramas," Susskind said. "He said something about the football games on Sunday afternoon. In fact, he said he was sold out for the entire season. But after I talked to him about the Art Carney specials, he said he might consider clearing time for a few of those, although only if I went out to the agencies and brought the sponsors in all sold." I asked if any new sponsor interest had developed in the Art Carney specials in the last few days, and Susskind said that Plymouth was expressing interest in them, as well as in the May and Nichols specials; he also reported that he had gone to the Grey Advertising Agency and interested the head of the radio-television department there in the Art Carney specials, for Greyhound Bus Lines. As for "Great Ghost Stories," he said he'd been over to see Dan Seymour at J. Walter Thompson about that, and the agency people involved were going to be flying out to Detroit any day to get a decision from the top brass at Ford Motor Co. about putting the program on NBC as a summer replacement for "The Tennessee Ernie Ford Show." Susskind went on to say that, according to Al Levy, a couple of executives from Dow Chemical had come to town and were very excited about sponsoring "The Witness," on the strength of having seen the pilot film, and that one of the top men at Norman, Craig & Kummel was expected any day now to fly himself, the kinescope, and a projector down to "someplace in the Caribbean" to show it for final approval to the advertising vice president of Dow Chemical, who was vacationing there.

Susskind next informed me that he had had a couple of telephone conversations with James Aubrey at CBS about "The Witness" and the "Children's Classics." He said Aubrey had told him that although "The Witness" was still a possibility to fill the network's open-time period from 7:30 to 8:30 on Wednesday night, opposite "Wagon Train" on the NBC network, CBS also had under strong consideration for the same period a filmed program called "The Aquanauts." "Some sort of underwater action thing," Susskind called it. However, Susskind said, Aubrey had given him the good news that CBS had definitely confirmed its order for the "Children's Classics," and that the network itself, rather than Susskind, would take care of the matter of sponsorship. With this bird in hand, Susskind then had made a personal call upon Aubrey to ask for network time for a number of other Talent Associates programs, including several new projects that he told me had just recently reached the practical stage of development. Susskind added that Aubrey, without committing himself on any of these matters, had asked him to talk to Oscar Katz, the vice president in charge of programing at CBS Television, to see what could be done. And that's whom he was going to see, by appointment, that very afternoon, he said, and added that if I felt like going along with him I could.

At the appointed hour, I found myself with Susskind in Katz's office, an impressive affair featuring two great television screens, one on top of the other, built into a teakwood panel in a wall. Susskind started talking

right away. "Here we go again, Oscar," he said to Katz, a slight, sharp-faced, bald-headed man wearing spectacles propped up above his forehead, like an old-fashioned aviator's goggles, and wearing large cuff links emblazoned with a representation of an eye, the symbol of CBS television. "You know"—Susskind held up a hand with fingers cupped together and gave a couple of thoughtful half turns—"the effort to get some good things on television is so frustrating, Oscar, and I'm not talking about the ballet and I'm not talking about Shakespeare. But 'The Aquanauts,' 'Wagon Train,' and 'Hong Kong' at 7:30 Wednesday night—"

"That's what I was saying in a speech to the Radio-Television Research Council today at lunch," Katz interposed. "'Don't take the easy way out,' I told them. Audience ratings have been misused in this business, even by the researchers themselves. This is a mass medium that cuts across all groups. That's what Jack Benny does and that's what you have to do, David, if you want to get the mass audience of national television."

"But where's the failure in not getting an audience of 10 million people?" Susskind objected.

"My feeling is that TV as a mass medium has got to appeal to most of the people all the time," Katz replied.

"When I picked up the Times this morning and read that your answer to 'Wagon Train' is 'The Aquanauts,' it's—it's depressing," Susskind said. "Leading the public down the road to 'The Aquanauts.' Depressing.

"We tried counterprograming. We tried 'The Line-Up,'" Katz said.

"Cops and robbers," Susskind said.

"But overlaid with realism, David," Katz said. "Then we came in with 'Be Our Guest,' a variety show that we miscalculated on but a variety show we thought was unique in appeal—"

"But throwing the sponge in," Susskind said.

"We weren't throwing the sponge in," Katz said. "We counterprogramed with 'Be Our Guest' and we got a snappy 11 or 13 rating, and there's 'Wagon Train' getting a 40." After a pause he added, "Sometimes it seems to me it's almost like intellectual snobbery to criticize 'Wagon Train.' Some of the things it does are pretty good by our standards."

"By our standards." Susskind said, with a crucified look.

"By our personal standards, David," Katz said patiently. "Look at 'Wagon Train,' now reaching 62 percent of all the American homes tuning in between seven-thirty and eight on Wednesday night. We have here a medium that's broader than any other—the massest mass medium in the history of media. Why should I impose my own taste on other people? What television requires is not that it represent our personal tastes, David. We have to recognize this as professionals in the business."

"Oscar, I think that's a fatal mistake, if you don't mind my saying so," Susskind said. "DeMille believed in all that—hypocritical—." For a moment, Susskind tried to find a word; then he gave up. "Oh, to hell with it," he said. And in no time at all he was off, confident as ever, into sales talks on the Art Carney specials, the May and Nichols specials, and "Great Ghost Stories," and went on to several ideas for big new special programs. They included an hour-long program with Sir John Gielgud doing "Ages of Man" ("We await word from Sir John, but his lawyer here thinks well of it"); another hour with Jennifer Jones in Jean Cocteau's "The Human Voice" ("A sort of emotional 'Sorry, Wrong Number'"); and a 90-minute program to be called "The Life and Works of Eugene O'Neill" ("a real blue-chipper. I see Anaconda Copper or U.S. Steel being interested in this"). While Susskind talked, Katz made notes on a pad, and at the end of the session he told Susskind that although the network schedule for specials was very tight, he would be ready to set aside air time for two of the May and Nichols specials, and that he would also be ready to give consideration to preempting time periods for the Gielgud, O'Neill, and Jennifer Jones specials. Susskind seemed pleased enough by this.

"Now, if I can get the agencies to find time for another four May and Nichols specials on the other networks, we ought to be pretty close to home with May and Nichols," Susskind told me when we were out on the sidewalk again. We set off down Madison Avenue to the offices of Batten, Barton, Durstine & Osborn to call on that agency's vice president in charge of programing and planning, George Polk.

Susskind evidently was on an easy footing with Polk, for when he walked into Polk's office and interrupted an absorbed study Polk was making of a booklet containing the latest Arbitron ratings, he wasted no time on ceremony or on any preliminary animadversions on the state of the television industry.

"George, you know it's spring. You've sold most of your gook. What are your needs?" he said.

Polk tossed his rating booklets onto his desk. "Something that will satisfy the client, something that won't cost too much, something wholesome, and something with a good rating," he said.

Susskind said he had the very thing, and he went into a harangue on the virtues of Art Carney. "Art is a new Everyman," he said. "He has that special quality of being loved by everyone. He should be just right this year for someone like United States Steel or Pittsburgh Plate Glass. Ollie Treyz says he's ready to preempt time on ABC for some Carney specials if I can bring them in presold. Art is a thing unto himself. And you know how he's been going around to all those sales conventions for the client. Those dealers love him. He gets up and does 10 minutes on A-C spark plugs."

Polk said he would think about it—he had a client group coming in the next day. Then Susskind offered up "Great Ghost Stories," but Polk didn't bite. "It's all about things that couldn't happen," Polk said.

"Ghost stories sell in paperbacks by the millions," Susskind said, persisting.

"That's what they say about the Bible, but try putting the Bible on and see what kind of a rating you get," Polk said.

Susskind, undaunted, defended quality and the higher things in life. "What about the ratings on 'The Bridge of San Luis Rey,' which we put on 2 years ago?" he said. "They were terrific."

"Oh, David, people were just waiting around because they wanted to see the bridge collapse," Polk said negligently.

"All right, so what's General Mills doing next year?" Susskind said.

"They're going to be sponsors of Wyatt Earp," Polk said.

"I don't suppose you'd want to do some dignified specials, like Jennifer Jones in Jean Cocteau's "The Human Voice," Susskind said, a little wistfully.

"I might," Polk said, leaning back in his chair. "But would the sponsor?"

A week later, at a lunch in the grand ballroom of the Roosevelt Hotel, the annual George Foster Peabody awards for distinguished work in radio and television programing were presented before a gathering of practically everybody of importance in the television industry. Susskind was there—one of the winners, as the producer of "The Moon and Sixpence," starring Sir Laurence Olivier. The awards were given out by Bennett Cerf, the publisher, who made an intrductory speech in which he extolled the quality of existing television programs and went on to declare, to the applause of the television executives present, that the television industry was giving people programs "a darn sight better than they deserve." A few hours after the lunch, I dropped over to Susskind's office, and found him sitting at his desk in a preoccupied mood, chin in fist, and tapping a sharp tattoo with his left foot on the floor. After a word or two of greeting, he remarked to me, in obvious reference to the grand ballroom at the Roosevelt, "That room was filled with men who frustrate, who block—" and, after making an unsuccessful effort to finish the sentence, he called out, instead, to his secretary, "Get me Walter Tibbals." Tibbals is a vice president of Norman, Craig & Kummel, and Susskind explained to me that he wanted to find out what progress that agency was making with Dow Chemical on a final decision to buy "The Witness."

"He's at a chain-drug convention in Hollywood, Fla. At the Hollywood Beach Hotel," his secretary said.

"Get him there," Susskind said.

"He's at a golf tournament," his secretary said, after a while. "They'll try to have him call."

Susskind took a deep breath, expelled it, and shook his head again. "It's so frustrating," he said. "Just—you know—breaking through." And he rammed one fist into another.

"Get me Charlie Revson." Revson is the president of Revlon, Inc.

"Not in."

Susskind said to me, in a dull voice, "I talked earlier today to George Polk at B.B.D.O. It looks as though Pittsburgh Plate Glass is dead as a possibility for us. They decided to buy scattered participations in a number of other shows. And, even more depressing, Westclox, another BBDO client, which sponsored a number of our specials last year, has bought an alternate participation in 'The Tab Hunter Show.' Do you know the plot of the pilot on 'The Tab Hunter Show'? Tab Hunter has an apartment overlooking Malibu Beach. One morning, when he gets up, he sees a pretty girl outside, walking her dog. He rushes to the refrigerator, smears some raw liver on his face, and goes outdoors, where the dog jumps up and licks his face. And so boy meets girl. That's the sort of thing they want."

Susskind showed me an item in the advertising trade-news column in that day's Times, which quoted Richard Pinkham, Susskind's adman friend at Ted Bates, on his programing needs of the moment:

"What are the advertising agency executives looking for when they are in the market for new programs?

"Richard A. R. Pinkham, senior vice president of Ted Bates and Co., Inc., for television and radio broadcast operations, said:

"'My whole program philosophy is based on two things—that most people live humdrum lives and look to television for escape and that most nighttime program viewing decisions are made by women.

"'I have, therefore, developed certain basic attitudes toward shows offered to me: I don't want shows starring women in a continuing lead role * * * I don't like ultra-realism or neorealism, because a show that's too uncomfortably close to real life won't attain widespread television success. I prefer shows about beautiful people in beautiful places doing glamorous things.'"

When I had read this, Susskind remarked, "He's got 'Adventures in Paradise,' which is hardly doing beautiful things with beautiful people. They're down on the other side of the tracks looking for a killer."

At this point, Mitchell Benson walked into the room, and Susskind asked him, "What's the news on the ghost stories at J. Walter Thompson?"

"We're dead," Benson said. He added soberly, "They bought a western instead for Ford. It's called 'The Wrangler.' They figured it would hold up the ratings while Tennessee Ernie Ford's on vacation." He left the room.

Susskind passed a hand over his brow. "There goes the thing I'd hoped we'd have to keep our people busy with production through the summer months," he said to me. "When you specialize in live television, as we do here, practically all of your year's activities are compressed into 7 or 8 months, so you can see how vital a thing getting summer work is."

He lit up a cigarette, took a few puffs, and muttered, "May and Nichols—got to get that set," and called out to his secretary, "Get me Dan Seymour at J. Walter Thompson."

"He'll get back to you," his secretary said.

Susskind's telephone buzzer sounded, and he took a call from Arthur Cantor, a press agent (and, more recently, a theater producer as well), whose clients include both Talent Associates and the Aluminum Company of America. Cantor is a friend of Susskind's, and he was calling in to report a trade rumor. "What, dead at Alcoa?" Susskind said, after listening to Cantor. "Oh."

"It looks as though Alcoa is going to buy a half-hour film show every week instead of 'The Witness,'" Susskind said to me glumly after he had finished talking to Cantor. "Some mystery show or other. I tell you I felt it. I just felt it. The delay of Alcoa. The absence of requesting an exclusive option that would have prevented us from offering 'The Witness' to anyone else! Their failure to exercise their corporate strength to acquire network time!"

Susskind lit another cigarette. Inhaling deeply, he picked up from his desk a large chart showing the program schedules of the three networks for the coming season and studied it intently. Then he told me, in his most elliptical fashion, "If Alcoa falls down on us, we must be resilient to such changes of sponsor whim and network instinct." In plainer fashion, he added, "I see here a gap in the 8:30 to 9 timeslot on Wednesday night in the CBS schedule which we might try to widen to an hour to house 'The Witness.' Colgate has an option on the following half hour, from 9 to 9:30, but I suspect that Jim Aubrey would prefer a strong hour show from 8:30 to 9:30 because of the heavy competition at 8:30 to 9 from 'Ozzie and Harriet' on ABC and 'The Price Is Right' on NBC." Without further ado, Susskind telephoned Aubrey and put the proposal to him. "It's such good counterpoint programing, Jim," he said, "and between your enthusiasm for 'Witness' and mine—the guy from Dow says it's the best pilot he's ever seen—we ought to be able to work something out there. I should talk to Dick Pinkham about buying half of it for Colgate, and you'll give it consideration if Colgate goes along? Good." Then Susskind tried to reach Pinkham, but with no luck. Pinkham was somewhere within the recesses of the CBS building looking at pilots, presumably in search of beautiful people doing glamorous things.

Susskind was plainly put out at not being able to reach Pinkham. "I really want to talk to Dick," he told me. "If Colgate would only go along on my plan for 'The Witness,' we'd be in at CBS. If not, I think I may consider putting it on tape on channel 13 as a carrier of spot commercials—Dick Pinkham has lots of clients who do only spot advertising—and try syndicating the tape among local stations, which is doing things the hard way."

Mitchell Benson entered the room again. "I want you to know that there's still a spark of life at Alcoa," he said to Susskind. "They think they might still be able to do something for us at NBC."

"How about Cutex and Noxzema on the May and Nichols specials?" Susskind asked him.

"I tried to get them on the phone. The boys are in a meeting," Benson said.

Susskind slammed his right hand down upon the papers on his desk. "That's bad news," he said, and, getting up from his chair, went on, in an increasingly passionate voice, "They're always in meetings. We should know by now what the client is going to do. I have no trust in Noxzema or Cutex. I have no trust in Dow Chemical or Alcoa."

Susskind sat down heavily in his chair. "You submit to rampant optimism and you are in trouble," he said. "You think a guy's enthusiasm is genuine and you wake up and find you have no shows. I'm going to get the truth, the truth." Grabbing the phone, he managed, after a frustrating wait, to reach Walter Tibbals, the Norman, Craig & Kummel man, at the Hollywood Beach Hotel. "Listen, Walter," Susskind said in a vibrant voice, "just how realistic and immediate is the Dow Chemical interest in 'The Witness'? We're getting a little late in the season at a time of diminishing network time periods, and while we've had a very substantial interest in 'Witness,' we haven't had anything that's happened." Then Susskind listened for a while and said, "Uh-huh" a couple of times and wound up by saying, "So will you keep that vista of no time slot alive with the client, Walter? Thanks."

When he put down the phone, he sighed. "They were kidding Al Levy," he said to Benson and me. "It's not true about their flying down to the Caribbean to see the head man at Dow. All the big game at the agency is down in Florida, golfing it up. They're nowhere near flying down to the Caribbean with any kinescope."

Susskind took a few deep drags at his cigarette. "I'm going to get the truth," he said again, bitterly, and he called a vice president at Doherty, Clifford, Steers & Shenfield. "This is David Howard Susskind," he said to the vice president, "and I would like to lay a solid question to you as an honorable man, because living on the abyss of ignorance is appalling. We have always considered Noxzema and Cutex the alivest possibilities for May and Nichols—what is the situation and are Noxzema and Cutex really coming into line to buy these specials?"

After a minute, Susskind put the phone back on its cradle with a clatter. "Hell, they haven't even been to the client yet," he said. "They won't be going until tomorrow."

Then he said, "Why must we allow ourselves to think that we have the client tied up? Why do we keep living in these fools' paradises?" And he added, with even emphasis upon each word, "We—must—not—allow—ourselves—to—be—conned."

Susskind picked up his telephone and got on to the man at N. W. Ayer with whom he had been dealing on the Art Carney and the May and Nichols specials. "This is clean-up-cobwebs day," Susskind told him. "Is there any realistic hope at Plymouth with May and Nichols and Art Carney, or is it a vague dream and should we proceed elsewhere?"

When the call was finished, Susskind said, "The N. W. Ayer man said Art Carney didn't get very big ratings this year. He said, 'I'm not sure Plymouth wants intimate little shows.' Huh! Intimate!" Then he called out to his secretary, "Get me Charlie Revson!"

The president of Revlon called him back in 5 minutes. "Hello, Charlie," Susskind said, in a friendly voice, "how are you?" I saw Bill Mandel and George Beck and we had a spirited discussion, particularly about May and Nichols, and I'm sure it filtered up to you." Susskind listened briefly, then continued, "Gee, Charlie, I agree with you that May and Nichols have great talent. And I think they will have terrific appeal to the younger element especially. They need important marquee support on each show, and they would get that." He listened a moment or two, and said soberly, "Oh, I see, Charlie. A Debbie Reynolds type thing. Uh-huh. All right, so long, Charlie."

And Susskind hung up. "What he wants is a great—big—Debbie Reynolds thing," he said. "With Bob Hope as the guest star, and guaranteed ratings. Guaranteed ratings, he kept saying. Guaranteed ratings! Huh!"

In a bustling, bristling mood, Susskind pulled together some papers on his desk. "This is my cleanup day. I'm getting the truth today," he said to nobody in particular. Then he reached for his telephone and called out loudly, "Get me Dan Seymour at J. Walter Thompson."

Mr. PROXMIRE. Mr. President, I do not wish to visit cruel and unusual punishment on my colleagues, so I shall not read into the RECORD all of this material I have. I shall ask unanimous consent in a few minutes that it be printed in the RECORD.

I picked up the television program section published in the Washington Post of last Sunday, August 14. It contains the list of programs broadcast over television in this great city, which has as many television outlets as any other—that is, four—and this is the kind of thing which the people have a chance to watch on television during the prime listening hours, beginning at 7 o'clock in the evening. Reading from left to right are the stations WRC-NBC; WTTG; WMAL-TV; and WTOP-TV, which is the CBS outlet. The programs are as follows: "Death Valley Days," "Quick Draw," "7 O'clock Final," which is a news program; and "San Francisco Beat."

"Riverboat," "Judge Roy," "Cheyenne," "The Charlie Farrell Show."

"Riverboat," "Jim Bowie," "Cripple Creek," "The Texan."

Darren McGavin, Scott Forbes, "Cheyenne," and Rory Calhoun.

"Tales of Wells Fargo," "Impact," "Bourbon Street Beat," and "Father Knows Best."

"Wells Fargo," MacDonald Carey, Richard Long, and "Father Knows Best."

"Peter Gunn," "Racket Squad," Andrew Duggan, and "Celebrity Talent."

Craig Stevens, Reed Hadley, more "Bourbon Street Beat," and "Celebrity Talent Scouts."

"Goodyear Theater," "Big Story," "Adventures in Paradise," and "The Spike Jones Show."

"What Makes Sammy Run," "Man Behind the Badge," Gardner McKay, and new "Comedy Showcase."

John Forsythe, "Californians," Adam Kennedy, "The Original Amateur Hour," and "The Du Pont Show."

Mr. President, that is the kind of thing we have on television in the capital of the Nation, the greatest nation on the face of the earth. This is the kind of television programing which is shown all over the country. This is, overwhelmingly, network time. The owners of these radio and television stations do not have any choice.

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

Mr. PROXMIRE. I yield.

Mr. LONG of Louisiana. What was wrong with "What Makes Sammy Run?" I saw it on TV and thought it was a pretty good play.

Mr. PROXMIRE. There are some good programs on TV. There are a number of entertaining programs. I like to see a good western, but I think we ought to have something else, too.

I saw "What Makes Sammy Run?" I thought it was pretty good, but it was not extremely uplifting. It was not educational. It had a moral, and lots of frank sex, and Hollywood parties. All of us like to see those things occasionally.

But as John Crosby says, such things are drilled into the minds of our people and their children day after day after day; and the average viewer watches about 4 hours a day, and such things are about all he sees.

Mr. LONG of Louisiana. Did not the show to which I have referred illustrate that things such as drinking and carousing could be overdone?

Mr. PROXMIRE. Well, I am not sure, for Sammy wound up with a big job at a high salary and a fine home. But I do not think the Senator from Louisiana was very serious when he said that the selection of "What Makes Sammy Run?" was a very desirable choice.

On the other hand, I do not say that all the programs should be of a high quality, educational type. But certainly a good program should be available during most of the prime time on at least one of four channels.

Mr. LONG of Louisiana. But was not "What Makes Sammy Run" very popular?

Mr. PROXMIRE. Yes, and so were "Tobacco Road" and "Abie's Irish Rose." Such programs make fine entertainment, and I suppose they also provide a degree of education for people. We need something else, too. But under present economic circumstances, it is very hard for the broadcasting people to provide it. Let me say that I am sure those in the broadcasting industry are wonderful people.

Mr. LONG of Louisiana. I must confess that I entered the Chamber after the Senator from Wisconsin began his speech, so I have not heard all of it. But from what I heard, I thought he was criticizing a fairly good show, and I thought I would say a word for it.

Mr. PROXMIRE. I understand.

Mr. President, I think I can sum up very quickly my further remarks on the amendment.

The fact is that control of the networks was recommended by the Federal Communications Commission. On the other hand, the Commission has been criticized by the Congress—and properly so, I believe—and by many throughout the country as being too soft on the industry and as being responsible for not getting results in the way of improvements of the content of the television programs.

But now, when the Commission requests from Congress the power to take action in regard to the programs of the great networks, Congress says "No".

The fact is that the Attorney General of the United States favors this proposed legislation; and so does the Committee on Legislative Oversight, which conducted exhaustive hearings which lasted for months. In the hearings, the committee went into great detail; and the hearings were quite sensational. A majority of the committee members stated that the networks should be controlled by the FCC.

It is true that the House voted against that. It is also true that it is now late in the session. I realize that the chance to enact this amendment at this session is very slim, indeed, and perhaps is nonexistent.

But I believe we should look very carefully into the question of regulation of the networks, because the record of regulation over a period of 14 years has resulted in an American television which has been judged at best as unworthy of a great nation and at worst as a national disgrace.

I would agree with the Senator from Rhode Island that the people concerned, who are in charge of the networks, are wonderful people, as fine as those in any other industry, and perhaps finer; they are devoted, and they make sacrifices. But they are also powerful men. In my judgment the most powerful men in America because they have such immense—really enormous—access to the public mind.

It takes courage for Senators to stand up to men with such tremendous power and to require to forego some profits in order to serve the public interest. But I feel very deeply Congress should stand up to the industry, and should provide that the Federal Communications Commission have at least some power of regulation over the networks. The boys who decide what 180 million Americans see or cannot see on this media Herbert Hoover has found public.

Mr. President, I reserve the remainder of my time; and at this time I yield the floor.

Mr. PASTORE. Mr. President, here, again, I share the feelings of the Senator from Wisconsin, although perhaps not to the extent that I did in regard to the preceding amendment, which he was kind enough to withdraw.

This controversy over regulation and over the types of programs has been going on for some time. Of course, in that connection we are faced with the question of how far one can go in denying to people who wish to see "Howdy-Doody," let us say, an opportunity to see "Howdy-Doody." Personally, Mr. President, "Howdy-Doody" does not interest me; but some persons seem to wish to have an opportunity to see "Howdy-Doody." Similarly, "Gun Smoke" does not appeal to me.

On the other hand, when the Firestone Co. was required to take off its fine musical programs it was a grave disappointment to me. Firestone did so because—so it was stated—the ratings did not justify continuing the programs, expensive as they were.

This afternoon our time is very limited; but let me say to my good friend, the Senator from Wisconsin, that the arguments he has made here this afternoon are very impressive and carry a tremendous weight with many of our people.

On the other hand, we always run into the question of whether such regulation would amount to censorship and an attempt to dictate in regard to the kinds of programs. Many persons are of the opinion that it should be possible for any program to be shown—provided, of course, it is not obscene. An obscene program would be a violation of the law, and those responsible would be prosecuted to the full extent of the law.

An amendment similar to this one was proposed on the floor of the House, but was rejected. Representative HARRIS stated that he intended to go into this matter in great detail during the coming session. It may be that our committee should do likewise.

Let me say that if the House committee does not undertake it, and if such a bill is introduced in the Senate, certainly I will undertake a careful study as to whether the networks should be brought under such control.

In the full committee we held a hearing over a period of several weeks, and finally we voted funds in order to enable the FCC to make a thorough investigation. But up to this time the Commission has not reported.

However, after the revelation of the payola scandal and the other scandals, I understand that the networks went before the Commission and said they would not object to any legislation which would place the networks under control.

So I say to the Senator from Wisconsin that I do not think this is the proper place to bring up this amendment. Probably this whole matter should be pursued further. Many ramifications, implications, and problems are involved in the entire area and the entire issue of whether we can and shall control certain programs on the air.

I fully realize the fine type of liberal the Senator from Wisconsin represents. I know he believes in the great principle of allowing a man to say what he thinks. Similarly, it is argued that there should be no regulation of these programs, so long as they do not include obscenity.

Sometimes I wonder how far we can go in saying to those who view these programs, "If you like symphonic music, you will be able to hear it on these programs. But if you like boogie-woogie, you will not be allowed to hear it." We went all through that question with ASCAP and with the other groups.

Personally, I like light opera, grand opera, and symphonic music; and I care very little for boogie-woogie. But many people do like boogie-woogie. That is one illustration of the difficulties which are encountered.

So I ask my good friend the Senator from Wisconsin to withdraw this amendment also; and if the House does not do something about this situation in the coming session, possibly the Senator from Wisconsin will then wish to introduce a bill dealing with this matter.

Mr. ALLOTT. Mr. President, the Senator from Wisconsin is a very brilliant and educated man. We have to take into consideration that there are almost 200 million people in this country, some of whom have a very high degree of education, some of whom are educated in the arts, and other cultural

fields, music, painting, and so forth, and that these programs, even though I deplore many times their low standards, are put on primarily because of the demand of the public. They may not be put on at the demand of the Senator from Wisconsin or the demand of the Senator from Colorado.

I underscore the remarks of the Senator from Rhode Island when he referred to the Firestone program as a typical example of one of the finest programs going off the air.

I have a very close friend who runs a moving picture house, and he informs me that when he runs good pictures in his theater, pictures that could be expected to provide a real uplift and a moral, mental, or education upsurge, any one of the three, the people stay away in droves. Thereupon, he brings into the moving picture house a western, detective story, or something like that, and the people come there in droves.

I cannot feel that the blame for this can be put on the backs of the networks, because the Senator may like symphonic music, and I may not—I happen to like it—but even if we both like symphonic music, the chances are the Senator and I are in the great minority, I am sorry to say, in this country.

I wish to close my remarks by trying to emphasize the difference in people, and the fact that the networks have to address themselves to a great divergence of mental abilities, social upbringing, education, training, racial and religious background, and everything one can think of, running the whole gamut of the human mind. I can best illustrate this matter by referring to a remark made by Disraeli. He said that he would rather hear the beating of a thousand drums of the Sultan than listen to the finest orchestra in the world.

So this difference exists, and I can understand Disraeli's remark. While I might not prefer the tom-toms or the drums, I can still see some virtue in them, as can anyone who has ever listened to a really complicated rhythm beat out on drums.

I think we should keep in mind that we are trying to serve nearly 200 million people, and the networks cannot say to those people, "You have got to take this and like it." Considering the great story writers, I personally think de Maupassant is one of the greatest short-story writers of all time, but the broadcasters would not dare to put half of his stories on the screen.

Mr. PASTORE. The Senator will agree that some of the episodes the Senator from Wisconsin has brought out are rather gruesome and gory. He has given several instances. I think greater discrimination could be exercised, but whether the broadcasters could be forced to exercise better care gets us into the field of censorship. We will have broadcasters saying, "I can do anything I want provided I do not violate the law." I do not know whether we can tell them what to broadcast. Sometimes I think the broadcasters should give the people programs of finer quality. Perhaps we should cultivate esthetic values in our people; but whether the producers can be made to do it gets into a constitutional question, and constitutional freedom is the bulwark and the keystone of our American way of life. I do not know how far we can go in dictating.

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

Mr. PASTORE. I yield.

Mr. PROXMIRE. I think we should recognize what we are dealing with. We are not dealing with the newspapers of America, the press. We are dealing with the radio and television stations, which are granted by the Federal Communications Commission channels on which to operate. The Government permits them to operate on channels. But only on the condition that the station operate to suit the public interest and convenience. When the FCC as the Government's agency does this, it requires the station to submit the kind of programing to be offered, how much to be devoted to religion, how much to sports, how much to news, how much to education, and how much to entertainment. All that has to be set forth when one applies for a radio or TV channel.

My argument is that there is no requirement placed on the networks. What the television stations do is, in large part, carry network en bloc in their prime time. That means there is no order by which the FCC can require public interest programing to be met at hours when people will have an opportunity to see those programs.

I am not in favor of censorship. I want to have the same kind of law that Herbert Hoover favored in 1926 or 1927. I am no more radical on the subject than he is. But I do feel, because this is a grant by a public agency, because these millions of dollars worth of opportunity are given to the networks by the public, we have a right and a duty to insist that they comply in some degree and to some extent in the interest of the public. In doing that, I do not think we have to modify the basic law. All we have to do is see that the basic law is enforced and to give to the FCC enough power to see that it is enforced.

Mr. PASTORE. I think the discussion this afternoon proves the point the Senator from Rhode Island is making, that this is a field with many ramifications. It has to be explored. My sentiments are with the Senator from Wisconsin on the elevation of the quality of programs. Just how we promote it and how we go about it requires extensive and exhaustive study. I do not think we can solve that problem this afternoon in 1 hour, or in 5 hours.

Inasmuch as we have the assurance that the House is going to go into it—and I give the Senator the further assurance that if the House does not go into it, we shall—I think that should serve the purpose.

I repeat, I would not want to put the Senator's amendment to a vote. I would not want to defeat it. I think we can, but why should we defeat it? I would rather see it withdrawn and have us consider it de novo, and not as a defeated amendment. I think to have the amendment defeated would weaken the Senator's case.

Mr. PROXMIRE. With great reluctance, but recognizing the wisdom of what the Senator from Rhode Island has said, and also his full understanding of the problems involved here, and that they have great merit, in view of the FCC request and the Attorney General's request and the subcommittee's request, I withdraw my amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. PROXMIRE. Mr. President, I offer my final amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On the first page, beginning with line 1, it is proposed to strike all through line 7.

On page 2, beginning with line 3, it is proposed to strike all through line 6.

It is proposed to strike the amendment to the title.

Mr. PROXMIRE. Mr. President, what the amendment would do is to knock out the provision in the Senate amendment which deletes the suspension section of the House bill.

The House passed a provision that the Federal Communications Commission should have the power to suspend a license. The House did that, as I understand it, after very careful study and after hearing recommendations from all kinds of authorities, upon the ground that the power to revoke a license is meaningless, because it is never used. It cannot be used. It means the virtual confiscation of property, or the total destruction of property. It is too severe a penalty to ask, and it is not used at all.

Under these circumstances, I think we should recognize the actual situation, based upon the testimony of people who have recommended this and the force with which they have recommended it.

There is set forth on page 38 of the report of the Subcommittee on Legislative Oversight:

> A new section should be added to section 312 to empower FCC to suspend station licenses for brief periods upon a finding that a station, having previously been warned by the Commission that its programs are not serving the public interest, has continued the violation.

I wish to tell Senators what Attorney General William Rogers, the Republican Attorney General, said about the matter in a letter to the President of the United States on December 30 of last year. He said:

> As a practical matter, the one sanction expressly conferred by statute upon the FCC for use against a broadcast licensee who fails to operate in the public interest is to withdraw his broadcasting license permanently—a sanction so severe that it has been imposed only rarely. The Federal Communications Commission should be expressly authorized also to impose less severe sanctions for actions violating the Communications Act or regulations issued pursuant to it. Such sanctions, for example, could include temporary suspension or conditional licenses.

I wish to read to Senators what Representative HARRIS, the chairman of the Committee on Interstate and Foreign

Commerce of the House, and the chairman of the subcommittee, who has devoted as much time to this subject as anybody else, said in a speech on the floor of the House of Representatives on this bill June 23:

Now I would like to direct you to page 20, suspensions, revocations, and cease and desist orders. This is the one controversial section in the bill.

Since revocation is a death sentence for a station it has never been used since the 1934 act.

Now, the industry does not like this suspension provision. I feel and the members of the committee feel that this is the heart of the bill because it gives the Commission authority to deal with questionable acts and violations by a licensee without imposing the death sentence.

* * * * *

It is, of course, obvious that if a facility rendering a public service in the community is suspended, the public may be deprived of that service. We think the Commission should have authority to impose where desirable a forfeiture so that they do not take away the service from the public.

Section 6 of the committee substitute would amend the act to authorize the Commission to impose forfeitures on licensees and permittees of broadcast stations of up to $1,000 a day for certain violations.

Some say that the power to suspend is entirely too punitive: that it gives too much authority to the Commission. But if you turn to page 22 you will see provisions which protect the licensee. Before revoking or suspending or issuing a cease-and-desist order there must be an order to show cause why an order of suspension or revocation or a cease-and-desist order should not be issued. Then a hearing must be held on that show cause order.

The Commission must prove that the licensee has violated one of these four or five provisions of the law. In other words, they are amply protected, because the Commission has got to set forth in writing the violations which they are alleged to have committed. Then it must show that they actually were committed. They must have a hearing and give them an opportunity to state the facts. We feel that the industry is amply protected by this requirement in the law.

Mr. President, the Federal Communications Commission has asked for this authority. The Commission has said it must have it if it is to do an effective regulating job in the industry. Heaven knows there has been an abundance of criticism of the FCC from all sides—from both sides of the aisle, and from newspapers of all complexions.

The subcommittee which studied this matter at great length has recommended it.

The Attorney General has recommended it.

The Committee on Interstate and Foreign Commerce of the House of Representatives has recommended it.

The House itself has passed this provision.

The man who has devoted a great deal of his time to study of the bill, the able Representative from Arkansas [Mr. HARRIS] says this is the heart of the bill.

It seems to me that to take this out of the bill is a mistake, under all of the circumstances, in view of the serious nature of the problem which confronts us.

Mr. President, it has been said that instead of this provision there is a provision for a $1,000 fine each day. That fine was provided by the House. It was coupled with the suspension. I think it was a wise combination. The FCC could use either, and as a matter of fact, I presume it could use both, if it thought the situation that serious.

If the FCC were confronted with a big station which persisted in violating the law, and the FCC told the station to stop, all the station would have to do is to immediately appeal the order to stop. The station could carry on its violation for months. If the legal suit were delayed, which is often true, of course the station could carry on the activity for years. As soon as the case was lost, then the station would stop. There would be no penalty.

There would be no possible suspension. There would be no action possible at all under the bill.

That is why it seems to me the bill is not adequate. The bill not only knocked out the suspension, but it also seriously reduced, as the Senator from Rhode Island said, the impact of the $1,000 fine. One cannot go back a year. One can impose a maximum of only $10,000. Ten thousand dollars, as the distinguished Senator from New York [Mr. JAVITS] pointed out, could be devastating for a little station. It could be tremendous for a small station, which might have a profit of only $4,000, $5,000, $10,000, or $20,000 in a year. However, when we are considering a big, metropolitan television station this amount is "peanuts." If the station has a very profitable practice going on some kind of a quiz show or some other kind of violation under the law it seems to me this would be a powder puff way to try to stop it.

I say this with great respect for the distinguished Senator from Rhode Island [Mr. PASTORE], who in my judgment knows more about this proposed legislation than any other Member of the Senate.

Mr. President, I reserve the remaining portion of my time.

Mr. PASTORE. Mr. President, this particular section was the one which required more time and debate than any other provision of the bill when it came before the committee.

I will say to my good friend from Wisconsin that the decision on the deletion of the suspension provision was unanimous. I do not know of any member of the committee who objected to it. I know that a great many of the members of our committee would not have favored reporting these amendments if the suspension provision had been kept in the bill.

We must realize there are many, many small broadcasting stations throughout the country which are run by people who are dedicated to and devoted to the public generally, broadcasters who are trying to do a genuinely good job.

There are myriad rules and regulations, encompassing some four or five or six volumes, put out from time to time by the Commission.

In answer to the example given by my distinguished colleague from Wisconsin, which was that a man could go on repeatedly violating the law in defiance of the Commission, such performance would be impossible, because under the law the Commission would have a right to secure a cease and desist order. If the violation persisted, the Commission could go to court and get a decision of contempt of court.

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

Mr. PASTORE. I yield.

Mr. PROXMIRE. Suppose the cease and desist order were appealed?

Mr. PASTORE. Then it would be taken to the courts. The Commission could get an injunction with respect to a violation of the cease and desist order.

Mr. PROXMIRE. What about the time between the appeal and the time of the granting of the injunction?

Mr. PASTORE. The suspension order could be appealed. One can appeal anything. We cannot deny the right to appeal.

Mr. PROXMIRE. All I say is that there is no penalty until an injunction is actually secured.

Mr. PASTORE. That is true, but the Commission, since we have streamlined the procedures, can operate expeditiously. These licenses are up for renewal every 3 years. The licenses must be renewed every 3 years and even for periods less than 3 years at the discretion of the Commission.

Mr. PROXMIRE. Mr. President, will the Senator yield? How many licenses have been revoked since 1934?

Mr. PASTORE. Of course none has been revoked, but that does not answer the question. Why should the licenses not be revoked if there is an out and out defiance of law?

Mr. PROXMIRE. Perhaps they should be. But they are not. They have not been. They will not be and the Senator from Rhode Island knows it.

Mr. PASTORE. I say now, as I have said before, if any broadcaster stands up against his government, defies the law and defies the Commission to the point that he becomes a nuisance, his license should be revoked. It should be taken away and given to somebody else. That could be done within a short time.

However, when the license is merely suspended, the owner of the station still maintains an interest in the license. The owner goes to Bermuda while the license is suspended for perhaps 10 days, while everybody else lingers in darkness.

What do we do in such a case? We really hurt the public. I say if the violation is serious, the license should be taken away. It should be given to somebody else.

What would we accomplish by having a suspension? When we suspend a man's license for 10 days we are simply taking service away from the viewing public. What are we doing to the owner? We are simply cutting down his profits. We are only reaching into his pocket.

If we shut the business down for 10 days, what do we accomplish? We take away the business. Can we not reach into his pocket by a fine and do as well?

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

Mr. PASTORE. There may have been some reason for the committee putting in the provision in the first instance. When the bill came to our committee we listened to testimony from all of the broadcasters all over the country, and especially to the little fellows. A very distinguished operator in my State, Mr. Sinclair—this is in the record—came to testify before our committee. He is a gentleman who represented all of the broadcasters of Rhode Island. They do a marvelous job. He said:

> This goes a bit too far. This is actually a penalty which is imposed upon the viewing public more than it is imposed upon the station operator.

After all, there are criminal provisions in the law for violation of the rules. The Federal Communications Commission can now, even without this proposed legislation, make appropriate charges to the Attorney General and have a criminal complaint brought.

Second, there is a provision for cease and desist orders. If a person persists in a violation, an order may be issued and the Attorney General can go to court and obtain an injunction . An injunction can go into effect immediately if one is secured from a court. Whether an appeal is taken or not, the court can grant that remedy.

Third, the Commission has the right to revoke the license of an operator.

Fourth, the licensee must apply every 3 years and show what a good station he has operated before his license can be renewed.

Now it is proposed to add a little more. We are giving the FCC a little more authority. We are giving them the authority, besides all of the available steps I have stated to impose administratively a penalty for a violation of $1,000 a day, not to exceed $10,000. All the teeth needed are present in the bill. All we need now is an alert Federal Communications Commission. We have all the law we need. How far must we go in punishing a man? The license can be taken away from him completely. He can be taken to criminal court; can be taken to an equity court; and he can be fined.

I realize there was suggested the other penalty of suspension. Frankly, the junior Senator from Rhode Island and all his colleagues were very much convinced—and we heard some of the argument this afternoon by the two distinguished Senators from New York—that if we had retained the suspension provision in the measure and had not modified the forfeiture provision by inserting a due process clause, we would not be here discussing the bill this afternoon. The bill would not have had a chance to pass the committee.

I hope my good friend, the Senator from Wisconsin, will withdraw his amendment, because if he does not, I am afraid we cannot pass the bill this afternoon. The bill is on the floor of the Senate because the members of the committee were satisfied unanimously that the suspension provision should not be included in it, and if the amendment is agreed to this afternoon, the Senator from Rhode Island will be obliged to move to recommit the bill.

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

Mr. PASTORE. I yield.

Mr. PROXMIRE. Is it not true that the bill passed the House with the suspension provision in it?

Mr. PASTORE. The Senator is correct.

Mr. PROXMIRE. The House of Representatives knew it; it had a debate on it.

Mr. PASTORE. Since we have taken out that provision, we have been in communication with the chairman of the committee. We have consulted with the staff, and they appear to be satisfied that if and when the bill goes to the House, it could be accepted as we have proposed to modify it, because we have improved it. They appear to be satisfied and so is the FCC.

I questioned Mr. Ford on the subject. I invite my friend, the Senator from Wisconsin, to read the hearings and particularly the testimony of Mr. Ford with regard to the suspension clause. He admitted to me that he had everything he needs.

He is satisfied, and everybody else is satisfied.

I say that we should try it this way. If it does not work, we can make the law stronger. The Commission does not need any more law added to this to make sure that the public is protected. What we need is alert members of the Commission who will enforce the law.

Mr. PROXMIRE. If words can be believed, the Representative from Arkansas, the manager of this bill, and the chairman of the committee [Mr. HARRIS], says that this is the heart of the bill. He did not say "We need this as another penalty." He said that this is the heart of the bill.

Mr. PASTORE. I realize that; it might have been poetic license. I do not think it is the heart of the bill. Without the provision of the proposed amendment the bill is a strong bill. Some say it is too strong. An operator's license can be revoked. A cease and desist order can be obtained. An operator can be taken to the criminal court, and he can be penalized with an administrative fine of $1,000 a day. All the teeth needed are in the bill. All that is needed is alert administrators and strong effort to enforce it.

If we now write into the bill a provision for suspension, the junior Senator from Rhode Island will be compelled to move to recommit the bill, because it came from committee with the understanding that suspension would be deleted.

Mr. PROXMIRE. I have listed the agencies which say this provision is necessary. They are the Attorney General, the FCC itself, and the House subcommittee, which held exhaustive hearings. They have all said that such a provision was necessary. The Senator from Rhode Island tells the Senate that the industry opposes such a provision. Of course, they oppose it. Has the Senator from Rhode Island ever heard of a group coming to Congress and saying, "We want to be hit with a tougher penalty"? I have not heard the Senator from Rhode Island say that anybody else opposes it.

Mr. PASTORE. I oppose it. I think I have made clear that the committee unanimously opposed it.

Mr. PROXMIRE. I am talking about those outside the Senate or outside the committee, of which the Senator is chairman, who have indicated opposition, and who have studied these problems.

When we say that the FCC, which is the authority in the field, declares, "We want this power; we must have it," the Senator from Rhode Island replies, "What we need is an alert FCC."

When the nomination of Mr. Lee, who was a typical member of the FCC—I suppose he was strong in some respects, and weaker in others—came up for confirmation to the Federal Communications Commission, he was overwhelmingly recommended by the Committee on Interstate and Foreign Commerce. The Senator from Wisconsin opposed the nomination and fought it on the floor. Eighteen or nineteen Senators voted against the nomination. The argument at that time was, "We must go along with these fellows. They will not be so bad in the future. We interrogated them rather strenuously in committee."

When the FCC comes to us and says, "Give us some legislation so that we can do a job in the industry, and so that we can enforce the law vigorously," we say, "No; we want the members of the FCC to be alert. Any fault lies in the members of the FCC. They have enough power now."

Well, now, how can we win? We try to fight the reappointment of Commissioners because we feel they have been in bed with the industry. The Senator and his committee say, "No, no; these fellows are great. They are doing fine."

We try to give them the effective legal authority to act. The Senator says; "No; the only trouble is the caliber of FCC members."

Mr. PASTORE. Does not my friend from Wisconsin realize that there are places in which there is only one broadcasting outlet?

Mr. PROXMIRE. Yes.

Mr. PASTORE. If the license of that one outlet were suspended for 10 days, who would be hurt?

Mr. PROXMIRE. We must assume that the FCC is not composed of members who are crazy. They have some sense.

Mr. PASTORE. Now the Senator from Wisconsin is beginning to defend the agency.

Mr. PROXMIRE. I have defended it all along. I have said that we should give it what it wants. Where there is only one outlet, of course, the Commission could use the fine provision, but where there are three or four outlets, as in Washington, the station could be suspended for a day, 2 or 3 days.

The Senator from Rhode Island has been saying that suspension is not much of a penalty, that the owners of the

license could go to Bermuda, and that it hits their profits but little. The Senator from Rhode Island knows perfectly well that suspension can be a great and decisive penalty. The station must go off the air. The public knows that the station has done something wrong. It is a damaging and serious blow to its prestige.

Mr. PASTORE. Is not revocation a damaging blow?

Mr. PROXMIRE. Revocation is never imposed. The Senator from Rhode Island cannot cite a single instance of such action.

Mr. PASTORE. I say that the revocation provision is in the law, and the Commission has the right to use it if it must be used. If the Commission has not been using that provision, the members should be called in to account for their action. We should not give them a spoon because they will not use a spade.

Mr. PROXMIRE. If they say that a spade is too much, that they need a trowel and a spoon, why not give it to them?

Mr. PASTORE. Are they not given a spoon when they are given a provision for a fine?

Mr. PROXMIRE. What does a $10,000 fine mean?

Mr. PASTORE. That is a great deal of money to the junior Senator from Rhode Island.

Mr. PROXMIRE. It is big money to the junior Senator from Wisconsin, too, but to a large metropolitan television station it is peanuts. It is perhaps 1 day's profit or even less.

Mr. PASTORE. Does not the Senator from Wisconsin see that if we have a penalty for the forfeiture of $10,000, which can be invoked; when we can obtain cease and desist orders; when we can obtain revocation of license when the operators of a station come for renewal of their license, and facts can be shown to justify the denial or renewal of their license, does he not see we have everything we need?

The argument was made by the broadcasters, and by many others that they are afraid that suspension would punish the viewing public more than anyone else. Naturally the broadcaster does not want his license suspended. Naturally he does not want a cease and desist order issued against him. Naturally he does not want a forfeiture. Naturally he does not want a revocation. Naturally he wants a renewal. I know all that. But the fact of the matter is that we could report this bill out by making this concession. I thought the concession should be made in the public interest. The FCC has all the tools it needs to work with, if only it will use them.

If a man commits a slight violation of the law, he ought to be fined for it. He ought to be called into court if he fails to cease and desist. A complaint ought to be made against him and the Attorney General urged to act if he commits a wanton violation of the law. The fact that the suspension provision is left out does not emasculate the bill. It does not weaken the bill. The Commission has everything it wants. But the argument was made—and it was a good argument—that suspension still leaves the license in the hands and the possession of the licensee. The television station is blacked out for a period of 10 days. The question is then whether it is the station that has actually been punished.

In that case, have we not punished the public? That is the argument that has been made. The argument has been made by and to the members of the committee, who have been impressed by it. That is why it was deleted. Because it was deleted, the bill was reported unanimously. If we had left that provision in the bill, I doubt that the bill would be before us today.

If the Senator's amendment carries—and I hope he will not press it, but will decide to withdraw it—but let us assume that in one chance out of a thousand it will be adopted—I would be compelled to ask that the bill be recommitted.

Mr. PROXMIRE. I should like to reply briefly to the Senator from Rhode Island. First, the committee took out the suspension. Then it took out the fine of more than a million dollars, and reduced it to $10,000. The Senator says if it is a slight violation, fine them. If it is a big offense, he says we can stop them by revoking their license. In other words, Mr. President, there is no effective intermediate course that can be followed.

Furthermore, the FCC says it does not have enough power, and that these provisions are not enough. The subcommittee of the House has said it is not enough. The Attorney General has said it is not sufficient. The chief legal officer of this Government says it is not enough. He understands these things, I am sure. The Senator asks, "Whom do we punish?" The fact is that in a metropolitan market such as the Washington situation, where there are three or four stations, if a suspension took place, it would not hurt the public. I am sure that the FCC would not go into a small community and suspend a station.

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

Mr. PASTORE. I yield.

Mr. ALLOTT. How can the Senator from Wisconsin say that the Federal Communications Commission, if it finds that an offense has been committed for which suspension should be ordered, will not suspend a small station, but will suspend a big one? The punishment must fit the crime uniformly across the country. The Senator, I am afraid, assumes too much. All stations must be treated alike. The punishment must be applied on an overall basis. It would hit thousands of small stations throughout the country.

Mr. PROXMIRE. I am sure the FCC could give consideration, in the suspension and in the fining of a station, to factors which it considered important in each case.

Mr. ALLOTT. I cannot see it at all. If a person has committed an offense for which punishment is to be meted out, it should be meted out regardless of the size of the station.

Mr. PROXMIRE. I believe the Senator from Rhode Island could give an excellent answer to that point. The fine was reduced from a potential million dollars to $10,000. Under that situation the stations can get away with murder.

Mr. PASTORE. I will try to explain why that was done. The way the bill came from the House, there was a peril point even though they did not recognize it—and I do not say this in any sense of criticism. The argument was made that under the forfeiture principle, at the time an individual sought to renew his license, the Commission could call his attention to the fact that he had been in violation of a rule for the past 3 years.

An arbitrary or capricious man in the department—say a Republican acting against a Democrat, or a Democrat against a Republican—and that is nothing new, because we have seen some of that type of action on the floor here, and we have seen how far we can go sometimes for the sake of a little politics—this arbitrary official could say to the broadcasters, "Do you want to renew your license? Well, you are in violation, and the punishment is a thousand dollars a day for 3 years. That will be $1 million."

Does the Senator want that kind of law? I say that if the Commission cannot find out what has happened in a year, it has been derelict in carrying out its duties connected with its office. That is why we modified it. If the violation goes on for several days, they ought to get a cease-and-desist order. They should not sit back for years and simply wait for the man to come in to ask to renew his license and then say to him, "You will get back the license only if you pay a fine of a million dollars." Why do I say a million dollars? A thousand dollars a day for 365 days is $365,000. That times 3 years is more than a million dollars.

Mr. President, we do not intend to give anyone that kind of power, not after all the scandals we have heard. This is an administrative forfeiture. That is why we modified it. When we modified it, I believe we received the approving applause of the Members of the House. We wrote due process into this section. It is because of the possibility of harassment that the Senator from Wisconsin talks about that we tried to eliminate this feature, by making sure that they could not levy a fine of a million dollars.

Mr. PROXMIRE. The fact is, so far as the harassment is concerned, I have heard very little real criticism of the FCC on this score. The FCC has asked for certain power, and they have asked for the suspension power. They have asked for an effective fining power. They ask for this power so they can do an effective job. If they come to us and ask us for the necessary tools with which to do an effective job, and we do not give them the tools, whose fault will it be?

Mr. PASTORE. They can do the job with the tools they have now. If the tools are not enough, the FCC can come back in January. I assure the Senator we are not going to take any sort of negligence or dereliction as an excuse for the requests they may make. They have the tools. The law gives them the right to enforce these provisions and penalties. If they do not do it, it will be

human failure, and it will not be because of lack of provision in the law. If they do not have enough tools, after they have had a little experience with the law, they can come back.

Mr. PROXMIRE. The people who have studied this subject do not think so.

Mr. PASTORE. The Senator from Rhode Island has studied it, and he thinks so.

Mr. PROXMIRE. The Attorney General does not think so. Of all the outstanding people who have studied it, the Senator from Rhode Island stands all by himself.

Mr. PASTORE. It is the Senator's privilege to feel that the Attorney General is more knowledgeable on this subject than the junior Senator from Rhode Island.

Mr. PROXMIRE. I do not feel that way at all.

Mr. PASTORE. I will accept that as being the Senator's view.

Mr. PROXMIRE. I assure the Senator that I do not feel that way at all. The Senator, in my opinion, is more knowledgeable than the Attorney General.

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

Mr. PASTORE. I yield.

Mr. KEATING. Is it not a fact that the remedy of suspension is an unusal remedy? I have been informed—and I would appreciate it very much if the Senator from Rhode Island would enlighten me as to whether I have been correctly informed—that in the statutes regulating business enterprises, the only one which contains such power is the statute dealing with the Interstate Commerce Commission; and that in the 25 years the statute has been on the books, the Commission has never used that particular remedy. Is that correct?

Mr. PASTORE. The Senator is speaking about the penalty of revocation?

Mr. KEATING. The remedy to suspend.

Mr. PASTORE. I cannot answer that question categorically, because I do not go beyond the field of communications. I do not even pretend to be an expert in the field of communications, although I have studied it and have had considerable contact with it. The committee was unanimous, as were many Senators who are not members of the committee, in the feeling that the suspension provision should be taken out of the bill. The Senator from Colorado [Mr. ALLOTT] will sustain me in that statement, I am sure, as will the Senator from Kansas [Mr. SCHOEPPEL] who is a member of the committee. That is why we took out that provision. We have not weakened the bill. Perhaps it would have been stronger if we had left that provision in the bill. However, how strong need it be, if sufficient implements are there, and if they use them?

Mr. KEATING. If we find that the forfeiture remedy, the cease and desist remedy, and the revocation remedy are not sufficient, there is no reason why we cannot in the next session, or at any other time, invoke suspension.

Mr. PASTORE. That is right.

SEVERAL SENATORS. Vote! Vote!

Mr. PASTORE. I yield back the remainder of my time.

Mr. PROXMIRE. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. PROXMIRE].

The amendment was rejected.

The PRESIDING OFFICER. The question is on concurring in the House amendments, with amendments.

Mr. PASTORE. I yield to the Senator from New York.

Mr. KEATING. Mr. President, I wish to ask a question which has been addressed to me by the operator of a rather modest radio station. Frankly, I do not know the answer, but I believe it would be desirable to make the question a part of the legislative history.

Suppose a radio station plays a 50-cent record and does not, each time the record is played, say that the record was furnished to it by a particular distributor. Would it be a violation of the law not to make that statement each time the record was played?

Mr. PASTORE. Of course not. We have had experience with that problem. Before a station signs off, it gives the names of the distributors who furnished the records.

Mr. KEATING. In other words, if a statement were made to the effect, "Certain of the records played on this station were furnished free by various record distributors and manufacturers," would that, in the judgment of the distinguished Senator from Rhode Island, be sufficient compliance with the statute?

Mr. PASTORE. In the judgment of the Senator from Rhode Island, that would be sufficient.

Mr. KEATING. I thank the Senator from Rhode Island.

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

Mr. PASTORE. I yield.

Mr. ALLOTT. Referring to remarks which were made earlier this afternoon by the distinguished junior Senator from California [Mr. ENGLE]— and I might say that I am propounding this question for another Senator who cannot be on the floor at the moment and I wish to be certain of the answer of the Senator from Rhode Island—if, for example, an automobile manufacturer furnished several cars free, or at decided discount, to a movie producer and then the producer agreed with the manufacturer that only that make of car would be used in their films, in what position does it leave the producer? Would he have to give credit when the films were reproduced on TV?

Mr. PASTORE. An announcement would be made. The payment in that instance would be the valuable consideration and credit must be given.

Mr. ALLOTT. There is no question about the consideration. I am certain we understand that. However, I think the legislative history should be clear.

In this particular situation, in addition to arrangements just spoken of, there are other situations which permit the producers to put more value into his program at no additional cost to the sponsor.

For example, a producer of motion pictures for theater and television may have a contract with a network providing that the producer will supply a series of television programs for a stated dollar consideration. Among other terms of the agreement, the producer has the right to include a 30-second trailer relating to a current theatrical release of the producer, and an announcement that such theatrical motion picture may soon be seen at the viewer's neighborhood theater.

Would such a limitation in the contract have to be acknowledged at the close of each broadcast?

Mr. PASTORE. I would not want to be held to an answer to this question because, after all, it is a close question. It could be argued either way. I should think it would be, more or less, the advertisement of some coming production, and that, in itself, is an announcement to the public. The trailer could be construed as the announcement.

Mr. ALLOTT. Would the Senator from Rhode Island feel that the announcement in itself was, in effect, an announcement that some consideration had been passed for the announcement?

Mr. PASTORE. I should say that, but I think the answer is rather inconclusive. It is a borderline case and could depend on the specific facts of each instance.

I feel that the Federal Communications Commission will call a meeting of all interested parties, and that all these very close questions will be decided by the promulgation of rules and regulations.

I say, very frankly, that guide rules have been set forth in the report of the House committee. The particular phase which has been brought up by the Senator from Colorado is not covered in the report. The question raised by the Senator from Colorado is this:

A motion picture producer, in order to produce a film for nothing, makes a contract to the effect that when the picture is shown, a trailer, as it is called, announcing some other attraction, will be shown with it. If money is received for the showing of the trailer, the question is: Should it be announced? In my humble opinion, I think the fact that the trailer is shown could be sufficient announcement in and of itself. That is a question which ought to be considered carefully by the Commission. I do not believe the Senator from Colorado, the Senator from Rhode Island, or the Senate, or individuals, ought to be bound by any off-the-cuff opinion at this moment.

Mr. ALLOTT. I appreciate the answer of the Senator from Rhode Island, because I know this is a close, tight, difficult question to answer. Nevertheless, I thought it should be raised at this time, so that the legislative history might be made. I extend my appreciation to the Senator from Rhode Island for answering the question.

The PRESIDING OFFICER. Is all time yielded back?

Mr. PASTORE. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. Does the opposition desire to yield back its time?

Mr. PASTORE. I understood it had done so.

Mr. ALLOTT. Yes.

Mr. MANSFIELD. I understand all time is yielded back.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Rhode Island.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on concurring in the amendment of the House, with an amendment.

The amendment of the House, as amended, was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate reconsider the vote by which the amendment of the House, as amended, was agreed to.

Mr. PASTORE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. ALLOTT. 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. ALLOTT. Mr. President, I ask unanimous consent that the quorum call be rescinded.

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

AIRLIFT OF EAST AFRICAN STUDENTS

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I received yesterday from the Institute of International Education. The letter is signed by the vice president of the organization, Albert G. Sims. It further confirms some of the documents which I placed in the RECORD relating to the charge made on the floor of the Senate by the Senator from Pennsylvania [Mr. SCOTT]. I think the letter clearly confirms the statement I made concerning those documents a few days ago.

Mr. President, I also ask unanimous consent to have printed immediately after this letter an article entitled "A Poor Target for Political Mud" written by Marquis Childs and published in the Washington Post of August 24, 1960. The article comments upon the same situation.

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

INSTITUTE OF INTERNATIONAL EDUCATION,
New York, N.Y., August 22, 1960.

Hon. WILLIAM J. FULBRIGHT,
U.S. Senate, Washington, D.C.

DEAR SENATOR FULBRIGHT: I am aware that you are inquiring into the Government's involvement in the project to airlift East African students. I also note from my copy of the Times this morning that Senator SCOTT continues to press this issue publicly in terms which I have fair reason to believe misleading. Finally, it appears that press reports have indicated an IIE sponsorship responsibility in connection with the project. In these circumstances, although I have no desire personally or on behalf of the IIE to become embroiled in partisan affairs, I feel a responsibility to make known to you certain facts relative to this matter.

We in IIE have been much concerned about these airlift projects from the time of the development of the one last year which brought 81 students here. About a year ago, we invited representatives of the African-American Students Foundation to meet with us and the representatives of other private agencies interested in Africa to see what could be done by informal cooperation to improve the educational aspects of the undertaking. There were and remain two basic questions about the project in the minds of most of us from this point of view: (1) the project in East Africa does not have the broad base desirable since we understand that it does not include the participation of certain political opposition of Mr. Mboya and his associates or of the British authorities; and (2) the project provides for no clear assumption of continuing responsibility for the students in the United States and for the many financial and other problems which the students can expect to encounter. The African-American Students Foundation has no full-time staff and its principal operators profess no experience or competence in educational matters.

Nevertheless, there was, I think, fear in the minds of the airlift sponsors that the longer established agencies in the exchange field might, through insistence upon standards, stifle the "crash" impact being sought. Therefore, no form of cooperation evolved from these discussions.

I attended the meeting of the Phelps-Stokes Fund in New York on July 25 and sat next to Mr. Mboya. During the meeting, he informed me that he would visit Hyannis Port the next day to see Mr. KENNEDY. Funds were desperately needed for the airlift of about 250 students from seven East African countries. He also told me that he was making an effort to see Mr. NIXON in Chicago and hoped that, too, would be possible.

On his return from Hyannis Port, a member of our staff at IIE spoke to him by telephone and received the distinct impression that Mboya's visit to Hyannis Port had been successful. Mboya seemed confident that the problem of funds for the airlift had been solved.

One or two days later, Ken Holland received a telephone call from Sargent Shriver, the head of the Kennedy Foundation. Mr. Shriver had been referred to IIE by the president of a major foundation with whom he had earlier talked. Shriver said that the Kennedy Foundation was prepared to support the airlift but preferred to do so in cooperation with other foundations for obvious reasons. (To my personal knowledge, he made calls to three major New York foundations urging their participation.) Ken Holland told Shriver that the IIE would be willing to provide whatever constructive assistance might be possible at this stage and made specific reference to the needs referred to in (2) above.

On Thursday, August 11, I was called by telephone from Sargent Shriver's office and informed that Father Fournier, the Director for the Foundation for All Africa, would be calling me to discuss the Kennedy Foundation's plans for assistance to the airlift. On the same day, Father Fournier telephoned from Washington saying that the Kennedy Foundation would give $100,000 to the project. He desired to discuss with me what help and assistance the IIE could give.

On Monday morning, Father Fournier again called me to inform me that Mr. Shriver urgently wished me to attend a meeting in Washington at 2:30 that same day. I participated in this meeting along with representatives of the Phelps-Stokes Fund, the African-American Institute, the Foundation for All Africa and the African-American Students Foundation. At this time, Shriver defined the Foundation's interest in the airlift and reported the fact that this attempt to get other foundations to participate had so far been unsuccessful. He said that the door would remain open for their participation but in the light of the urgency of the circumstances, the Kennedy Foundation would proceed meanwhile on its own. We were asked to be consultants to the Foundation for this project. On behalf of IIE, I agreed to act in this capacity.

During the course of this meeting, I was told by the representatives of the African-American Students Foundation (Scheinman and Montero) that they had been called by telephone shortly before the meeting began to be given a formal offer of State Department assistance for the airlift. The offer was declined, they told me, with an explanation that private funds had already been accepted. Mr. Thayer, the State Department representative, was said to have alluded to the desirability of an agency like the IIE, with its experience, being employed in the interest of the project. The representatives of the African-American Institute said they informed Mr. Thayer that IIE was represented in the consultations in progress.

It is clear from this that (1) the Kennedy Foundation made its offer only after considerable effort to enlist the help of others; (2) this offer was made bona fide well before any such offer was received from the Department of State, and (3) the IIE has no sponsorship or operating responsibility for the project at this time.

I hope this review of facts as known to us may be helpful to you in your inquiry.

Sincerely yours,

ALBERT G. SIMS,
Vice President.

[From the Washington Post, Aug. 24, 1960]

A POOR TARGET FOR POLITICAL MUD

(By Marquis Childs)

In the political quarrel Senator HUGH SCOTT stirred up over whether the Kennedy Foundation or the State Department should get credit for initiating an airlift of African students to this country the only loser seems likely to be the whole program of student exchange. Unless, it may be added, it is Senator SCOTT himself.

There is much to be proud of in the student exchange program, which has grown in recent years to truly remarkable proportions. The Institute of International Education in its report for 1960 said that 48,486 foreign students were in this country. This compares with the 15,000 reported last year by the Soviet Union as studying in Soviet educational institutions.

One of the remarkable things about the American program is the wide range of areas from which they come. The largest number, 17,175, continued as in the past years to come from the Far East. The second largest total, 9,428, was made up of students from Latin America. They attended universities and colleges in every State in the Union.

What is particularly impressive is the percentage—27.7—supported through scholarships provided by private organizations. Another 38.3 percent are studying on their own funds, and U.S. Government grants cover only 5.5 per cent of the total foreign student population.

This last relates directly to the Scott charge that the Kennedy Foundation at the instigation of Senator KENNEDY, the Democratic candidate, sought to outbid the State Department in bringing 250 African students

to this country. As the report of the Institute of International Education makes abundantly clear, the pressure of students from all over the free world to come to America to study is so great that there can be no question of public or private sources of support outbidding each other.

The number of students coming here, many of them on their own, has multiplied so rapidly that in many instances they are lost in the shuffle. As Delia and Ferdinand Kuhn, specialists in this field, point out in the New York Times, too often the foreign student has no supervision or assistance in finding his way through our great impersonal universities. Often his English is deficient. The result is that the effort and money he expends are not merely wasted but he becomes resentful and bewildered, and he may go home with a strong anti-American bias.

The picture that SCOTT gave of the State Department and the Kennedy Foundation fighting to see who could bring in the African students as a political coup is an illustration of how the program can be distorted. One fortunate consequence of what has been otherwise an unhappy episode is that at the request of the Kennedy Foundation a team of experts is going to Kenya to make sure that the students who come here are qualified to benefit from education in this country. However fine the motives behind a mass movement of young Africans, more harm than good is done if they cannot take advantage of what the diverse American system has to offer.

The foreign student coming to this country is given almost complete freedom. This is in marked contrast, as young westerners going to Moscow have discovered, with the Soviet approach. There the student's life is regimented and he is likely to discover that fraternizing with his fellow Soviet students comes under the head of espionage.

Exciting things are happening in this field in which the competition between East and West should serve in the long run to bring widespread gains to the underdeveloped countries. The Senate has passed and a Senate-House conference is now considering Senator LYNDON JOHNSON'S bill to create an East-West institute in Hawaii.

As evidence of the interest, while the State Department asked for an appropriation of $8 million, the Senate Appropriations Committee recommended and the Senate approved $10 million a year for 3 years. In the State Department proposal the institute could take only 200 students. At the end of 3 years, as approved by the Senate, it will have a capacity of 2,000.

Money alone will not bring light and learning to the students coming here from every corner of the globe. There is a great demand growing greater every year for truly trained teachers at every level for our own rapidly expanding school population. It is a first step to recognize the dimension of the need at home and abroad.

ORDER FOR RECESS UNTIL 11 A.M. TOMORROW

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in recess until 11 o'clock tomorrow morning.

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

OPPOSITION TO RECESS APPOINTMENTS TO THE SUPREME COURT

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1963, Senate Resolution 334.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court.

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

The motion was agreed to; and the Senate proceeded to consider the resolution, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the word *"Resolved"* and insert "That it is the sense of the Senate that the making of recess appointments to the Supreme Court of the United States may not be wholly consistent with the best interests of the Supreme Court, the nominee who may be involved, the litigants before the Court, nor indeed the people of the United States, and that such appointments, therefore, should not be made except under unusual circumstances and for the purpose of preventing or ending a demonstrable breakdown in the administration of the Court's business."

Mr. JOHNSON of Texas subsequently said: Mr. President, will the Senator from New Hampshire yield, with the understanding that he will not lose the floor and that these remarks will appear elsewhere in the RECORD?

Mr. COTTON. I yield.

Mr. JOHNSON of Texas. There is before the Senate, Senate Resolution 334. We do not expect to debate it this evening, but I should like to make the request that following the morning hour tomorrow the usual consent agreement apply, not to exceed 30 minutes on amendments, and not to exceed 1 hour on the resolution, to be equally divided.

Mr. KEATING. Mr. President, I object.

Mr. JOHNSON of Texas. Would the Senator care to give me any reason for the objection? Does he want me to extend the time?

Mr. KEATING. I will be glad to confer with the Senator about it. I am opposed to the resolution. I want to have adequate time to consider it.

Mr. JOHNSON of Texas. I will be glad to extend the time. Would the Senator care to make it 2 or 3 hours?

Mr. KEATING. There are a number of other Senators opposed to the resolution, and I would like to confer with them.

Mr. JOHNSON of Texas. Would the Senator agree to 5 hours, to be equally divided?

Mr. KEATING. It may be possible to have less than that. I shall be glad to reserve it.

Mr. JOHNSON of Texas. Would the Senator like to get an agreement this evening, or would he like to have it tomorrow?

Mr. KEATING. It might be possible to have an agreement this evening.

NO SOFTENING OF OUR POLICY TOWARD RED CHINA

Mr. COTTON. Mr. President, one of the cardinal rules of athletic competition is a time-tested axiom "Never change a winning game; always change a losing game."

This rule can wisely be applied in areas far removed from the field of sports. It is one of the sound guides in the field of foreign policy. If our policies for dealing with a nation or a problem are successful and effective, surely we ought to stick with them. But if we are not winning the game, then we ought to change, and change fast.

One place where we can apply this rule is in our policies toward Red China, the Communist colossus of Asia, where 600 million people are ruled by the Chinese Communist Party.

That party came to power by violence, and it lives by violence. It fought the United Nations in Korea. It supported the Communist war in Indochina. It took Tibet by force. It fomented the Communist Huk rebellion in the Philippines, and the Communist insurrection in Malaya. It retains its power, not by the will of the Chinese people, but by massive, brutal repression.

It is bitterly hateful of the United States, which it considers the principal obstacle in the way of its path of conquest.

Our policy toward the Communist Chinese regime is simple and direct: We have refused to do anything to encourage it, politically, morally, or materially.

We have not extended diplomatic recognition to it.

We have opposed its seating in the United Nations.

We have not traded with Communist China, or sanctioned cultural interchanges with it.

We have followed this policy consistently, under both Truman and Eisenhower, ever since the Communist Government took control of Mainland China in 1949.

Lately, however, there has been a chorus of voices calling for a change in our policies toward Red China, and charging that we have been losing the game.

Adlai Stevenson, the former Democratic candidate for President, and a potential Secretary of State, should his party prevail, led this chorus with an article in the January 1960 issue of Foreign Affairs magazine—CONGRESSIONAL RECORD, January 13, 1960, page 358.

Hard on his heels, with an article in the next issue of the same magazine, came Representative CHESTER BOWLES, Democratic Party platform drafter, and a leading foreign policy adviser to Senator KENNEDY—CONGRESSIONAL RECORD, April 8, 1960, page 7837.

California's Governor, Pat Brown, chose the Democratic National Convention as his forum and demanded that we stop pretending that Red China does not exist, and that we start exploring new avenues to reach the Chinese people.

The statements of these gentlemen have a nostalgic ring. Governor Brown charged that we are pretending Red China does not exist. Governor Stevenson said:

It is clear that no general control of disarmament has any value unless it includes

China, and it is difficult to see how China can acept international control when it is not, formally, a member of international society. Moreover, as a member of the United Nations, Communist China, with a quarter of the world's population, would be more accountable to world opinion than as an outcast.

The familiar sound of these arguments takes my memory back 30 years, to the time when I was on the Washington staff of Senator George H. Moses of New Hampshire, and used to spend all my spare moments listening to Senate debates.

Exactly the same arguments that we now hear about our policy toward Red China were then being advanced to urge our recognition of Communist Russia. Listen to these words of Senator William E. Borah, of Idaho, a leading advocate of recognition of Soviet Russia:

We now have going on intermittently in Geneva a disarmament conference. How are we going to disarm without taking into consideration Russia? How are we going to establish peace throughout the world with one-sixth of the earth's surface outside the family of nations?

How can you win world peace, how can you restore amity and confidence among the nations if you leave out 160 million people in possession of one-sixth of the earth? (April 12, 1933, CONGRESSIONAL RECORD, vol. 77, pt. 2, p. 1545.)

The Roosevelt administration of that day apparently agreed with Senator Borah's arguments, for, in 1933, our country extended diplomatic recognition to Communist Russia. We know now the answers to the rhetorical questions Senator Borah asked so eloquently. Recognition of Communist Russia, and her admittance to the highest councils in the family of nations, did nothing to promote disarmament, nothing to win world peace, and nothing to restore amity and confidence among nations.

Since we extended diplomatic recognition, the United States and Russia have met together, on major issues, in 3,400 meetings. The negotiators have spoken 107 million words, enough to fill 700 volumes. All this talk has led to 52 major agreements. And Russia has broken 50 of them.

My own Senate Subcommittee on Internal Security has compiled a 50-page listing of the treaties and international agreements which the Soviet Union first signed, and then violated. This is not a detailed analysis, but is just a brief listing of the treaties and the violations. The report concludes that the Soviet Government has broken its word to virtually every country to which it ever gave a signed promise—Senate Document No. 85, 84th Congress.

Certainly our premature recognition of the Communist government of Russia has been a losing game which the Truman and Eisenhower administrations have wisely changed in dealing with Red China. It is almost inconceivable that anyone should suggest that we return to it now.

When we recognized Russia in 1933, it seemed that the Communist regime might be considered a peaceful member of society. For more than a decade Russia had committed no act of armed aggression. It had accepted the independence of Estonia, Latvia, Lithuania, and Poland. It was not demonstrably maltreating American citizens. It had promised to cease subversive activities in the United States, to respect American rights in Russia, and to settle Russia's public and private debts to the United States.

Recognition of Russia then seemed indicated by most tests, and we could not read the future. However, as Secretary of State John Foster Dulles pointed out, it seems clear that recognition would not have been extended, even in 1933, had there been some warning that Soviet promises were totally unreliable, that aggressive war would soon become a common instrument of Soviet policy, and that Communist subversion would be expanded, not eliminated.

How different is the case of Red China: Here we already have clear and unmistakable warnings. There is not a single shred of evidence to indicate that Red China is interested in becoming a peaceful member of international society—not a scintilla to indicate it would live up to its international agreements.

There is no need for me to review the entire list of Communist armed aggressions in Korea, and Indochina, and their latest military forays into Tibet, India, and Nepal. We are familiar with their violations of the 1954 Indochina armistice.

Our own relations with Red China provide ample evidence of the character of the regime.

First. In 1955, the Red Chinese agreed to "expeditiously" release the Americans being held in Chinese prisons. Despite their promise, at least five American citizens are still languishing in their prisons, including Bishop James E. Walsh, who was sentenced to 20 years for "espionage" on March 18, 1960, after the Communists had held him incommunicado for 17 months.

Second. At the Korean armistice talks, the Red Chinese agreed to account for all American military personnel missing and unaccounted for. To date they have refused to give any information whatsoever on 452 American servicemen still missing, despite the fact that some of these were known to be alive and in Communist hands at one time.

Third. The Korean armistice talks themselves are a good example of Red China's intentions. The United States and Red China had 575 meetings in Korea before the armistice was signed, and some of the hardest fighting of the war took place while the talks were going on. The Red Chinese have persistently and flagrantly violated the armistice agreement. The formal report of the Swiss and Swedish members of the Neutral Nations Supervisory Commission provides detailed documentary evidence of their violations.

Incidentally, let me say here that, utterances on this floor and elsewhere notwithstanding, the United States does not have its head in the sand, like an ostrich, hoping that Red China will go away if we do not look. Our Government and our people are fully and painfully aware of the regime's existence—142,000 casualties in Korea are enough to insure that we shall not ignore or forget the Chinese Communists.

Furthermore, the U.S. Government, in a formal sense, does not ignore the existence of Red China. While we do not, and should not extend any diplomatic recognition to its government, one of our ambassadors and one of theirs have engaged in a long series of talks and negotiations in which we have tried to secure the release of American prisoners, and get an accounting for the missing servicemen. The 99th in this series of meetings, which date back to August, 1955, was held July 14th of this year. Incidentally, these meetings now takes place in Warsaw, between the United States and Red China's ambassadors to Poland.

The lessons learned in our relations with Russia can be applied to our Red China policy in another important aspect—trade.

Hopes for a profitable trade with Communist Russia colored the thinking of many who advocated recognition of that government in the 1920's and early 1930's. Many who are now pumping for a change of our policy state frankly that they are impelled by hopes for lucrative trade with Red China.

On January 5, 1925, Senator Borah inserted in the CONGRESSIONAL RECORD, with obvious approval, a letter he had received from the president of a cotton firm in Memphis, Tenn., which reads in part as follows:

MY DEAR SENATOR: It is with great pleasure that I read in the papers that you intend to push the recognition of Russia. Your idea is exactly correct; it matters not what kind of government they have, it is no question of ours. They comprise one-sixth of the globe; they are valuable in trading with America.

The South is deeply interested because Russia will buy from us, if diplomatic relations can be established through recognition, 500,000 bales of cotton, representing $400 million. They will also purchase farm machinery, electrical appliances, and other manufactured products to the extent of $200 million.

Of course, this kind of wishful thinking about trade with Russia has long been shattered. Our exports to Russia in 1958 accounted for far less than one-tenth of 1 percent of our total exports. We did almost as much business with the Canary Islands in 1958 as we did with the U.S.S.R. On this point it is only fair to note that we ourselves bar trade with Russia in certain strategic materials. However, there are 900 items on the open list.

Here again, our experience dictates that we should change a losing game, and not follow with Red China the same course we took toward the Soviets.

Yankee merchants opened up our trade with China in 1785, but the dreams of a great commercial expansion never materialized. The China trade, even in the best days of the open door policy, was never more than a tiny fraction of our total commerce—American Economic History, Harold Underwood Faulkner, pages 229 and 579.

Furthermore, any trade with Communist China would face formidable obstacles:

First. Trade opportunities are severely limited by a shortage of foreign exchange, which is likely to persist for many years to come.

Second. Trade would always be at the mercy of Communist policies, for Peiping uses trade as another weapon in its hot and cold wars. For instance, they recently retaliated against Japanese refusal to make certain political concessions by abruptly cutting off all trade and even canceling contracts which had already been signed and agreed to.

These and other reasons clearly demonstrate that any move to revise our policies toward Red China in the hope of securing profitable trade are doomed to failure. Such action would be dollar diplomacy of the worst sort.

Now let us examine our present policy toward Red China. Has it been a winning game? Or do we need to change our approach to avoid a defeat?

To answer that we must first consider the goals and objectives of Red China. Their primary objective, as expressed by the second highest man in the regime, is "to transform the present world into a Communist world." Peiping radio expresses another objective in more blunt terms:

U.S. imperialism, get out of the Western Pacific. U.S. aggressors must go back where they came from."

A major target of Communist expansion is southeast Asia, with its wealth of underpopulated, food-rich countryside, and its great reserves of oil, tin, rubber, and other resources which China badly needs.

Our own objectives have been to block the Chinese expansions, and create military, political, and economic barriers which will effectively bar the way.

Ten years ago our outlook was bleak. The Chinese Communists had completed the conquest of the mainland and were consolidating their grip over one-quarter of all mankind. The armies of the Republic of China had been shattered, and their remnants withdrawn to Formosa.

Japan was under military occupation, its industries prostrate, its people dependent on outside aid for their very substance.

Elsewhere in the Far East the picture was as black. In large parts of Burma, virtual anarchy prevailed. An unseasoned government in the Philippines faced a severe trial in combating the Communist-Huk rebellion. In Malaya, a vicious campaign of Communist terrorism was in full sway. Indonesia was trying to completely rebuild its government structure on the wobbly foundations of regional discord, and an economy damaged by 8 years of war, revolution, and Communist violence.

And in Korea there was the massive shock of armed war. The future of Asia looked dim indeed.

Today the picture, though certainly not perfect, is definitely brighter. Our policies have produced a steady improvement, a gradual but continual strengthening of the barriers against Communist expansion.

Communist aggression in Korea and Indochina has not been renewed. Communist terrorists no longer run riot in Burma, Malaya, Indonesia, and the Philippines. Communist probes in the Formosa Straits and Laos have been met and repulsed with firmness. The free nations of the Far East are far stronger and steadier now then they were a decade ago.

Furthermore, the adventures of Red China in Tibet, Laos, India, and lately Nepal have aroused Asians to a new appreciation of the Communist danger and a new understanding of Communist aggression and imperialism. These armed forays against their peaceful and in some cases friendly neighbors provide new evidence that Communist China has not abandoned its militant aggressiveness. They lend new strength to our policies, and are additional evidence that we must adhere to them.

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

Mr. COTTON. I yield to the Senator from Kentucky.

Mr. COOPER. A few minutes ago the Senator referred to the long list of treaties and agreements the Soviet Union had made and had breached. I wonder if the Senator would mind adding to the record several agreements which Communist China has made with Asian neighbors and has breached.

I refer first to the agreement Communist China made with Tibet in 1950, when Communist China promised Tibet it could maintain the religious character of its Government and could maintain its cultural structure. We know that 2 years ago Communist China violated that agreement.

In 1953 or 1954 Communist China made an agreement with India, the so-called 5-point agreement, by which Communist China said it would not aggress against the sovereignty of India, yet the Communist Chinese violated the borders of India.

We know that at Bandung in 1950 Communist China promised all its Asian neighbors it would respect their sovereignty, would not aggress in any way against those countries, and would submit any problems to peaceful settlement of disputes, yet since that time we have seen the violation in Tibet, the violation of India's borders, and the violation of Burma's borders.

I take the liberty of adding to the record which the Senator has given a similar record of breaches of treaties and agreements by the Communist Chinese.

Mr. COTTON. Mr. President, I am exceedingly grateful to the distinguished Senator from Kentucky for his addition to the listings I have given.

Earlier in my remarks I mentioned there were treaties with Asian countries violated by the Communist Chinese, but I limited my comments to the treaties and agreements with our own Government which have been broken.

Mr. President, no Member of this body is more competent to speak on the subject of the record of Red China and its relations with its neighbors than is the distinguished Senator from Kentucky, whose service as our Ambassador to India was very successful and is very well known. The Senator's knowledge of that theater of the world probably exceeds that of any other Member of this body. It is especially fortunate that we have in the Senate a Senator with his background of experience and knowledge.

Mr. COOPER. I thank the Senator for his kind statement.

There are a good many people in this country—and the Senator has named some of them—who believe that all the people in Southeast Asia are very desirous of having Communist China admitted to the United Nations and recognized. Of course, I think that is the stated policy of many of those countries and of a good percentage of the Asian people.

On the other hand, I found—and I think anyone who has stayed in the area for any length of time has found—that there is an awareness of the strength and the power of Communist China, and the people do not doubt the imperialistic purposes of Communist China. Whatever may be said outside, I think there is a great confidence and a great happiness among the people that there is a strong country like the United States as a protection against Communist China.

From my own short experience, this kind of happy thinking on the part of many persons—that we would change the situation by recognizing China—is simply an illusion.

I would like to make a statement which I have never made before. I remember that in 1950 I had the opportunity in London of talking to Mr. Bevan, who at that time was the Foreign Minister of Great Britain. Of course, this was at the time of the Korean war, but I was talking to him and he said, "We recognized Red China. I can only say for myself that if we had to make the decision again and I could make the decision, we would never recognize them."

I have taken a great deal of the Senator's time, and have interfered with his speech, but I am glad to be able to hear the speech.

Mr. COTTON. I assure the distinguished Senator that he has not interfered with my speech. I am very grateful for his remarks. I think the Senator will agree especially with what I am about to say.

On the other side of the coin, we have a number of clear warnings of what the results would be if we reversed or softened our policies toward Red China.

First. The Communist regime would be immensely encouraged. It ought to be said that the entire world's experience, after 40 years of dealing with Communist governments, shows that they regard every concession as a weakness. Give them an inch and they will try to take a mile, every single time.

Second. Millions of oversea Chinese in free Asian countries would be pushed reluctantly toward an acceptance of the guiding direction of the Communist regime. This would be a tragedy for them,

and would have serious consequences for the friendly governments already menaced by Red Chinese subversion.

Third. The Republic of China would feel abandoned by its greatest friend. We are honorbound to give our ally, to whom we are pledged by a mutual defense treaty, a full measure of loyalty. Furthermore, the whole series of free world alliances, which are key elements in our own defense, would be weakened by any evidence that we would ignore, or turn our back on, a stanch friend.

Fourth. The free Asian governments of the Pacific and southeast Asia would be gravely perplexed. They are under the gun of Chinese expansionist aims. The spirit and resolution of the United States provides an important unifying and fortifying influence. If we seemed to falter and to compromise with Chinese communism, it would weaken their resistance.

It is quite true, of course, that our present policy toward Red China is not universally popular. Some of the nations of the world do not like it, and do not agree with it. I think Herbert Bayard Swope had the best answer for that charge:

> I cannot give you the formula for success, but I can give you the formula for failure—which is: Try to please everybody.

The record is clear. Our policies are gradually winning in the Far East. However, we must not fall into the deadly trap of complacency. We must not become impatient because there is no soft, easy road to victory over communism. Our progress so far must be the signal for renewed vigilance and greater effort.

Above all, we must beware of false prophets who seek to lead us astray, who advocate change where steadiness is imperative.

I cannot refrain from inviting attention to the fact that the points I have been seeking to emphasize have been well summarized by Vice President NIXON in his clear-cut statement on Red China:

> If the United States were to recognize Red China, if we were to support its admission to the U.N., we would in effect say that from a moral standpoint we overlook all of these violations of international law and we take an outlaw nation and give it what it needs and what it wants—respectability. If we give it that respectability, in my opinion, you can be sure that its influence in Asia particularly—and the world in general—will be immensely increased—and it is great as it is. When we deny it that respectability, at least we are giving support to the proponents of freedom in Vietnam, in Indonesia, in the Philippines, in Japan, in India—all the countries in the Asian and south Asian complex who at best are having a difficult time maintaining their positions against the subversive elements who would like to see communism come to those countries.
>
> And so I say that until Red China changes its policy so that it qualifies to be recognized as a respected member of the family of nations, the United States has no honorable course and certainly it can follow no moral course other than to do as we have been doing in the past: (1) to refuse to recognize it on our own part; and (2) to oppose its admission to the United Nations.

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

Mr. COTTON. I am glad to yield to the Senator from Arizona.

Mr. GOLDWATER. First, I wish to compliment my friend on a speech that is long overdue in its delivery. I think it is time that the Senate should be apprised of the dangers of recognition of Red China, just as I think it would have been beneficial for the Senate to have known of the dangers of recognition of Russia before that nation was recognized.

During his speech the Senator very clearly and eloquently brought out the positions of Governor Brown, Adlai Stevenson, and Chester Bowles on the subject of Red China and whether that country should be recognized. He also brought out in his concluding statement the very clear position of Vice President NIXON.

I wonder if the Senator from New Hampshire has any idea of the position of the junior Senator from Massachusetts [Mr. KENNEDY] relative to Red China?

Mr. COTTON. Mr. President, I examined with some care the reported statements of the junior Senator from Massachusetts [Mr. KENNEDY], the candidate for President, on this subject. I did not include them in my prepared speech, because I did not wish, in a speech on a subject that I consider of great seriousness, to have any indication of a political charge against the standard bearer of the Democratic Party in a presidential campaign.

In answering the very pertinent, fair, and natural question of the Senator from Arizona, I wish to make clear that I, like every other Senator, would never for one moment question the complete patriotism and loyalty of the junior Senator from Massachusetts or his complete sincerity and honesty of purpose. However, in view of the fact that some of his close associates have, I am sure, with equal sincerity, indicated that they feel that there should be a change, and at least a relaxation of our policy toward Red China, the comments of the candidate himself are extremely important.

I checked the records and find that back in January last, apparently at a news conference, the junior Senator from Massachusetts, the candidate for President, according to this report "called recognition of China today a mistake but," said he, "I do not think we should adopt a policy which freezes us for the future." He continued that there would be no doubt that he would recognize China "if the Red Chinese indicated and gave guarantees that they were willing to live in some sort of comity with us."

I shall not attempt to summarize the position of the junior Senator from Massachusetts, but I gather from that statement that there is a marked difference between his apparent position and the position so clearly stated by the Vice President. The Senator from Massachusetts said that in the future we might recognize Red China if Red China would give us guarantees of a change of conduct and of living in comity with us and with other nations.

I do not know what he means by guarantees, but a guarantee means a future promise. On the other hand, it will be noted from the statement of the Vice President that he very clearly stated that until Red China changes its policy—not a promise for the future—but until it actually changes its policy, there can be no question of recognition.

In fairness to the distinguished Senator from Massachusetts I should add that in April, I believe, at Phoenix in the State of the Senator from Arizona [Mr. GOLDWATER], the junior Senator from Massachusetts used these words in respect to Red China:

> Until they change their policy of belligerency, they should not receive formal recognition by us.

There is one other apparent difference in the statements of the Senator from Massachusetts and the Vice President, besides the fact that one of them is apparently willing to accept some guarantees.

We should have learned from bitter experience the value of Communist guarantees in the future.

The other candidate, the Vice President, demands a change of conduct.

The second point is that so far as I can find, the Senator from Massachusetts has dealt directly only with our recognition of Red China and its admission into the United Nations. He has not said, as has the Vice President, that we should not encourage or deal with them, which I assume means trade and negotiations, leading gradually toward recognition. So at the present time I believe it is fair to state that the attitude of the Vice President is much more demanding and clear-cut in this matter, of pursuing our present foreign policy with Red China.

I think it is fair to observe that as the campaign continues, both candidates should cover this subject again and again. I believe the American people expect it.

I think that we can well wait with a good deal of anxiety and scrutiny to find out if the Senator from Massachusetts, the standard bearer of his party, at any time repudiates the statements of Adlai Stevenson, Chester Bowles, Pat Brown, and others, some of them on the floor of the Senate, who, I am sure, speak with perfect sincerity in seeking closer relations with Red China with reference to the necessities of trade.

It is my humble opinion that whatever may be the views of statesmen or politicians, inside Congress or outside, the vast bulk of the American people are absolutely firm, fixed, and demanding on this subject. They have not forgotten the shallow graves in Korea. They have not forgotten the prisoners languishing in Chinese prisons. They have not forgotten the casualties. They have not forgotten the flaunting, abuse, and brutality of the Red regime. I doubt if the American people, if we do our duty to inform them and direct their attention to the situation, will ever vote for any candidate until they are firmly convinced that that candidate would never

betray us, no matter how sincere he may be, by softening our policy toward Red China.

Mr. GOLDWATER. I thank the Senator for his answer. He has evidently studied the subject very carefully. He has brought out a very important point, namely, that Americans will be looking for statements on this subject from both candidates. While we have yet to hear from the candidate on the opposite side, I am sure that in the coming weeks of the campaign he will make amply clear his position on it.

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

Mr. COTTON. I yield.

Mr. KEATING. I commend the distinguished Senator from New Hampshire on his excellent treatment of this thorny subject. He has made very clear why we have not, why we should not, why we must not recognize Red China. There is no international law which says that we must recognize a government which shows no respect of any sort for international law or even for human decency.

Let us be realistic about this. We are not going to gain anything for ourselves or for the rest of the free world by recognizing Red China.

As the distinguished Senator has so forcefully brought out, we are certainly not going to induce them to mend their ways by granting them recognition. The only policy which will be effective toward the Red Chinese government is the policy enunciated by the distinguished Vice President, which is a policy of firmness and strength or, in the words of a great previous President, by carrying a big stick.

The U.S. 7th Fleet is the only stick that is keeping Red China out of Formosa, just as U.S. aid and military support and moral encouragement are the main factors in keeping Red China out of southeast Asia.

The distinguished Senator from New Hampshire has amply demonstrated that our policy toward China is slowly but surely winning the game for us. We are strong in Asia. We are very much stronger than we were in 1948. It is strength which must not be dissipated by following a futile policy of inviting Red China to join the United Nations, in a word to join that body as the world's greatest troublemaker.

Can anyone imagine what a mess we would be in had Communist China been a member of the United Nations Security Council and been able to join the Russians in undermining that key institution? Can anyone imagine what difficulties the Secretary General, Mr. Hammarskjold, would be laboring under if the Communist Chinese, in addition to all the other Soviet nations, were telling him what to do? The triumph which the United Nations has achieved and is achieving in the Congo would have been absolutely impossible had Red China been a member of the Security Council.

Let all those who want peace and who want an effective United Nations as a peace-keeping body consider those facts and ponder well the very eloquent presentation which has been made here today by our distinguished colleague from New Hampshire.

Mr. COTTON. I thank the Senator from New York. I appreciate his words particularly, because we served together for many years in the House of Representatives. No man has been more loyal and stanch in his fighting to keep this country on a sound basis and of not flinching and faltering in the face of international communism than have the distinguished Senator from New New York and the distinguished Senator from Arizona.

I am sure the Senator from New York will recall, as I recall, how we entered the House of Representatives on the same day that the distinguished Vice President entered the House. We remember our early years as freshman Representatives. Both of us can testify, anytime, anywhere, to the fact that no Member of Congress, of either branch, through the years of his service in the House and in the Senate, has been more constant and absolutely has never deviated from keeping a firm front, preventing the spread of communism, and not compromising with it, than the Vice President of the United States. I am sure he will agree with me, having served with the Vice President—and this is no reflection on anyone—that the American people can have absolute, complete, and implicit confidence in the firmness and the leadership of RICHARD NIXON in this particular field.

Mr. KEATING. There can be no question about the accuracy of the statements made by our friend from New Hampshire. I am grateful to him for the complimentary references he made to me. I share completely his views of the distinguished Vice President. As he has said, we entered the House of Representatives at the same time, and we have had ample opportunity to know what his views are on this subject, as, indeed, the country knows also.

Mr. COTTON. I yield the floor.

THE MYTH OF THE MAGIC EXPENSE ACCOUNT

Mr. CLARK. Mr. President, earlier today I had occasion to place in the RECORD a letter from Mr. Clarence B. Randall with reference to the myth of the magic expense account, which was published in Dun's Review. This afternoon I received another letter from Mr. Randall, again written on White House stationery, enclosing a clipping commenting on his article. It is published in the August 29 issue of Time magazine. 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:

SELLING—THE EXPENSE-ACCOUNT SOCIETY

The whole rationale of the expense-account society—aside from the benefits reaped by free-spenders of the company's money—is that the uninhibited use of high-priced food, liquor and gifts helps mightily in making a sale. Not so, says Clarence B. Randall, retired board chairman of Inland Steel, in a caustic attack on "The Myth of the Magic Expense Account" in the current Dun's Review. After 30 years in the executive suites of the Nation's eighth largest steelmaker, Randall, 69, believes that "this orgiastic abuse of the expense account is a spectacular and alarming trend, participated in by enough companies and individuals to put all of us upon caution for the good reputation of businessmen as a class."

There is even good reason to doubt, says Randall, that lavish display and heavy-handed entertaining really pay off in sales. Purchasing agents for most U.S. firms are among the biggest targets of expense-account big spenders; yet Randall finds that most are notably serious and responsible executives who are not only likely to be unimpressed by the playboy approach but are often offended by it. The salesman forgets that "in the long run, the product must sell itself," and that it is bad tactics to yield to "the temptation of selling himself instead of his merchandise." Moreover, says Randall, expense-account lushes "are notoriously poor judges of people," who often take a man to a nightclub when he would rather be home with his family, to the race tracks when he would rather be puttering with his roses.

Because expense accounts are legal business deductions, it is the taxpayer who splits the check. "Lights would go dim along the Strip in Las Vegas," says Randall, "and chorus girls would be unemployed from New York to Los Angeles if it were not for that great modern invention, the tax deduction." Public indignation over expense-account abuses is rising, he says, and "may be the next spectacular issue for the politicians"—unless U.S. business sees the credit-card myth for what it is and puts its own house in order.

Mr. CLARK. I hope all my colleagues will be impressed with the strong position taken by Mr. Randall, and with the apparent endorsement of his position by the Luce publications, as evidenced by the friendliness of the article which appeared in Time magazine.

REVISION OF BOUNDARIES OF DINOSAUR NATIONAL MONUMENT—CONFERENCE REPORT

Mr. MOSS. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 2.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

FRANK E. MOSS,
ERNEST GRUENING,
GORDON ALLOTT,
Managers on the Part of the Senate.
WAYNE N. ASPINALL,
LEO W. O'BRIEN,
MRS. GRACIE PFOST,
JOHN P. SAYLOR,
J. EDGAR CHENOWETH,
Managers on the Part of the House.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SHORTCOMINGS IN SOCIAL SECURITY ACT

Mr. SCHOEPPEL. Mr. President, this week I received a pathetically worded letter from a Kansas woman who became disabled in September of 1958, and who has been denied disability payments by the Social Security Administration. She wrote:

> I met with the Social Security representative of this district to find that I was short only $2.68 on the 20th quarter. You can no doubt see how hurt I was to be that close and yet so far. Too, I will not have enough quarters to apply again at the age of 62. I had worked extra for the postal department, and would have had enough had the pay period been within the quarter.

Shocking as this case appears to be on the basis of the facts stated in her letter, I had occasion, only a few weeks ago, to contact the Social Security Administration relative to another situation equally as bad. Numerous letters were written to me, appealing for aid for this woman, 52 years old, who was denied benefits because she lacked $25 on her 20th quarter.

The Social Security Administration, in fact, stated that she had only 18 quarters of work credits falling in the 10-year period ending in December 1954 the month in which she became disabled. One of the requirements of disability benefits is that a person must have credit for 20 calendar quarters—about 5 years—of work under Social Security during the 10-year period ending on or after the time the disability began.

Credit is not allowed if the wages were less than $50 in the quarter, and in one quarter she earned only $25.

Let me quote from the letter which I received from the Social Security Administration:

> Even if Mrs. ——— were to earn an additional calendar quarter of work now, she still could not qualify for disability insurance benefits. This is because she still would not have 20 calendar quarters of work within a 10-year period, although it would increase her total credit to 20.

As if this were not heartrending enough, the coup de grace is found in the concluding words of the letter:

> According to our record of Mrs. * * * date of birth, she needs credit for 38 calendar quarters of work to qualify for retirement benefits at age 62. We realize it may be difficult, if not impossible, for Mrs. * * * to work any more under the program. There is no other way, under the law, however, that she can receive benefits on her account.

Mr. President, I submit that here is a law without a heart. Surely there is not one among us who would vote for such a regulation and make it binding upon situations such as the two which I have just mentioned.

Please do not consider me maudlin in my approach, but I feel it my duty to read this paragraph from the letter of a fine and courageous woman who, by the way, became a widow last January:

> I have been sick so long it has taken all our savings. I am taking medicine now, one heart pill and 10 other pills each day. I have five doctors to verify this letter. * * * Will you please see if there isn't a way for me to draw my disability, so I won't have to ask for county aid?

What a fine, wonderfully written expression of the independent spirit, which one finds everywhere in my State.

She does not want to seek county aid.

Still, as we all know, there are thousands of persons, many thousands throughout the land, who never qualified for social security benefits, yet who, because of the confusion in our regulations, are able to draw public assistance in an amount even greater than they would have received under social security after years of work.

What sort of justice is this, under which one who has labored and paid in contributions actually draws less under social security than he could get from public assistance without making any contributions at all?

Only a few months ago I called attention to what I termed pat denials of benefits in disability cases in my State because of the inability to prove what the Social Security Administration considers total and permanent disability.

This was the ruling in one case in which a Kansan had actually been declared totally and permanently disabled by an insurance company which was paying him benefits.

It is time that we overhauled the whole regulatory mess in the Social Security Administration. Mind you, Mr. President, I am not criticizing the SSA as an administrative agency. The officials have a job to do, and they are doing it, and they cooperate very well with my office.

However, in the name of common decency, let us look at these laws again, and make some changes, not only relative to disability claims, but also in connection with other shortcomings with which most of us are familiar.

WHAT PRICE SOCIAL WELFARE?

Mr. GOLDWATER. Mr. President, I shall not detain the Senate long at this late hour. By a peculiar coincidence, I prepared this speech some months ago. It comes in quite handy today, only a few days after the vote was taken on the medical care for the aged bill, against which I voted. Naturally, a number of people have asked me: Why? I think if they will read what I have to say about the whole subject of the welfare state, they will understand why I oppose such measures.

A candidate for the Democratic nomination for President recently startled the country by charging that "17 million Americans go to bed hungry every night." I say "startled" advisedly because while most of us are aware that some Americans, because of unemployment and other factors, do not enjoy a diet on par with those gainfully employed, the figure "17 million hungry Americans" does sound a bit padded. It is also, of course, a well-worked Soviet propaganda stereotype that most Americans suffer from malnutrition and that thousands drop dead in the streets of America every day of hunger.

I am inclined to be charitable and I attribute this particular exaggeration to youthful exuberance and perhaps a bit of overstriving for political effect. What does disturb me is that the claim of so many millions of Americans as being ill fed, ill housed, and ill clothed is not unique or recent. Ever since the early days of the unlamented New Deal, we have been fed a regular and overfull diet of statistics along the same general line. The Soviets merely pick up and rebroadcast our own lamentations as proof of the truth of their charges.

Then the socialized medicine boys got into the act and we were given a liberal dosage of figures and statistics tending to show that despite the highest income level in the world we still had X number million people or X percent of our population suffering from below par medical care—or what was represented to be absolute par in dental and medical care. Then came the Forand bill to take care of the problems of the elderly and retired, and the President's own medical care for the aged plan which was hastily put together as an answer to the Forand bill—all of which prompted me to do a little bit of research to see if it was possible to arrive at some rough figure of what all forms of social welfare have cost the American taxpayer since 1933 or 1934. In other words, "What price social welfare?"

In 1913, all public expenditures for social welfare amounted to a shadow over three percent of the gross national product. By 1929, with mounting relief costs, public welfare expenditures had increased only one percent to a trifle over 4 percent of the gross national product. Six years later, in 1935, or 2 years after the beginning of the New Deal, the percentage of welfare expenditure in relation to our gross national product had jumped or tripled to 12 percent. We were well on the way to the welfare state.

In December 1951, the Chamber of Commerce of the United States released a special report showing that some 300 Federal, State, and local welfare plans had cost $23 billion or 34.2 percent of money expended by Federal, State, and local agencies. The Federal Security Agency itself was quoted as authority for the figures. This meant a tax burden of $575 in 1950 for every American

taxpaying family. The FSA included $6.5 billion spent by State and local authorities on education, so even if we deduct this figure it still leaves a total of over $16 billion or one-quarter of all tax money spent at all levels by the Federal Government and State and local agencies.

It is admittedly difficult, if not impossible, for even conservatives to agree on just what may properly be defined as "welfare." Communist propaganda, New Deal semantics, and word twisting by the liberals into new shapes and forms have raised hob with old-line, accepted definitions. To those who object that expenditures included in the above totals for education, some veterans' benefits, and other forms of disbursement of questionable social welfare classification should not have been added, I repeat that extensive statistical analysis and research, which would take months, would no doubt uncover an equal or even larger sum total definitely classifiable as welfare, but sandwiched in other disbursements, including gray or borderline categories.

It would require an economic Argus with a thousand eyes and the wisdom of Solomon to trace out and unravel such items buried in every Federal, State, and local annual budget.

THREE HUNDRED AND TWENTY-TWO BILLIONS FOR "WELFARE"

We do have some rough breakdowns since 1939 in the Federal budget for "Labor and welfare." Since 1939, the Federal Government has spent a total of $52 billion in 22 fiscal years. The Social Security Bulletin for October 1955 had an extended table showing local and State expenditures on social welfare from fiscal 1934 to fiscal 1954 as totaling $170.344 billion. As State and local social welfare payments since 1954 have jumped to well over $20 billion per year, we can add another $100 billion for the past 5 years, making a grand total of at least $322 billion.

If, as it is claimed, we still have 17 million hungry people after spending $322 billion in 25 years, then it is obvious we must do one of two things. One, raise taxes still higher a la the New Deal dictum "tax and tax; spend and spend," boost the national debt still higher, and give the spiral of inflation another whirl. Or, two, try something else. That is, spend less, tax less, give away less abroad, balance the budget, and let people keep more of their earned income to prime the economic pump by old and tried economic laws which seemed to have worked pretty well until we started monkeying with them.

A LITTLE ANCIENT HISTORY

It is always good to review history. Unfortunately, all too often political success still goes to the demagogue who, to paraphrase Gen. Nathan Bedford Forrest, promises "the mostest of everything to the mostest of everybody." Unfortunately, the politician who promises the "mostest" is seldom a student of either history or economics. The demagogue promising the "mostest" would probably be greatly surprised to learn that the basic fundamentals of his calling were laid down at least 21 centuries ago by the younger Cicero, Quintus Tullius.

In the latter days of the Roman republic, candidates for certain elective offices found they had to promise more and more to the "plebs" or lowest classes of free men in order to get enough votes to be elected. When the famous classicist, Marcus Tullius Cicero, was running for the consulship, his younger brother, Quintus Tullius, gave him some advice which still stands today as smart coaching in practical politics. He wrote:

> One has great need of a flattering manner, which wrong and discreditable though it may be in other walks of life, is indispensable in seeking office. Human nature being what it is, all men prefer a false promise to a flat refusal. At the worst the man to whom you have lied may be angry. That risk, if you make a promise, is uncertain and deferred, and affects only a few. But if you refuse you are sure to offend many and that at once.

The younger Cicero undoubtedly had taken his inspiration from the Gracchii brothers, Gaius and Tiberius, who had been early agrarian reformers a hundred years before his time. Tiberius was murdered in an election day tumult, but his younger brother, Gaius Sempronius, carried on his liberal ideas. He distributed wheat to the poor at fixed low prices and he became the idol of the poor of Rome.

Gaius, however, was outsmarted by an even greater demagog who made even greater and rosier promises, with the result that Gaius lost the election for a third term as tribune. Whereupon the granddaddy of all New Dealers committed suicide by ordering one of his slaves to kill him.

I bring up the Gracchii brothers and the sage political advice of Quintus Tullius Cicero because this is an election year and in politics there is seldom anything new under the sun. Modern day descendents of the Gracchii are once more abroad in the land, painting grim pictures of one-third or one-fourth of the Nation as "ill housed, ill fed" or suffering desperately from inadequate medical and dental care.

Twenty-five centuries ago the Greeks, who first practiced a rudimentary form of democracy in their public squares, learned that with democracy came demagogs. They learned that demogoguery was the price of democracy and that, if stable and responsible self-government was to be maintained, demagogs would have to be accepted but treated for what they were with much resort to the salt cellar.

THE BASIS OF ALL SWINDLES

Nevertheless, it is depressing to reflect that, despite all our marvelous technical and scientific progress and our tremendous record of human achievement, politically we have not matured much since the dim and distant days of Solon and the Gracchii. Far too many of our electorate still refuse to accept the simple lesson of life that you cannot get something for nothing—or that somehow the laws of physics do not operate in economics and that it is somehow possible to take more out of a vessel or the treasury than is put into it. The basic "catch" or "hook" in all swindles and confidence games is invariably something for nothing, or what amounts to practically the same thing, a great deal for very little at no risk.

The demagog promising the "mostest to everybody" also knows that behind him stand the superdemagogs—the Socialists and Communists. As a Socialist will always promise more than a liberal, so the Communist can afford to promise even more than the Socialist. So it should be plain to even a child that the demogog making promises he does not intend to or cannot fulfill is playing a dangerous game.

THE BIRTH OF MODERN WELFARISM

While welfarism is as old as the first primitive social organizations lost in the mists of pre-Sumerian culture, the concept certainly was well developed and historically established at least in rudimentary forms in the early Greek and Etruscan city-states.

It remained, however, for the iron chancellor, Prince Bismarck, to give the stamp of bureaucratic authority to social welfarism as a state monopoly. Authorities tell us that all present forms of social security and other forms of welfarism can be traced directly to the Prussian chancellor. We are all familiar with Bismarck's difficulties with the socialists in control of the German unions and the liberals who were powerful in the Reichstag. In converting the newly created German Empire into a militaristic state, Bismarck was faced with enormous difficulties and problems.

German socialism was pacifist to the core and bitterly antimilitarist. German industry and commerce, which were in competition with France, joined Great Britain in looking askance at heavy military budgets. In order, as he said, to "steal the thunder away from the Socialists," Bismarck was forced to adopt "nationalistic socialism to end international socialism." German employers as a class, as well as liberals, were of the same mind that social insurance should properly be a private matter taken care of by the workers themselves through their unions or through religious and other organizations already in existence for that purpose.

Bismarck also had revenue troubles. His universal military training program, a revolutionary innovation in European military history, required enormous sums of money which the Reichstag granted with increasing reluctance. The new German Reich, like our own infant Republic, had almost no important source of revenue other than the excise taxes and import duties. Involved parliamentary bickering produced some revenues as contributions from the various once-independent states absorbed into the Reich. By setting up a comprehensive social security program under federal control, Bismarck assured himself of a substantial source of revenue beyond the control of the Reichstag. The German example was quickly followed by neighboring European states and modern day social security collected

and administered by a vast and all-pervasive bureaucracy was on its way. Like the proverbial camel's nose under the tent, it was now merely a matter of gradual and imperceptible extension before the whole camel of paternalistic and bureaucratic state welfarism ousted the libertarian concept of individual freedom and social responsibility.

It is very significant and interesting to note that before Hitler maneuvered himself into power, he was violently opposed to the social insurance system of Germany. He ranted that it weakened and demoralized sturdy German concepts of thrift and self-reliance. His real opposition, of course, was due to the fact that he considered social welfare insurance as a powerful weapon of his main political enemy, the Social Democrats of the Weimar Republic.

Nazi propagandists made a great deal of political capital out of charges that there was considerable corruption and waste of money in the compulsory medical care program. This naturally won them considerable support among doctors, businessmen, and conservative middle class elements. The Bruening government was forced, in 1931, to make a number of reforms tending to eliminate the worst abuses. The Nazis naturally reaped the credit.

However, when Hitler took power in 1933, he soon changed his tune. With its heavy emphasis on racial superiority and physical fitness, the Nazi ideology perforce had to concentrate on social welfare as an important state function. A high birth rate and maximum physical fitness were obviously very important to a totalitarian state planning military aggression against its neighbors. Hitler heavily financed all manner of social welfare programs, not for humanitarian reasons but because German human resources had to be mobilized and strengthened for the enormous strains and sacrifices which Hitler knew he would have to impose upon the German people in order to consummate his grandiose plans.

THE BOLSHEVIKS TAKE UP SOCIAL WELFARE

Lenin was a great admirer of Bismarck. The rigid Prussian bureaucratic system of social control struck the father of bolshevism as just the ticket, with some modifications, for huge and chaotic Russia exhausted by World War I blood losses. It is true that there was a basic philosophical difference between Lenin and Bismarck in their concern with bureaucratic control of social welfare for their subjects. Bismarck professed to be actuated by Christian precepts and morality. Lenin, as an atheistic materialist, was concerned only with insuring the health, docility, and productivity of the Russian masses as the solid underpinning of the Bolshevist form of Socialist state which he announced "we shall now proceed to create," in November 1917.

It was years before the last vestiges of private ownership and free enterprise were eradicated in Soviet Russia. Social welfarism, or what passed for it under the iron heel of the Bolshevists, was one of the first monopolies set up by the victorious Bolsheviks in 1917, almost simultaneously with the creation of the Cheka or secret police charged with the extirpation of all opposition and even minor and harmless dissent. It has now been long forgotten with the passage of the years, but the abolition by formal decree of all private social insurance, relief, and charity, whether by the church, trade unions, cooperatives, or other established organizations followed the Bolshevik consolidation of power in a matter of months.

I do not mean to infer from this brief historical analysis of social welfarism under various forms of despotism that totalitarianism and social welfarism go hand in hand, or that one leads inevitably to the other. There have been a few exceptions, notably in smaller countries in northeastern Europe with long histories of limited government, where some degree of individual freedom has been maintained. Note that I say "some degree" advisedly, because nowhere else is the old maxim "Something gained; something lost" more true than in the field of welfarism. The supposed tangible gains and material advantages are usually far outweighed by the longrun, intangible values of human freedom and dignity.

The examples I have cited, and others—although the lack of time prohibits study and examination of the latter group—do leave the ineluctable conclusion that social welfarism, in its most advanced form, has always been an inseparable part of all totalitarian systems, ancient and modern, Fascist and Communist, openly brutalitarian or heavily disguised as benevolent despotisms.

I have already pointed out that socialism—that is to say, the expropriation of private property, for exploitation by the state, for the theoretical maximum benefit of all—has been a dead issue in this country for lo these many years. The Socialists were smart enough to disguise themselves as New Dealers, and have openly boasted of the success of their strategem. We have learned that socialism can be sneaked over, against the wishes of the majority, through the simple device of expropriation by taxation and the creation of an all-embracing welfare program which effectively robs the individual of all control over his more basic and fundamental human freedoms and the right to regulate his own personal affairs as he may see fit.

Nationalization has acquired a sinister connotation, particularly after Great Britain's disastrous experience with disguised socialism. But welfarism has a disarming universal appeal. Who, except an embittered and confirmed misanthrope, could possibly be opposed to human welfare? Those who fish for the souls and minds of men have learned, through long experience, to be exceedingly cunning in their weaving of gossamer-fine nets and simply irresistible lures and bait. Time and again, I have tried to show that no one is opposed to human welfare per se. We conservatives are merely opposed to the establishment of a government bureaucratic monopoly to deal with basic human problems traditionally handled and best solved, first, through religious and private organizations and, second, through the lowest form of political organization closest to the individual or individuals concerned.

THERE IS ELECTION GOLD IN THE HILLS

In their search for votes in this presidential election year, the Democrats seem to feel that they have staked out a real Klondike strike in our aged. The Forand bill is the sluiceway which is expected to wash out solid gold nuggets of bloc votes in every State. The estimated cost of the Forand bill—$1.1 billion the first year, and nearly $6 billion over a 5-year period—is, to me, not the main consideration, bad enough as it is. The Forand bill and all other measures promising "more" or the most to 17 million of our citizens over 65 are merely continuations of a welfare state trend which has become a matter of increasing concern to the economist, the believer in a free enterprise system, and the Constitutionalist.

One of the charges leveled against Marxism is that it envisions and strenuously works for the elimination of the family and the transfer of many of the family's functions to the state. Communist China, in her fanatic drive toward the commune system, has gone further in this direction than has her older brother, Russia. The Marxists correctly, from their viewpoint, regard the family as a serious hindrance to the setting up of the Communist Utopia. As far back as we have any historical evidence, the family, as a unit, cared for its own elderly people. One of the first steps taken by the Bolsheviks in Russia, after they seized power, was to abolish all charitable and welfare work of the Orthodox church. The Soviet state was to be the sole protector and guardian of the aged, the ill, and the disabled. The Soviet state was a jealous state, and would not permit any other agency to stand between it and its enslaved masses, even in the fields of welfare, social insurance, relief, and charity.

Mankind passed from a state of savagery to one of semicivilization when men began to care for their ill and aged, instead of dispatching them as a hindrance, or turning them adrift, to starve, as a costly nuisance. Many savages, even until recent times, practiced geronticide, because the rigors of nature and chronic semistarvation made care for the aged and crippled an intolerable burden on the tribe or social unit.

As men became semicivilized and as the influence of religion spread over the world, greater and greater concern was devoted to the aged, the helpless, and the disabled. Hospitals and shelters for the indigent aged were first set up by the church. Each family, rich or poor, took care of its own elderly members. Only elderly and helpless poor who had no living relatives found their way to the poorhouse or a religious-supported home or shelter. In all countries the family—regardless of religion or race—took care of its own elderly people. It was a matter of fierce pride that even the very poorest took care of their own.

A MORAL RETROGRESSION

All this has now changed, at least in this country, thanks to social security. It is now considered shameful for older

people to be taken care of in their declining years by their children whom they nourished and spent small fortunes on bringing up. Sending one's parents to the poorhouse, so that one can buy a new house or a new and flashier auto, would, of course, be considered a bit raw; but the same individual sees nothing shameful in turning his parents adrift to shift for themselves on a meager social security pittance. They earned this social security themselves; and any deficits which have to be made up come out of the public treasury—that is, somebody else's pocket.

The impersonal arm of a vast bureaucracy centered in Washington can never transmit to the individual recipient the warmth and personal feeling provided by a family which shelters and protects its own. Even religious, charitable, or fraternal assistance at the local level, because it has been, and remains, in direct personal contact with the recipient, is bound to be a warmer and more sympathetic bond than that of a mere statistical figure in a bureaucratic budget. And I believe it has been amply demonstrated that Federal collection, administration, and distribution of welfare funds are bound to cost more, because of higher administrative overhead than the same process when carried on within the community and administered by the community or by private organizations.

Mr. President, we went through all this years ago. I am sorry to bring it up again; but I still do not understand why it is shameful and humiliating to expect support from one's children, but why it is ruggedly independent and dignified to accept from the public exchequer a thinly disguised dole in the form of a monthly security check.

Nor has anyone pointed out the fundamental immorality of taxing those who already take care of their own aged relatives, in addition to helping support others, whose children pass their own obligations on to the State. Then there are many spinsters and bachelors who devoted their lives to caring for their parents until they died and, as a result of discharging such an obligation, never married. They are now taxed at the higher rates for single persons, to help pay the enormous annual cost of caring for those whose own children refuse to do so. One of the most shameful situations presently plaguing welfare agencies in this country is the subsidization by the State of wholesale bastardy practiced by women who have made illegitimacy a profession, or at least a source of easy and steady income.

It should have been plain years ago to even the most obtuse that once we open the Pandora's box of the welfare state, we cannot stop at any particular point or draw the line against any particular segment of the population. Bismarck tried it in Germany 80 years ago, only to learn that the Socialists would invariably raise the ante every time he threw in a new concession.

All of us—left, right, and center—make numerous speeches and declamations against the evils of communism. We affect great horror and deep moral indignation over the brutal methods used by the Chinese Reds in setting up the commune system and their calculated destruction of the ages-old Chinese family system. We lose sight of the fact that it is just as easy to slip unintentionally into a hole on a dark night as it is to jump down into it deliberately in the daytime.

The gradual and imperceptible erosion of the family, through ill-advised and misguided welfare schemes over a period of years, may bring us in the not too distant future to a commune system of social organization, with cradle-to-grave welfarism. Goldsmith's often quoted couplet might well be paraphrased and brought up to date:

Ill fares the land to hastening ills a prey,
Where welfarism is accelerated and the family is permitted to decay.

HARMFUL RESULTS FROM DROPPING HOUSING BILLS

Mr. KEATING obtained the floor.

Mr. MORSE. Mr. President, will the Senator from New York be so kind as to yield 10 minutes to me?

Mr. KEATING. I yield, with the understanding that the remarks to be made by the Senator from Oregon will appear in the RECORD either before or following mine.

Mr. MORSE. I thank the Senator very much for his courtesy.

As I told him in private conversation, I am a great believer in reciprocity. Due to this kindness on his part, I am now his debtor; and I hope that in the future he will not hesitate to call upon me, as his debtor, in view of the courtesy which he is extending to me.

Mr. KEATING. Mr. President, the Senator from Oregon is always kind and generous, and of course I shall not hesitate to call upon him in the same way.

Mr. MORSE. I thank the Senator.

Mr. President, I rise to call attention to the serious situation in the lumber industry, an industry which is of great importance both in Oregon and in other States. However, Oregon can truly be said to be pretty much of a one-industry State; and as the prices of lumber go down, the economy of the State is adversely affected to a very material and serious degree.

Furthermore, there is a direct relationship between the economy and housing.

Therefore, Mr. President, I wish to speak briefly today in pleading with the Congress to take action on housing legislation at this session, before the adjournment. I view with great alarm and concern the reports that housing legislation may be dropped, in the interest of quick adjournment of the Congress.

The politician who seeks votes in Oregon this fall is going to have to show that he did everything he possibly could to bring about enactment of a good housing bill. I am amazed to hear reports that this session of Congress may abandon the housing bills.

The Senate has passed its omnibus housing bill, and it is now on the desk of the Speaker of the House of Representatives. The House Banking and Currency Committee has reported an even more far-reaching one, which is being held up by the House Rules Committee. The House has passed and sent to the Senate an emergency measure to stimulate private home building, and this bill is pending before the Senate Housing Subcommittee.

Final action on one or more of these measures is imperative. The bottom has fallen out of the lumber industry in Oregon. Every week brings new plant shutdowns or reductions in the workweek. The decline in new housing starts for 1960 is largely responsible for this situation. This slump must be reversed quickly, and any one of these three bills would help reverse it. Friends of housing legislation must be particularly concerned with the failure of the House to date to act on an omnibus housing bill.

With widespread unemployment in Oregon comes a slump in the small businesses in every community. I am already hearing not only from those who have been laid off, but also from the department stores, laundries, and similar establishments, whose regular customers have stopped buying or are doing their trading on credit.

I appeal to the Rules Committee in the House, the Banking and Currency Committee of the Senate, and the leaders of both parties in both Houses of the Congress to put their efforts behind a housing bill that will restore a reasonable level of construction.

SUGAR LEGISLATION

Mr. MORSE. Mr. President, 2 days ago President Eisenhower sent Congress a special message requesting that action be taken before adjournment to extend the Sugar Act and to amend it so the United States will not have to buy sugar from the Dominican Republic.

As chairman of the Senate's Subcommittee on Latin America, I wish to say I think it is imperative that the Department of Agriculture be relieved of its present obligation to buy sugar from the Dominican Republic.

However, I think it equally imperative that Congress not simply extend the present law, but that we carefully rewrite it.

In the closing hours of the preconvention session, we had a lengthy debate here on extension of the Sugar Act. At that time, I urged the Senate to meet the Cuban situation by simply giving the President authority to reduce the sugar quota from Cuba and the authority to purchase on the open market the sugar needed for American consumers.

I took that position because it was evident that the assignment of quotas in the existing Sugar Act was completely out of line with the political policy the United States has been trying to establish with our neighbors of the Western Hemisphere. These quotas were fixed in 1956. That was 4 years ago. There have been many changes in South and Central America since

then; many new governments have come to power, and we have greatly changed our Latin American policies.

A new government has come to power in Cuba, and we took steps to change the Sugar Act to account for that situation. But we have not changed the Sugar Act to account for the other changes that have occurred in the sugar-producing countries of the hemisphere.

In July, I opposed and voted against the bill passed at that time, which reassigned Cuba's share in the American market to other countries already having quotas. With respect to the Dominican Republic in particular, I said:

> The mandatory provisions of the House impose upon us, by the conference report, the transfer of certain quotas of sugar from Cuba to Trujillo, of the Dominican Republic, a country headed by another tyrant, who in this case is a Fascist tyrant, and is one of the worst tyrants in all of Latin America. Giving this support to that tyrant is not going to help foreign relations with our friends in Latin America * * *. We are not going to speed the going out of power of this tyrant by strengthening his economic position. We are not going to speed Trujillo's going out of power by giving him the kind of weapon that we propose to give him by the adoption of the conference report. He would be stronger than before the Sugar Act extension was passed.

I remind Senators that this windfall to the Trujillo government of the Dominican Republic was one of the major reasons why I voted against the conference report.

Now, less than 2 months later, we have a special message from the President asking the Congress to change the law so we will not have to buy this sugar from Trujillo. It should have been clear in July that this law would not work, insofar as American foreign policy interests were concerned. We knew then we were going into a conference of foreign ministers where two major controversies would be on the agenda: one between ourselves and Cuba, the other between the Dominican Republic and Venezuela.

As a result of that conference we find ourselves party to the condemnation of the Dominican Republic by the Organization of American States. We will soon cut diplomatic ties with Trujillo, as will other member states, and we will be expected to apply partial economic sanctions. We expect—and hope—that the OAS members will then join us in some joint action regarding Cuba.

Yet the Congress of the United States, in complete resignation from its foreign policy duties, in my opinion, has ordained the purchase of 322,000 additional tons of sugar above and beyond its regular allotment from this very same country we have just condemned.

We have attuned our economic policy with our political policy in the case of Cuba, but we have put economic policy on the opposite side from our political policy in the case of the Dominican Republic. That is the kind of hypocrisy which loses friends for this country among the nations of the hemisphere.

It is unthinkable to me that Congress should fail again in its foreign policy responsibilities. We must correct this situation before adjourning.

But in considering the Sugar Act, I believe we must reassess the entire quota system. We will fail in our foreign policy responsibilities again if we do not reexamine all the present quotas and give consideration anew to the countries seeking quotas.

If there are any foreign policy reasons for increasing the quotas for Formosa, the Netherlands, Belgium, and Great Britain, as we did in July, I would like to know what they are. I would also like to know why we do not extend the hand of friendship to such South American countries as Venezuela, Brazil, Colombia, and to El Salvador and Guatemala in Central America by including them under the Sugar Act. While it may be possible for them to sell some sugar here under the 1960 law, they have no quota.

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

Mr. MORSE. I am under obligation to the Senator from New York. He has allowed me 10 minutes. I have another paragraph or two to read. Then, if time permits, I will yield within my 10 minutes.

In July I asked the Congress to wait until August with reassignment of the Cuban quota so we could give due attention to the foreign policy problems involved. Congress chose to ignore my plea, but I point out that we now have before us a plea from the President of the United States, himself, to change the worst features of the law that I opposed in July.

He has found that American policy cannot live with what Congress did in July. I recall that the Senate was told that State Department officials had said they could live with the conference report. I think it is clear the State Department could live with it only so long as the Department did not have to apply it.

I hope it will now be evident to Congress that these 4-year-old quotas are no longer appropriate. We should reevaluate them in light of our present foreign policies. We should do that now, before adjourning, to make clear to our friends in the Western Hemisphere that the United States will practice what it preaches.

Certainly the Congress should not join Fidel Castro in flouting and mocking the Organization of American States.

If the Senator from New York will allow me to yield to the Senator from Pennsylvania for a question, I shall be much obliged.

Mr. KEATING. On that subject, I am happy to yield.

Mr. CLARK. If the Senator from New York will permit a comment, I promise not to detain him more than 2 minutes.

Mr. KEATING. On that subject.

Mr. CLARK. On this subject.

Mr. KEATING. I yield.

Mr. CLARK. I should like to commend my friend from Oregon for the speech which he has just made. He will recall that in the early hours of the morning before we adjourned to go to the conventions, there was what seemed to me to be a very critical vote on the Morse amendment. For reasons which are understandable, because, as I remember, it was about 5 o'clock in the morning——

Mr. MORSE. We lost by a vote of 30 to 29.

Mr. CLARK. We lost by a vote of 30 to 29.

The Senator's insistence that we should not accept the position of the House that the Sugar Act should be amended so as to require that whatever sugar quota was taken away from Cuba should to a substantial extent be given to the Dominican Republic, was defeated by one vote.

I have always felt that was one of the most unfortunate votes, in terms of our Latin American policy, of any that has transpired in any of the 4 years I have been in the Senate.

I personally wholeheartedly support the President in his request that we eliminate the provisions requiring us to favor the Trujillo regime in San Domingo, and to give them an extra quota of sugar, which quite justly, has been taken away from Castro.

I commend my friend for making this point. I wonder if he would join with me in the view that the overwhelming majority of the Members of the Senate feel the way the Senator from Oregon and the Senator from Pennsylvania do on this issue? To anyone who reads the debate in the CONGRESSIONAL RECORD which is now taking place before an almost empty Chamber and a less than half filled gallery we say, "Let our friends in Latin America take heart. There are men in the Senate who believe we should not give an extra bonus to the Trujillo regime. There are men in the Senate who believe the President of the United States is correct in saying we should help our friends in Latin America, and not our enemies."

I am sure the Senator from Oregon agrees with me that what we are saying tonight in a nearly empty Chamber none the less represents the true feelings of a large majority of our colleagues.

Mr. MORSE. I do not have any doubt about it. If we can get the President's proposal to a vote, I think it will pass overwhelmingly in both Houses of Congress.

In closing, I thank the Senator from Pennsylvania very much for his support. It is always a pleasure to stand shoulder to shoulder with the Senator from Pennsylvania [Mr. CLARK] on any issue. We stand together on most issues in the Senate.

I thank the Senator from New York for his courtesy in yielding to me. I am supporting the President's position. There are those who say the senior Senator from Oregon never supports the President. The record denies that allegation. I support the President when he is right. He unfortunately is not right very often, but I support him when he is right, in my judgment. He is "dead right" on this issue. He deserves our support. We ought to proceed, before adjournment, to grant the President's request with regard to repealing the sugar quota from the Dominican Republic.

Mr. KEATING. Mr. President, I want to say to the distinguished Senator from Oregon, that considerable attention has

been called to the vote we took in the "wee" hours of the morning on the day we recessed for the conventions on the substitute amendment which the Senator offered. I supported the Senator's amendment. It was, unfortunately, defeated by one vote, and I believe there were nearly 41 absentees on that occasion.

I feel very strongly that it would be contrary to the policy which our Government is following if we permitted the situation to continue whereby the Dominican Republic benefits from the reduction in the sugar quota to Cuba. This is borne out by the fact that the Organization of American States has condemned the Dominican Republic by an overwhelming vote for its tyrannical actions.

In my judgment it will not set well with our real friends in Latin America, as the President and the Secretary of State have indicated, unless we take action at this session—I repeat, at this session—on this very vital issue. This is one of the important unfinished pieces of business, often referred to as "the people's business," which should be acted upon now.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. KEATING. Likewise, the housing legislation referred to by the distinguished Senator from Oregon is very important. We should not think of adjourning until we have brought it to a termination.

The Senator from Oregon has brought to our attention tonight two issues which are of vital significance to our Nation and the free world. I know the Senator shares with me the view that there are many important issues in addition to those two, but he indeed has put his finger on two with which we should deal right away.

I am in complete agreement with the Senator on the latter, and I am in at least partial agreement on the former of those two issues. Whether we happen to be in agreement or not, we certainly should not "fold up our tents and silently steal away" until we have acted upon these and other key issues which are before us.

Mr. CLARK. Mr. President, will the Senator yield for a question?

Mr. KEATING. I yield.

Mr. CLARK. With respect to the sugar quota for the Dominican Republic, does the Senator from New York agree with me that this should be a nonpartisan or a bipartisan matter, that we should not get into party politics concerning it?

Mr. KEATING. There is no question about it. Mr. President, this is a matter of very serious concern involving our relations with all of our Latin American neighbors. It is not something which should be involved in partisan politics. I certainly hope it will not become a partisan issue.

The Senator from Oregon pointed out that he stands shoulder to shoulder with the President of the United States, as do I, in regard to the request which he has made on the Dominican sugar quota. I assume there may be some Senators, from both sides of the aisle, who do not agree. Apparently there are at least two on the side the Senator from Pennsylvania occupies, for they voiced their views yesterday. I find myself in violent disagreement with them, although there, of course, may be others on both sides of the aisle who feel the same way. The Senator from Pennsylvania is entirely correct. This is not and should not be a partisan matter.

Mr. CLARK. Does the Senator agree that those of us on both sides of the aisle should join in urging the chairman of the Committee on Finance, to which committee the bill has been referred, to summon the committee members into immediate session in order to report favorably on the request of the President?

Mr. KEATING. I very much hope he would do that. I felt compelled to vote against the sugar bill on the question of passage just because the Morse substitute amendment was rejected. I felt at the time that the inclusion of the Dominican Republic made it an unacceptable measure.

Mr. CLARK. Does not the Senator agree that this is a matter vitally affecting the foreign policy of the United States?

Mr. KEATING. There is no question in my mind that it is vital. It is for us to be against tyranny in every part of the world.

I am very distressed about the situation in Cuba, which seems to get worse by the day, and which may soon pose a serious threat to our security, I am more concerned about it than about the situation in the Dominican Republic, but the situation in the Dominican Republic is not one which the people of this country like or can accept in any way. A tyrannical government is in power there. While I must confess that I see no evidence that there have been any designs against us in any way—and some things have been done which showed friendliness toward us, as I wish to be as fair as possible—nevertheless, through the action of the Organization of American States the Dominican Republic has been made persona non grata to the other Latin American countries.

If we allow the Dominican Republic to be benefited by the Sugar Act, when many others of our real friends do worse than the Dominican Republic in this regard, our real friends will, I know, not be able to understand our actions and policies.

Mr. CLARK. I ask the Senator a final question. Does not the Senator from New York agree that all members of the Committee on Foreign Relations, Democrats and Republicans alike, should urge the Committee on Finance to promptly bring out a favorable report on the request of the President to change the quota for the Dominican Republic?

Mr. KEATING. I certainly hope that will happen.

VALUE OF CULTURAL EXCHANGES

Mr. KEATING. Mr. President, the Internal Security Subcommittee of the Committee on the Judiciary today released a committee print in the form of a staff analysis entitled "The United States Through the Eyes of Soviet Tourists." I recommend the publication to my colleagues as a careful, interesting study of Communist propaganda. There can be little doubt that many of the Soviet so-called tourists do return to Russia and write derogatory articles about this country in the official Communist press.

But I think we would be making a mistake, Mr. President, if we were to conclude from this that the program of cultural exchanges was a failure, or even that the Russians benefited more from it than we do, as has been indicated might be the case.

Surely we are not naive enough to expect the Russians to return to the police state atmosphere of their own country and write an article in praise of the American way of life. Whatever they may think, it would be the end of them, politically, professionally, and perhaps even physically if they were to tell the truth about America in the propaganda-inspired press of the Soviet Union. But they may well tell their friends privately about U.S. assets.

Furthermore, it is quite true that the Russian "tourists" who visit this country are a hand-picked bunch. The Soviet authorities take great care to minimize the danger of Russian defections in the outside world, for they realize that the high level of defections from other Communist countries is damaging to Communist propaganda.

On the other hand, there is another side to this matter. For, of course, the average Russian citizen, even though he may be taken in to some extent by communism, is well aware that only party faithfuls can come to the United States. The many intelligent Russians who do have qualms about communism are not allowed to go on these junkets, and as a result they tend to discount the much publicized accounts given by those who were allowed to come. The Russians themselves know only too well that their government is adept at propaganda activities and that the government presses print only what is favorable to the Communist cause.

In this connection, I am reminded of an incident which took place when some members of the Soviet provincial governments were visiting Congress last February. Incidentally, although the Supreme Soviet is technically the highest legislative body in the Soviet Union, we do not permit members of the Supreme Soviet to come to this country in exchange with Members of the Congress, because the State Department recognizes full well that the Soviet legislators are so only in name. In function, they are mere puppets.

In any case, the incident that I would like to mention refers to the visit of a delegation from the Russian Republican Government, headed by Dimitri S. Polyansky, Chairman of the Council of Ministers of the Russian Republic. When Mr. Polyansky tried to make propaganda about the civil rights ques-

tion in this country, he was instead given a lecture by one of our Congressmen on the two-party system of government. He was reminded that although Soviet legislators might like to depict themselves as chosen by the people; in fact, they were all elected without any opposition so that they represented no choice whatsoever.

Now, of course, Mr. Polyansky probably did not relate this incident in full when he got back to Russia. But I have little doubt that it had its impression on the other members of the delegation whose outward behavior betrayed nothing but flattering obedience to their leader. I would suspect that in their secret hearts at least some of the other members of the delegation were a bit pleased to see their overbearing boss treated to a few home truths.

I am not surprised that the Soviet Union has tried, I repeat tried, to use the cultural exchange program for propaganda ends. But I am reminded of Abraham Lincoln's words of wisdom "You can fool all of the people some of the time and some of the people all of the time, but you can't fool all of the people all of the time."

I remember only too well the occasion of Mr. NIXON's visit to Warsaw. The overwhelming reception he received there showed more clearly than bushels of Communist publications what the Polish people really thought of this country. It showed just how wrong the Communist line was and just how little influence this propaganda really had on Polish thinking.

It was in large part, I am sure, because the Communists feared that President Eisenhower would receive a similar ovation in Moscow—that Khrushchev rudely canceled the President's visit this summer. Perhaps someday the Russians will cancel the entire exchange program because despite the surface propaganda victories, the basic and lasting effect of cultural exchanges is to counteract this very propaganda. But until that day comes, it is strongly in the U.S. interest to maintain and even expand the program.

As long as the cultural exchange program exists, the door to all the magic of the West is still open a crack to Soviet citizens, virtually all of whom would like nothing better than to get to the United States. Let us not slam it into their faces. We have nothing to fear and a great deal to gain from an even greater exchange program than exists now. Every chink that we can poke in the Soviet armor is to our benefit in the long run.

A REAL AVENUE OF THE AMERICAS

Mr. KEATING. Mr. President, today more than ever before, Latin America is important to this country. This has just been the subject of colloquy between myself and the Senator from Oregon [Mr. MORSE] and the Senator from Pennsylvania [Mr. CLARK].

The present meeting of the OAS has revealed a growing sense of hemispheric cooperation—cooperation against the specter of international communism and cooperation for the hope of a brighter economic future.

I introduce a resolution which would authorize and request the President to set aside October 4, 1960, as Western Hemisphere Day in recognition of the bonds of friendship which unite our country with the other American Republics. A similar resolution has already been introduced in the other body by the distinguished New York Representative, Mr. WAINWRIGHT.

You may ask, Why October 4? What happened on that day? The question, Mr. President, should not be what did happen on October 4, but what will happen on that day?

The answer, I am happy to say, is a most fortunate and pleasing gesture that is being undertaken in New York City on the initiative of some enterprising New Yorkers. The Avenue of the Americas is to become in fact as well as in name the Avenue of the Americas. Coats of arms representing the 22 nations of this hemisphere and the Organization of American States are to be displayed on light poles all along the former Sixth Avenue from White Street to 59th Street.

These coats of arms are to be put up for the first time, during a ceremony in which both the mayor of New York and the Governor are expected to participate. This ceremony will take place on October 4.

Mr. President, the sponsors of this worthwhile scheme have requested that October 4 be set aside as Western Hemisphere Day to dramatize this bright new step in all-American, pan-American good will. The program has the complete support of New York officials, for Mayor Wagner and Governor Rockefeller are honorary chairmen of the committee. The project has also won the approval of the Organization of American States, for Dr. Jose A. Mora, the Secretary General of OAS, is also an honorary chairman. Roy Rubottom, Jr., formerly Assistant Secretary of State for Inter-American Affairs considers the project one "which will give additional significance to the Avenue of the Americas and beauty to New York City.

The New York Times has expressed its own delight at the idea in the following words which I would like to quote directly:

> There are many ways of expressing the spirit of the good neighbor in American affairs, some big, some small. No gesture is ever lost as ever meaningless. The placing of shields with the arms of the American countries along a major avenue of a great United States city may not be earthshaking. But it is a simple, friendly move that can only do good [the shields] are obviously going to be attractive as well as colorful—an ornament by any standard, but one with a meaning.

Mr. President, it seems altogether fitting that we should carry out this proposal. It plus the festivity at which it would be inaugurated, would place the stamp of our cordial approval on this proposal.

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

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

The joint resolution (S.J. Res. 221) authorizing and requesting the President to set aside October 4, 1960, as "Western Hemisphere Day," introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is authorized and requested to issue a proclamation setting aside October 4, 1960, as "Western Hemisphere Day" in recognition of the bonds of friendship which unite our country with the other nations of this hemisphere, and inviting the people of the United States to observe such day with appropriate ceremonies and activities.

HUNGARY'S MARTYRED YOUTH

Mr. KEATING. Mr. President, when Khrushchev spoke before the National Press Club in September 1959, he replied to a question on Soviet intervention in Hungary in these terms: "The question of Hungary has stuck in some people's throats as a dead rat."

All will agree, I am sure, that this is a repulsive allusion to a heart-rending, tragic event, an event, indeed, that lingers on in the minds and conscience of all free men. But we have become accustomed to Khrushchev's brutish, coarse language. We have come to expect little else from him.

Khrushchev and his fellow Communists ought to understand one thing, however, and it is that we Americans will not readily forget this so-called question of Hungary. Instead of forgetting these people we have become more determined in our resolve to plead their cause whenever we can in the international tribunal of the United Nations, particularly when accounts of new atrocities are brought to our attention and when we are reminded of unfulfilled Soviet obligations to withdraw from Hungary and give the Hungarian people a chance to select their own government.

Many of us in America assumed that the brutalities of the Hungarian Revolution terminated once the freedom fighters were subdued and Communist control again assured.

But we were mistaken.

For 3 years after the revolution was crushed the Communists executed 150 freedom fighters, not grown mature men and women, but youths 18 years of age who were kept in prison until they reached the "properly legal" age for execution.

We first heard of this most recent Communist barbarity against Hungary in December 1959. According to a report by Dr. Bela Fabian, chairman of the Federation of Hungarian Former Political Prisoners, the Communist regime of Janos Kadar secretly executed

150 boys and girls for having participated in the armed revolt of 1956. All 150 had been held in prison until they reached the "legal" age for execution.

Regrettably, Mr. President, the incident received little coverage in the free world press. During one weekend in January 1960, the British Broadcasting Corporation departed from its usual practice and reported the tragic events over its networks a half dozen times. Ed Sullivan, the noted American entertainer and newspaperman, alerted his nationwide American audience in an attempt to organize a widespread campaign to save the lives of the unfortunate Hungarian youths.

To be sure, Kadar's regime denied this senseless, inhuman slaughter, but we have it on the authority of Dr. Fabian, whose omnipresent underground organization in Hungary reaches even to the prison where the youths were held and executed, that the reports were indeed true.

Dr. Fabian gives us this fact among his evidence. A foreign diplomat, once stationed in Hungary but now assigned to the United States, tells the story of his recent visit to Hungary. He visited an old friend, a woman, who burst into tears when he inquired about her family. The lady explained that her 18-year-old son had been missing for some time. That very morning, however, she had been told to visit the warden's office in Hungary's Central Prison. There, she was handed her son's clothing and other belongings. He had been executed, they said, the day before as an "enemy of the state."

U.S. Ambassador Henry Cabot Lodge, our very able spokesman at the United Nations, alluded to this incident in a speech during a debate on Hungary in December 1959. In a blistering attack on the Soviets for their conduct in Hungary he urged adoption of the resolution then under consideration in these words:

> Obey the U.N. Charter and restore the independence and liberty of Hungary; and—with particular urgency—stop persecuting and executing Hungarians for what happened in 1956.

And referring for a moment to Hungary and her people, he exclaimed:

> And to the brave and suffering people of Hungary this resolution says: You are not forgotten.

Mr. Lodge spoke not only for America when he uttered these memorable words, he spoke for the entire free world. All Americans and all citizens of the free world in one voice urge the Communists to obey the charter, to restore the independence and liberty of Hungary, and to stop persecuting the Hungarian people.

Mr. President, Mr. Lodge has once again called for a full United Nations investigation of the Hungarian question. Sir Leslie Munro of New Zealand, the United Nations special representative on Hungary, has continued to receive information from Hungary on the brutal Russian repression of legitimate Hungarian desires for independence. He should be particularly requested to study the matter of Soviet imprisonment of minors to wait in jail until they reach the legal age for execution, a policy which is repulsive to every civilized nation in the world today.

Mr. President, in view of the truly large number of petitions I have received on the question of Soviet persecution and prosecution of Hungarian youths, I should like to amend Senate Joint Resolution 185, calling for the celebration of October 23 as Hungarian Independence Day, by the addition of "whereas clauses" reading as follows:

> Whereas the valiant youth of Hungary supported the heroic but vain struggle for independence of their homeland with a devotion and determination beyond their years; and
>
> Whereas the ruthless rulers in the Kremlin have reportedly seen fit to take vengeance upon these youngsters by imprisoning them until such time as they reach the legal age of execution and then putting them to death summarily.

Mr. President, I ask unanimous consent that the text of Senate Joint Resolution 185, as it would read if amended, be printed at this point in the RECORD.

There being no objection, the joint resolution (S.J. Res. 185) designating October 23 of each year as Hungarian Independence Day, as proposed to be amended, was ordered to be printed in the RECORD, as follows:

> Whereas the people of the United States and the people of Hungary have traditionally maintained strong bonds of friendship and understanding; and
>
> Whereas the people of the United States and the people of Hungary have long shared a proud heritage of freedom and independence; and
>
> Whereas the people of Hungary have been enslaved in recent years under the yoke of Communist domination directed by the Soviet Union; and
>
> Whereas on October 23, 1956, the Hungarian people rose as one man against their Soviet and local Communist oppressors and shook the world with their heroic struggle for freedom; and
>
> Whereas the willing sacrifice of life and the magnificent proof of valor that won for these patriots a short-lived independence was basely nullified by the perfidy of the official agents of the Kremlin; and
>
> Whereas the valiant youth of Hungary supported the heroic but vain struggle for indepedence of their homeland with a devotion and determination beyond their years; and
>
> Whereas the ruthless rulers in the Kremlin have reportedly seen fit to take vengeance upon these youngsters by imprisoning them until such time as they reach the legal age of execution and then putting them to death summarily; and
>
> Whereas the people of the United States and the free world must give hope to the noble people of Hungary that their immense suffering under Communist domination is not forgotten and that we are working and praying for their day of liberation: Therefore be it
>
> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That October 23 of each year is hereby designated as Hungarian Independence Day, and the President of the United States is authorized and requested to issue annually a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on such day and urging the people to observe the day with appropriate ceremonies.

EXPROPRIATION OF AMERICAN PROPERTY BY CASTRO

Mr. JOHNSTON of South Carolina. Mr. President, for more than a year we have been faced with a terrible situation in Cuba. For over a year this administration has taken no effective steps to relieve that situation. Placid notes of protest are not enough. Our State Department ought to know this. The President who conducts our foreign affairs ought to know this.

Almost every vestige of American property rights in Cuba has been confiscated. They have been taken under the guise of nationalization or intervention. Still, the property of Americans has been taken. No compensation, in the language of the late Secretary of State, Cordell Hull, that is just, prompt and adequate, has been offered or given. It is high time we took active and militant steps to protect the rights of our citizens.

I have heard the warnings given us by the distinguished Senator from Florida [Mr. SMATHERS]. I concur in them. He has seen and pointed out to us the thievery of the international bandit who now heads the Cuban Government. Some are bold enough to assert that Castro is not a Communist. I say no one plays the game of communism better than Castro. If he is not a Communist in name, he is one at heart. His actions furnish adequate proof of this fact. I do not hesitate to say he is as dangerous to our way of life as any Communist leader can be.

While Castro and his actions have been condemned on the floor of the Senate and by the press generally, I have not seen a summary of the depth and breadth of his depredations. Possibly the State Department knows more nearly the precise amounts and the classification of properties Castro has stolen than does anyone else. Nevertheless, from time to time as confiscations have progressed, the press has carried listings of the properties and their values in their news columns. These confiscations extend to all categories of property and the amounts well exceed a billion dollars.

Let us look at the farmlands that the Cuban Government took over from May of 1959 to March of 1960. We find the following:

	Acres
(1) Lands affected by the agrarian reform law	13,246,800
(2) Expropriated or in process of expropriation	7,554,304
(3) Land purchased for $2,145,876 in cash and bonds valued at $6,771,832	1,160,670
(4) Foreign holdings in process of expropriation	3,979,440
(5) 7.6 million acres of land expropriated or occupied	7,600,000
(6) Amount being purchased	1,200,000

The National Institute of Agrarian Reform set up for the purpose of confiscating properties up to May 1960 was administering 170 private business concerns valued at $350 million. These concerns were of a variety of types, such as leather goods, textiles, clothing, chemicals, tobacco, food, iron ore, canning, and automobile. This institute

has taken over the main radio stations in Cuba, 18 in number, as well as the principal newspapers and news media.

Up to August 5, 1960, the value of American properties confiscated by Castro amounted to $400,500,000.

Castro's confiscations have not been exclusive in nature. He has taken over many domestically owned Cuban properties. If anyone is anti-Communist, he is called counterrevolutionary and his property is confiscated. Castro is the one who defined the term "counterrevolutionary" as being "anti-Communist."

On Saturday, August 6, 1960, Castro met with his fellow conspirators and co-criminals and determined upon a more wholesale scale of confiscations. So, on Sunday, August 7, the following American properties were confiscated:

	Millions
Cuban Electric Co	$300
Cuban Telegraph Co	100
Standard Oil Co	70
Texas Oil Co	45
Sinclair Oil Co	5
36 sugar mills	200
Lands valued at	150
Total	870

Just think of it—$870 million of American property stolen in 1 day. What have we done about it? Nothing. Absolutely nothing. Our notes make no more impression than a tap on the wrist. We should act affirmatively, and at once to prevent this international brigand from carrying out his repeated boasts that he was going to take even the nails out of our shoes. That is Castro's statement.

On August 9, 1960, the U.S. Government owned Nicaro Mining complex, worth $100 million, and the Freeport Sulphur mines, worth $75 million. These were directly threatened by Castro's cabinet. So it is only a matter of time until they too will be confiscated. They are presently inoperative. These two giant companies are among the last assets in a more than a billion dollars' worth of American investments in Cuba. These two last assets are in imminent danger of seizure with a resulting total confiscation of them. Our Government should act now and act decisively to prevent their seizures. We should act now to recover the confiscations which have already taken place. If it means military intervention, we should intervene militarily. Castro should be seized and dealt with as an international criminal.

I do not believe any one person in our Government is to blame for what has happened in Cuba. I think our State Department has failed to back up its words with deeds. Warnings and notices are quite insufficient. A few marines could do the job. I indulge the thought that the vast majority of Cubans would again like to be free. I feel they should be freed. It has cost us a lot of money and a lot of lives not too long ago to free Cuba from Spain. We have the strength to save Cuba again. We should save this island from its evil rulers.

Our Government has made the cardinal mistake of ridding Cuba of Batista without having groomed a responsible successor. We have listened to a few newspapermen without being practical. We denied Batista arms so he might maintain law and order. Batista's order for arms and equipment under our neutrality aid pact with him was denied him although he had cash to pay for the arms. All of this time we were secretly cavorting with and permitting Castro to secure American aid, arms, and equipment. Our State Department has literally pulled the rug out from under Batista and in so doing has pulled the rug out from under the Cubans at large and our own American investments on that island. These are hard words, but they are true. The sorry part of this sad story is that our former Ambassador to Cuba, Mr. Arthur Gardner, repeatedly warned our State Department to that effect. He pleaded with it to refrain from supporting Castro. He advised our officials that Batista was a better friend of the United States than Castro would ever be. His advice, his warnings, and his pleadings were all in vain. They fell on deaf ears in our State Department. Thus we are heir to the State Department's utter indifference.

When I reflect upon the enormity of Castro's confiscations, his gross insults to us and the possible adverse effect his actions may have on us in other Latin and South American countries, I begin to wonder how long Theodore Roosevelt would have tolerated Castro. How long would Woodrow Wilson have suffered such indignities and losses of property rights? Have the boys in the State Department forgotten Veracruz or Pershing's expedition into Mexico? Have they forgotten the salutary effect these moves had upon the Government of Mexico? We need more of the firmness of a Roosevelt and the discipline of a Wilson. I trust the President will act promptly with wisdom, foresight, judgment, and force, as our former Presidents did when faced with the outlandish conduct of an international holdupman.

It is late, but it is not too late. Our properties can be recovered. Castro can be driven to the hills or otherwise properly dealt with. This may call for intervention. If it does, we have every provocation to intervene. Castro has done every possible thing to invite action on our part. We should forthwith accept his invitation. I know of no government in the world which would take the abuse we are taking. We cannot leave our property rights, our lives, or our national honor to the tender mercies of the Organization of American States. The members of that Organization who believe in the sanctity of private property, free institutions, and a free way of life will applaud our action. Those who do not will criticize us, but we shall be better off in the long run to know who they are and what they stand for.

I also warn the State Department and the executive branch of our Government about another situation we are facing. We must act properly in regard to the Dominican Republic; we must not take action to drive out of the government of that country the man who has made it outstanding among all the countries in that part of the world. I refer to Generalissimo Trujillo. Consider the hospitals and the schools he has built.

I never am in favor of dictatorship; but what business does the United States have to tell another country what kind of government it shall have—whether a dictatorship or a government based on elections by its people. One of the troubles with our country today is that it tries to dictate to other countries the kinds of government they shall have.

It will be found that today Trujillo is a bulwark against communism. No other country in that part of the world has stood up so firmly against communism. If the present government of the Dominican Republic were removed, the situation there would develop in much the same way that the situation in Cuba has developed.

Of course, Mr. President, the people of one of our States do not like to be told by the people of any other State what they should do. But such attempts are being made in our country, and are stirring up strife and discontent between the people of the South and the people of the North. If each State were let alone, and if the people of other States did not try to meddle, the people of our Nation would get going much better.

Similarly, Mr. President, if we let other countries alone, and do not try to tell them what kinds of government they should have, our country will get along much better in the future.

For the past 5 years, as the Chairman of a Senate Judiciary Subcommittee, I have come to appreciate more and more the importance of the sanctity of private property to our free way of life. It is the hallmark of freedom. It is the foundation stone of the free enterprise system. It is the cornerstone of our liberties. Perhaps Castro's depredations of American property are due to the law of retribution. We are holding, and have wrongfully confiscated, approximately $500 million worth of German and Japanese private properties we vested under the Trading With the Enemy Act. These amount to less than one-third of the American properties vested and confiscated by Castro. Our State Department could with better grace act against Castro, were it also to do the right thing by the 30,000 or 40,000 German and Japanese nationals whose properties we now withhold from them. If this is the reason why our State Department is reluctant to act, it can quickly remove this impediment. It can order the restoration of the properties we have confiscated. Certainly this would free our hands to protect American interests in Cuba and other parts of the world.

Our Government conduct should always be proper and right. In being so, we are free to assert our rights in every part of the world. I, for one, sincerely trust we shall not further delay taking positive action in any part of the world where our lawful rights are threatened or are in process of destruction. I plead today for such a course of action. The

free world expects it of us. The free world needs prompt action on our part, not just words.

Mr. President, I yield the floor.

DEATH OF HARRY D. STRUNK

Mr. CURTIS. Mr. President, Nebraska lost an illustrious citizen August 5, when Harry D. Strunk, publisher of the McCook Daily Gazette, passed away. A longtime newspaperman, and active in State and National politics, his principal interest in later years was in the conservation of soil and water resources.

A longtime director of the National Reclamation Association, representing Nebraska, Mr. Strunk was best known in the role of president of the Republican Valley Conservation Association, a group formed under his guiding hand in 1940, representing the upper Republican River Basin.

During the decade of the thirties, that watershed was exposed to repeated floods and droughts. In many sections much of the topsoil had been washed away, farms destroyed, and property values severely reduced. Even the Federal Land Bank, which had many outstanding loans on farm real estate, sold river bottom farmland as low as $5 an acre, following the disastrous 1935 flood. That catastrophe took the lives of 113 residents of southwestern Nebraska, and a recurring flood in 1947 took another toll of 17 lives. Mr. Strunk dedicated his life to the removal of this threat to the lives and property of the residents of his section of the State.

The objective of the Republican Valley Conservation Association, which he served as president from the date of its organization until his death, was to achieve construction of a network of reservoirs which would impound floodwaters in the spring, and provide for their use upon the land during the summer and fall, in the form of supplemental irrigation. Today, reservoirs are completed and functioning at Enders, Bonny, Swanson Lake, and Harry Strunk Lake. Construction is under way at the Red Willow and Almena Reservoir sites. This construction activity has proven a great help to the business people of the basin, for it has brought millions of dollars into the cities and towns of that area each year. For the present fiscal year, which began July 1, the Congress appropriated $5,439,000 for the Frenchman-Cambridge Irrigation District, of which $2,800,000 will go for the inauguration of construction on Red Willow Dam. Then $1 million was allocated for the beginning of construction on the Almena project, near Norton, Kans.

This spring saw very heavy rainfall throughout southwestern Nebraska, parts of Kansas, Oklahoma, and Texas, with resulting heavy damage to farm and city lands, to highways and bridges, and even to railroad rights-of-way. But the reservoirs in the upper Republican Basin held the heavy rainfall, and prevented any appreciable flood damage throughout the basin.

When three or four additional reservoirs in that watershed are completed, it will comprise the most compact network of multiple-purpose projects on any river west of the 100th meridian. It will achieve for all time the control of floodwaters and conservation of soil resources, stabilizing the economy of that area.

Throughout their lifetime, the present residents of that upper basin have never known the sociological and recreational benefits which stem from bodies of fresh waters, resembling lakes. But today, these reservoirs are one of the important byproducts of the program, providing bathing, fishing, boating, and other aquatic sports. Gradually seepage will help recharge the underground water supplies, and the reservoirs will be surrounded by increased forestation, ultimately tempering the winds, and perceptibly improving the climate. It was foresighted vision, indeed, which Harry Strunk held, enabling him to make possible this tremendous development. It will be a better place to live because of his efforts.

His crusade for reclamation started in 1928, when he assisted in organizing a group known as the Twin Valley Conservation Association. The following year he was the moving force in assembling representatives from 14 Western States, who met in McCook to consider ways and means of initiating political action which would arouse the Federal Government to the need for a stepup in construction of flood control and reclamation facilities. The failure of that first attempt to bring about corrective action left the Republican Basin and other western streams unprotected, and the alternating floods and droughts of the thirties left many of the areas desolate. Tens of thousands of residents of the Great Plains walked off their farms in utter despair, while Federal relief agencies poured hundreds of millions of dollars into those sections in made-work programs designed merely to carry the people through the depression period. When the present program of construction is finished, there should never again be need for any Federal relief, since the insured production of adequate feed crops will enable the farmers to maintain their herds, even in depression periods. They could thus survive any normal drought or flood experience.

In addition to the conservation of floodwaters, it was an obsession of Harry Strunk that soil conservation be practiced, way up to the headwaters of every creek, no matter how small. When the Republican Valley Conservation Association was formed in 1940, one of the first steps undertaken was to urge the individual counties to set up soil conservation districts. The basin was the largest contiguous area in Nebraska or surrounding States, where a solid block of soil districts was formed in the early forties.

Recognition of his leadership came quickly. Mr. Strunk's picture hangs in the hall of fame maintained by the Bureau of Reclamation, in the U.S. Department of the Interior. Also, he was one of only two living men after whom a Bureau of Reclamation project was named. Former President Hoover is the other. The lake above Medicine Creek Reservoir, near Cambridge, Nebr., was named Harry Strunk Lake by act of Congress in 1952.

His zeal in pursuing his objectives gained him quite a reputation among department heads in Washington and with congressional offices. He had no hesitancy in calling, day or night, to plead for immediate action, and to oppose delays by those agencies in charge of construction projects. Commenting on this practice, Michael Straus, former Commissioner, Bureau of Reclamation, once said:

> If you want a man to haunt a house, call on Harry Strunk.

He never received a penny in the form of wage or fee for the days and weeks and months spent in promoting the program of the Republican Valley Conservation Association. His family made a great contribution, also, in that they had to grow accustomed to his long absences from the city in connection with official travel. His wife and his son, Allen, who served as general manager, accepted additional responsibilities in connection with the newspaper during his father's trips to Washington. Mr. Strunk was a frequent witness before the Appropriations Committees of the House and Senate in connection with public works programs.

A boyhood friend and schoolmate of Kenneth Wherry, he was his campaign manager when the latter ran for the Republican nomination for Governor of the State in 1932. They remained fast friends throughout the successful political career of Mr. Wherry, who ultimately became majority leader of the U.S. Senate.

A self-made man in every respect, he quit school in the eighth grade, when his father was financially unable to buy shoes for him. He took a job in a newspaper office as a printer's devil at $2 a week. With bulldog tenacity, he stayed with the publishing field, founding three different newspapers, each time with only a token sum for capital investment. Even after he had organized his first newspaper in McCook, the Tribune, there were times when he reported having no money to buy the ink with which to print the paper. He was only 19 years old when he and his partner launched the Red Willow Gazette in 1911, a publication which has long been the outstanding daily paper in the upper Republican watershed in southwestern Nebraska. Engraved on the front of the building which houses the McCook Gazette is a slogan which reveals his belief in the civic responsibilities of a newspaper. Constructed in 1926, the Gazette proclaims to the world, "Service is the rent we pay for the space we occupy in this world."

Harry Strunk will long be remembered for his deep interest in all civic betterment, but most of all, he will be recalled as the one man most responsible for the development of the Republican Valley to a point where it will no longer be subject to perennial threats from floods and droughts.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

STUDY OF USES OF GOVERNMENT-LICENSED MEDIA FOR DISSEMINATION OF POLITICAL OPINIONS, NEWS, AND SO FORTH—REPORT OF A COMMITTEE

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported an original resolution (S. Res. 374) amending Senate Resolution 305, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and so forth, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That Senate Resolution 305, agreed to June 14, 1960, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and advertising, is amended on page 3, line 13, by striking out "$35,000" and inserting in lieu thereof "$185,000".

JOINT RESOLUTION INTRODUCED

By unanimous consent, the following joint resolution was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KEATING:

S.J. Res. 221. Joint resolution authorizing and requesting the President to set aside October 4, 1960, as Western Hemisphere Day; to the Committee on the Judiciary.

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

STUDY OF USES OF GOVERNMENT-LICENSED MEDIA FOR DISSEMINATION OF POLITICAL OPINIONS, NEWS, AND SO FORTH

Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce, reported an original resolution (S. Res. 374) amending Senate Resolution 305, authorizing the Committee on Interstate and Foreign Commerce to undertake a study of the uses of Government-licensed media for the dissemination of political opinions, news, and so forth, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. MAGNUSON, which appears under the heading "Report of a committee.")

DESIGNATION OF HUNGARIAN INDEPENDENCE DAY—AMENDMENT

Mr. KEATING submitted an amendment, intended to be proposed by him, to the joint resolution (S.J. Res. 185) designating October 23 of each year as Hungarian Independence Day, which was referred to the Committee on the Judiciary and ordered to be printed.

RECESS UNTIL 11 A.M. TOMORROW

Mr. CANNON. Mr. President, in accordance with the order previously entered, I move that the Senate stand in recess until tomorrow, at 11 a.m.

The motion was agreed to; and (at 7 o'clock and 8 minutes p.m.) the Senate took a recess, under the order previously entered, until tomorrow, Friday, August 26, 1960, at 11 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 25 (legislative day of August 24), 1960:

HOME LOAN BANK BOARD

I nominate Joseph J. Williams, Jr., of Virginia, to be a member of the Federal Home Loan Bank Board for the remainder of the term expiring June 30, 1963, vice William J. Hallahan, resigned.

IN THE ARMY

The following-named officer for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3305, subject to physical examination required by law.

To be colonel, Medical Corps

Pelosi, John J., O21020.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10 United States Code, sections 3284 and 3299. All officers are subject to physical examination required by law.

To be lieutenant colonel

Hanes, Wallace M., O33384.

To be majors

Hoffman, Joseph H., Jr., O27823.
Jackson, George D., O27821.

To be captain

Johnson, Richard T., O72740.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of title 10, United States Code, sections 3284 and 3298. All officers are subject to physical examination required by law.

To be first lieutenants

Acuff, Gerald R., O88321.
Adams, Donald D., O85813.
Adams, James G., O89171.
Adams, Louis W., O85716.
Adamski, Richard G., O81772.
Adriaansen, Leslie I., O89172.
Alden, John H., O85823.
Alexander, Lon C., Jr., O80235.
Anderson, John C., O82389.
Baker, John P., Jr., O89175.
Barrett, Robert C., Jr., O85125.
Bartlett, William E., Jr., O78569.
Bauer, Donnell G., O81776.
Berry, Louie G., O85884.
Blumenfeld, Stan, O81840.
Bosway, Stephen G., O88575.
Bradley, Lee M., O81779.
Brantley, John T., O88585.
Braspennickx, Harold J., O88586.
Bratcher, Dewey F., Jr., O81841.
Broadus, James C., O88342.
Brock, Robert J., O88592.
Brown, Elbert L., Jr., O89036.
Brown, Joe M., O83869.
Brown, Joseph F., 3d, O85131.
Bruck, Harold A., Jr., O88594.
Burrow, George D., O84961.
Burtnett, Richard J., Jr., O80239.
Caldwell, Chellus M., O81780.
Campbell, Jerry K., O88605.
Cancienne, Louis G., O89040.
Canfield, James D., O87699.
Carnahan, Ronald J., O88608
Cassell, James D., O85408.
Catlett, Charles, O88611.
Cauthen, Tommy E., O88612.
Churchill, Carl L., O81782.
Ciccone, Vincent J., O85136.
Cobb, Edward R., Jr., O85998.
Collins, Nicholas H., O85509.
Conger, John T., O85139.
Cox, Luther O., Jr., O88357.
Cox, Wallace R., O89196.
Craig, Sammy W., 2d, O88636.
Craighead, Clyde V., O88637.
Creviston, Mark S., Jr., O82512.
Criss, Carl K., O85311.
Crum, Raymond H., Jr., O86029.
Crump, Roger L., O88360.
Culpepper, Oren R., O81787.
Danner, Billy G., O81788.
Davis, Carl J., O81789.
Davis, Sidney I., O82524.
Deibel, Charles L., O88363.
Delk, Joe E., O84707.
Derr, William R., O88254.
Dickens, Weaverly J., 3d, O85522.
Dickinson, Kenneth K., O85155.
Dickover, Robert A., O82316.
Digh, Ned P., O88656.
Dikes, Billie N., O88045.
Dorsey, Harry M., O81790.
Duncan, Robert D., O88665.
Dyer, Donald E., Jr., O89201.
Erickson, Curtis C., O89202.
Fenton, Curtis D., Jr., O87514.
Flesher, Dale D., O88678.
Florey, Richard R., O89058.
Flynn, William S., O80248.
Foley, Roger M., O81792.
Fowler, Darrell V., O89208.
Frazier, Robert J., Jr., O84709.
Friend, Stephen G., O88686.
Frink, Robert K., O89209.
Fuller, James R., O88262.
Geddings, Cecil C., Jr., O88696.
Geiger, Peter H., O87750.
Gillem, Richard D., O82328.
Gordon, Bob F., O88079.
Greenfield, Bennett E., O85548.
Greenwalt, Randall A., O81794.
Gruhl, Werner M., O82624.
Haas, Willis J., Jr., O82332.
Hackney, Edward C., O89065.
Hall, John M., O89218.
Hallmark, Billy J., O88718.
Harbuck, James B., Jr., O81797.
Hartley, Robert G., O81798.
Hazel, Wiley S., Jr., O78064.
Hennen, Paul G., O85564.
Hestand, Kenneth D., O85567.
Hiland, Bobby A., O82333.
Hollingsworth, Jerome L., O89072.
Hopkins, Carl M., Jr., O82340.
Hunt, John B., O82677.
Jacobson, Howard C., O88403.
Jefferis, Robert J., O76266.
Jennings, Richard P., O88757.
Jenrette, Nathan P., 3d, O87802.
Joczik, Robert L., O85580.
Johansen, John M., O78075.
Johnson, Jerome G., O85190.
Kammer, Herman C., O85778.
Kavanaugh, Paul F., O85425.
Keim, Carl D., O87815.
Kramer, James S., O87540.
Kreulen, Ray H., O88414.
Kuntz, George R., O89238.
Kurtz, Robert W., O89083.
Kvederas, Robert A., O81848.
Langan, Eugene W., O81849.
Lee, Francis G., O87542.
Locklar, Jimmy L., O77886.
Lovejoy, Dan H., O81805.
Lovinggood, Jerry L., O88132.
Lowe, James I., O88799.
Lowe, John C., O81850.
Loyd, David R., O88133.
Luthy, Arthur P., O81806.
Magee, Michael H., O88137.
Marciniak, John J., O78090.
Marshall, Harold C., O83946.
Mazo, David R., O88284.
McBath, Donald L., O78601.
McCloskey, William B., Jr., O88817.

McDonnell, Joseph M., O87559.
McFee, William W., O78098.
McGinnis, Michael J., O88821.
McIntosh, Bernard W., O78100.
McKibben, Clifford F., O88825.
Meister, Jerome F., O88830.
Mickey, Joseph G., O88152.
Mills, Richard L., O82810.
Monville, John J., O82819.
Moriarty, Donald P., Jr., O88847.
Morris, David W., O81813.
Motes, Clyde LaV., O81814.
Mulloy, Robert L., Jr., O80256.
Munn, Jack E., O87862.
Murray, Owen P., O78106.
Najera, Pete M., O77907.
Olson, Bruce G., O81816.
O'Malley, Joseph G., O88464.
O'Neill, Charles F., O89121.
O'Toole, Thomas M., O81818.
Parker, Jimmie C., O86610.
Parks, David W., O81820.
Pearce, William E., O89274.
Phelan, Arthur J., O88875.
Piasta, Richard L., O87882.
Plummer, Harold LeR., O78609.
Pollenz, Richard S., O87885.
Poole, Ronald H., O85362.
Porter, Ronald E., O88879.
Press, Donald P., O83772.
Provine, Carl R., O88540.
Reilley, James J., O85648.
Resa, Philip E., O89133.
Reyburn, Dwight S., O82902.
Reynolds, William H., O85650.
Rives, William T., Jr., O78120.
Rodnite, Andrew J., O85654.
Roessner, Norbert J., O81853.
Rogan, Robert E., O81854.
Ronish, Robert R., O87601.
Rooney, Lawrence A., O89137.
Rosenberg, David C., O88306.
Rosendahl, Richard C., O81729.
Rowe, Terry E., Jr., O81827.
Royal, Eugene S., O88190.
Rummens, Bobby E., O85370.
Russell, Richard R., O85660.
Ryan, William D., O87602.
Sanchez, Reynaldo, O88193.
Saunders, Richard G., O88913.
Scarborough, Edward, O78122.
Schultz, Gary E., O88919.
Sherman, Charles L., 4th, O87613.
Smith, Robert T., Jr., O88942.
Starr, Luther J., Jr., O78929.
Steinbach, James J., O80261.
Streips, Eugene A., O78619.
Sullivan, George C., O81830.
Sullivan, John H., O76679.
Surprise, Lyle G., O89296.
Symons, Frederick E., O88965.
Taurke, Erwin A., O85270.
Thovson, Paul W., O87947.
Tipton, James A., O78623.
Tomei, Ciancarlo A., O88979.
Trauthen, Donald R., O83803.
Travis, Charles E., Jr., O78135.
Trueheart, William H., O76705.
Vincent, Wendell C., O83040.
Ward, James J., O88994.
Ward, Leonard M., Jr., O88995.
Ward, Rayburn L., Jr., O80265.
Waring, Mowton LeC., Jr., O89308.
Warnberg, Harry E., O85097.
Watkins, Thomas D., 2d, O88996.
West, James A., O88523.
Whedbee, John S., O78627.
Wheeler, Edward W., Jr., O81838.
White, David J., O85388.
White, Lawrence L., O85699.
Widell, Carl A., Jr., O89166.
Williams, Jimmie L., Jr., O78628.
Winger, Norman, O78156.
Witsell, Edward L., O78157.
Wizbowski, Walter L. P., O89014.

To be first lieutenant, Women's Army Corps

vonMetnitz, Carol, L582.

To be first lieutenants, Medical Service Corps

Bateman, Jack N., O82411.
Belcher, Lillard F., O89179.
Boroski, Marvin R., O85727.
Borth, Alfred G., O85912.
Brand, Fred C., O85728.
Callaway, Mayson A., Jr., O85966.
Cissel, Donald J., O85505.
Cleaver, Bruce H., O84141.
Dorrough, Earnest L., O78056.
Emmons, Bobby B., O85747.
Fields, Robert E., O88674.
French, Ernest D., O82586.
Gaffney, John P., O85752.
Glynn, Michael G., O85753.
Hobbs, Robert J., Jr., O85768.
Hucks, John A., O88747.
Inlow, Neely S., O81800.
King, Damon D., O80253.
Kleber, Robert E., O85780.
Merrill, Benjamin L., O81811.
Murphy, Joseph H., Jr., O88852.
Orbelo, William R., O83968.
Posey, William L., O81822.
Rothwell, J. C., O86705.
Rumley, Richard E., O88906.
Silvas, Manuel M., O88935.
Tilmon, George W., Jr., O88977.
Wallace, Norman G., O78147.
Webb, Charles L., O89000.
Young, John W., Jr., O86971.

To be first lieutenants, Army Nurse Corps

Diener, Delores E., N2970.
Michael, Marbeth G., N2963.

The following-named persons for appointment in the Regular Army of the United States, in the grades specified under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be majors

Abbott, Stanley Burton, O1339550.
Shackelton, Phillip Liston, O1690781.
Zucker, Lester Jay, O1797225.

To be captains

Bergeron, Noel Louis, O1876308.
Brackett, Charles Ray, O1878775.
Bryan, Leo Cortner, O2033297.
Carter, Donn Fulton, O2014739.
Corbett, William Thomas, O4005885.
Coykendall, Kenneth Fletcher, O2033964.
Crego, Arthur Van Voorhis, O2017210.
Dillinger, David Rodolphus, O1888338.
Geisel, Francis Ralph, O1341657.
Gluck, Donald Wallace, O1881903.
Gray, Wilmer Oscar, Jr., O1890613.
Hartup, James Calvin, O1888983.
Hazlett, John William, O4011127.
Hughes, Robert Irvin, Jr., O970332.
Iannamico, Lucky Rocco, O2208607.
Jones, Robert Calvin, O1874496.
Marshall, Magness Wayne, O2289187.
Martin, Sidney Earl, O1893951.
McDermott, Francis Patrick, O1935270.
McDermott, Frank Elvin, O1924130.
Meredith, Alvin Leroy, O1884174.
Montgomery, Ernest Glenn, O1686769.
Mounts, Pierce Eugene, O1924606.
Pistone, Louis John, O1930646.
Radu, Cornelius John, O4001444.
Vincent, Samuel Michael, O2266417.
Whalen, Thomas Bernard, O1874746.

To be first lieutenants

Akiyama, Frank Masakatsu, O4057687.
Anderson, Harold Kramer, II, O4069199.
Andreacchio, Nicholas Albert, O4074648.
Bartholomew, Roger Jay, O4027501.
Boehnke, Roger Harvey, O4025265.
Brown, Lewellyn Alphonzo, O4030720.
Brumback, Robert Miller, O4006175.
Cage, Willie Riley, Jr., O4024861.
Casipit, Felix Leonard, O4051424.
Childs, Wendell Arthur, O4042946.
Clemmons, Robert Hobson, Jr., O2268035.
Erminger, Lee Earl, O2297090.
Franklin, Bobby Gene, O4071648.
Gannon, James Vincent, O4037732.
Gochnaur, Thomas LeRoy, O4056572.
Gorman, Thomas Patrick, O4067157.
Graham, Joseph Edward, O4036966.
Hardy, Robert Marshall, Jr., O4063372.
Hurst, John Edward, O4053522.
James, George Otto, O4031482.
Johnson, Harold Lloyd, O4036568.
Kammerdiener, James Eugene, O4010739.
Kelleher, Vincent James, O4035625.
Kellogg, Kenneth Eugene, O4032348.
Knieriem, Matthew Emmett, O4064267.
Lee, Walter Thompson, O4075312.
Link, Elbert Watson, O4071468.
Lyons, Gerald Edward, O4042896.
Marko, George Franklin, O4040499.
McKinney, Boyce Cornelius, O4042741.
Moore, Robert Delmar, O4059549.
Muenter, William Theodore, O4049321.
Niemczyk, Theodore Thomas, Jr., O4074306.
Oberle, Joseph Floyd, O5502978.
Oliver, Hebren Wayne, O4010025.
Otsuka, Yukio, O4031168.
Pauley, Richard Allen, O5201418.
Pfeil, Henry, Jr., O1924628.
Pirnie, Peter Martin, O4051474.
Polczynski, Albert Richard, O5405032.
Rixon, Malcolm David, O4028146.
Ryder, Freddie Oliver, O4010637.
Sands, Robert Samuel, O4042331.
Scott, Robert Wayne, O4043141.
Senn, Thomas Joseph, O4030776.
Shelton, Huntly Elberto, Jr., O4025990.
Smith, Lloyd David, O4027829.
Tallman, Richard Laverne, O4074331.
Wade, Herman Laverne, O4036535.
Weeks, James H., O4060846.
Weeks, Jimmy Dunbar, O4072080.
Winne, Ross Wesley, Jr., O4058986.

To be second lieutenants

Adams, Hugh William Hobart, O5702381
Adkins, Kenton Leon, O5208266.
Amlong, William Ellsworth, O4061750.
Amos, John Oliver, O5402178.
Andrews, William Robert, O5309128.
Archibald, Thomas, O5506755.
Bichler, Herman John, O5700160.
Biggerstaff, Robert Ray, O5308405.
Blake, Wilbert Lewis, O5302172.
Blevins, Josef Albert, O5401239.
Bolling, John Randolph, Jr., O5200355.
Bowdan, Melvin Roland, Jr., O5505330.
Breeding, Joel Wayne, O5403573.
Brickner, Robert Love, O4047467.
Broshjeit, Frederick George, O5308709.
Buckley, Robert Arthur, O5308905.
Buczek, Richard Charles, O5205445.
Campbell, Donald Wesley, O5403026.
Campbell, James Thomas, O5307056.
Caswell, Kenneth Allen, O5307836.
Coblentz, William Sidney, O5400702.
Crosby, Donald Alton.
DaCosta, Albert, O4066331.
Dast, William Arthur, O5505579.
Davenport, William Charles, O5508340.
Davis, Charley Burt, O5402080.
Doehle, Douglas August, O5702399.
Eklund, Robert Gregg, O5506171.
Evans, William Robert, O5304108.
Finch, James Turner, O5505679.
Fitzwilliam, James Crosby, O5400729.
Forburger, Francis Harold, O5504495.
Frye, Norman Earl, O5203507.
Geer, William Asbury, Jr., O5303256.
Gellman, Leonard Jack.
Glover, Ronald Francis, O5203978.
Grade, Kenneth Dean, O5303869.
Graham, Charles McManee, O5306003.
Greene, Earnest Lee, O5304210.
Gregg, Noel Delmas, O5303296.
Harber, Bobby Donald, O5303301.
Heipp, William Albert, O5506225.
Helms, Bobby Thomas, O5303238.
Hicks, Gerald DeArmond, O5305171.
Hoffman, James Richard, O5509802.
Hornaday, Robert Woodward, O5507386.
Hosman, Henry Raymond, O5508361.
Hughes, John Joseph, Jr., O5201164.
Hughes, Norman Francis Stephen, O4085292.
Hutzler, Ralph Lawrence, Jr., O5402299.
Johns, Donald Lowell, O5704371.
Johnson, Harold Edward, O5001593.
Johnson, Robert Deny, O5307941.
Keefer, Gary Lee, O5205440.
Kelly, Joseph Donald, O5303279.
Klose, John Alfred Graham, O5405172.

Knight, Peter Stanley, O5301880.
Krakower, Aaron James, O5302621.
Kunberger, Frank Long, O5300815.
Lavey, Michael Anthony, O5001516.
Lehmann, Clark Thomas, O5507387.
Lo, Dennis Hung Kwon.
Lyon, Paul Wesley, O5308327.
MacFarland, George Arthur, III, O5208695.
Malloy, Shaun Thomas, O4084675.
Mays, Jack Myron, O5307245.
McEvoy, Edward Bruce, O5005387.
McKinsey, Gerald Lee, O5506555.
Miller, John Douglas, O5700351.
Moss, George Dayton, Jr., RA14717898.
Moss, Robert Eric, O5200092.
Myers, Donald Albin, O5507536.
Nelson, Arthur Franklin, O4071615.
Nugent, James, O4085951.
Orndorff, David Allen, O5304250.
Philbrook, Wallace Robert, O4084683.
Powers, Byron Leland, O5505594.
Rhen, Thomas Allan, O5305711.
Rogers, James Douglas, O5304260.
Rumsey, Gary Leroy
Sanders, Thomas Charles, O5411006.
Schooff, Maury Wintle, O5704186.
Scott, Walter James, O5002078.
Spaar, William John, O5205402.
Stead, Robert Wilson, O5303913.
Sutton, William Madison, Jr., O5305299.
Taylor, Edwin James, III, O5704621.
Thorsen, John Stanton, O5504504.
Thurin, John Phillip, O5508779.
Walkup, Larry Richard, O5510070.
Walsh, Raymond Michael, O5303043.
Wellman, William Henry, O5302746.
Wetzel, Gerald Regis, O5505012.
Wilbanks, Ronald Hill, Jr., O5304704.
Wilkinson, Coleman Duncan, O5303930.
Williams, David Kirk, O5404124.
Wood, William Adin, O5005711.
Woods, Lawrence Dane, O5006863.

The following-named persons for appointment in the Regular Army of the United States, in the grades and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, 3290, 3291, 3292, 3294, and 3311:

To be captains, Army Nurse Corps

Anderson, Marion Virginia, N786809.
Bagin, Isabelle Joan, N900035.
David, Mildred Dorothy, N901831.
Elko, Mary, N900117.
Trudell, Eileen Dorothy, N901276.

To be captains, Dental Corps

Cheatham, Joe Leonard, O4023495.
del Rio-Cartagena, Carlos Eduardo, O1924400.
Miller, Joseph John, O5004209.
Stoll, Robert Paul, O1875804.

To be captain, Judge Advocate General's Corps

Rector, Lloyd Kenyon, O2272598.

To be captains, Medical Corps

Blickenstaff, Loren David, O5500117.
Canfield, Craig Jennings, O5703009.
Freeman, James Hedges, O4015426.
Gangai, Mauro Pat, O5004401.
Genest, Aloria Stephen, O5301327.
Lindahl, James Bushnell, O2273710.
Ward, John Emmett, O5500023.

To be captain, Women's Army Corps

Ossenkop, Eva Lucille, L1010689.

To be first lieutenant, Army Medical Specialist Corps

Yeakel, Mary Hannah, J100305.

To be first lieutenants, Army Nurse Corps

Anderson, Helen Gertrude, N902863.
Cohen, Marcia Lillian, N902281.
Sullivan, Elenore Frances, N2298180.

To be first lieutenants, Chaplain

Beal, Donald Bruce, O2295317.
Jernigan, Duie Ray, O5407787.
Ouzts, Paul Donald, O4056179.

To be first lieutenants, Dental Corps

Adams, Herbert Fleet, Jr., O4045239.
Frantz, Wayne Robert, O4046074.
San Filippo, Francis Anthony, O4041309.

To be first lieutenant, Judge Advocate General's Corps

Jennings, Curtis Arthur, O2298904.

To be first lieutenants, Medical Corps

Attwood, Charles Raymond, O2297899.
Barth, Berle Ira, O2220936.
Benson, James Robert, O3089213.
Foster, Lawrence Hunt, Jr., O2297914.
Hinds, Ronald Burton, O2297910.
Larsen, Lowell Don, O2295538.
Mays, Edward Everett, O1936245.
McCarty, James Patrick, O2297984.
McIntosh, Billy Joe.
Mentzer, William Gilbert, O2295624.
Nacheff, Nathaniel Michael, O2295461.
Schulte, Jerome Louis, O2297977.
Wahl, William Herbert, O4041109.

To be first lieutenants, Medical Service Corps

Gandy, Kent Ellsworth, O4038435.
McKinney, George Kimbrough, O4069128.
Thompson, Helmer William, Jr., O4017029.

To be first lieutenants, Veterinary Corps

Anthony, Theodore Graff, O5407914.
Mock, James Franklin, O4035897.
Voelker, Richard William, Jr., O2297929.

To be first lieutenants, Women's Army Corps

Griffin, Norma Beatrice, L1010825.
Laurea, Lena, L2296372.
Schairer, Agnes Claire, L2289504.

To be second lieutenants, Army Medical Specialist Corps

Derrick, Beverly Ann, M2295626.
Pavlis, Patricia Mae, M2295523.

To be second lieutenants, Army Nurse Corps

McKenzie, Nancy Judith, N5407133.
Seufert, Helen Jane, N2295411.

To be second lieutenants, Medical Service Corps

Edwards, Tom Rogers, O5401082.
Habeck, Edgar Julius, O4017204.
Johnston, Jerry Mitchell, O4046536.
Moseley, Robert Roland, O5002283.
Paddock, Robert Eugene, O2298642.
Penick, Norman Donald, O5405417.
Trumbla, Thomas Eugene, O2298317.

The following-named distinguished military students for appointment in the Regular Army of the United States, in the grade and corps specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, 3288, and 3290:

To be second lieutenants, Medical Service Corps

Richard Nathaniel Dixon
George William Hausler
Allison Carr Bennett
James Harold Bingham, Jr.
Robert Allen Boissoneau
Rolland Harvey Brunsell
Charles Fenton Clark
James Russell Young

The following-named distinguished military students for appointment in the Regular Army of the United States in the grade of second lieutenant, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288.

Robert Thomas Adams
Shelby Ray Adams
Alex Lewis Allen
Paul Walter Apfel
Jimmy Ray Archer
Edward Eugene Authier, Jr.
Joseph Francis Bender
Richard Matthew Biondi
Byron Curtis Patrick Blaschke
Gerald Dwight Bonds
Wallace Alexander Bryans
Frank Blair Buchanan, III
Harvey Irwin Buckles
Robert Henry Bury
William Jelks Cabaniss, Jr.
Jerry Washington Cavender
James Richard Chin
Edison Terryl Colwell
William Clayton Copeland, Jr.
John Lewis Dascanio
Gary Richard Dederer
Paul Francis Dinsmore, Jr.
William Frank Edgar
Robert Thomas Edwards
Charles Bartley Elfman, Jr.
William Arthur Emerick
James Allen Fenlon
Dennis John Flynn, O5212368
Richard Eugene Foushee
John Joseph Frank
Salvatore Anthony Ganino
Manuel Garcia
Gary Oscar Gilbertson
Michael Lee Goodman
Michael Francis Graham
Thomas Wayne Greenhaw
Edward Morris Gripkey
Kenneth William Haas, Jr.
Edward Young Hall
Jerry Byron Hall
Benjamin Thomas Harris III
David John Harris
John Marlen Hebert
Murray Courtney Higgins
John Bennett Hilliker
Theodore Roosevelt Humphrey
Joseph Douglas Jacobson
Douglas Wayne Johnson
Frederick Elliott Johnston III
Archie Clifton Jordan, Jr.
Ben Eugene Killebrew
Joe Eckley Kirk, Jr.
David Grant Laird
Robert Dudley Lewis
Darrell Bernard Maertens
Sherburn Worthing Merrill, Jr.
Frederick Martin Meyers
George Arthur Mihram
Donald Lewis Miles
Lewis James Miller
John Minsker Moltz, Jr.
David Gene Moore
Michael Eugene Moore
Donald Wayne Moss
Jack LeRoy Muck
George Nartsissov
Richard Christian Neely
Marvin Duane Nelson
William John Northquest
Donald Allen Noteboom
William Fredrick O'Neal
William Harold Overholser
Thomas Herman Paaso
Richard Edwin Pedersen
Frank William Peterson
David Turnbull Petter
Jerry Dean Pirkle
Richard James Poelker
Kenneth Barney Presley
William Claude Pursch
Harry Lance Reynolds
Abraham David Ribak
Frank William Rider
Ronald Mills Robinson
Terrance Luke Roche
Richmond Williston Rucker
Anthony Peter Sabino
William Douglas Sanford
William Grey Savage
Alton Jackson Sheek
Paul Lee Smith
Daniel Buckley Austin Sobrio
Eliot George Spack
Edward Warren Stahl II
William Roland Suhanin
Gary Vern Tomlinson
James Lynch Tracy
Marvin William Vahrenkamp, Jr.
Louis Ciro Varuzzo
Geza Barnabas Vegvary
John Davis Wiley
Wayne Winchester, O5310235.

Walter Armand Witschard
William Bryan Woodson
Harold James Wunsch
Louis Harry Zakas

The following-named person for appointment in the Regular Army by transfer in the grade specified, under the provisions of title 10, United States Code, sections 3285, 3286, 3287, and 3288:

To be lieutenant colonel

Noyan, Patrick Theodore, O79658.

The following-named person for reappointment to the active list of the Regular Army of the United States, from the temporary disability retired list, in the grade and corps specified, under the provisions of title 10, United States Code, section 1211:

To be major, Army Nurse Corps

Hill, Bernice Mary, N75.

HOUSE OF REPRESENTATIVES

THURDASY, AUGUST 25, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

I Thessalonians 3: 12: *The Lord make you to increase and abound in love one toward another and toward all men.*

Eternal God, in whose hands lie the destinies of all men, help us to feel our sacred unity as members of the human family and children of a common Father.

Make us alert and vigilant in finding ways of amity and concord for we penitently confess that our wills and desires so frequently clash in dissension and discord.

May the spirit of love and good will possess and control our hearts inspiring us to make every sacrifice that will bring blessedness to needy humanity and dispel the darkness which enshrouds the earth.

Hear our prayer through the merits and mediation of our blessed Lord. 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 a bill of the following title, in which concurrence of the House is requested:

S. 3800. An act to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 285. An act for the relief of John A. Skenandore;

S. 1321. An act to authorize the Attorney General to consent, on behalf of the Library of Congress Trust Fund Board, to a modification of the terms of a trust instrument executed by James B. Wilbur;

S. 2806. An act to revise the boundaries of the Coronado National Memorial and to authorize the repair and maintenance of an access road thereto, in the State of Arizona, and for other purposes;

S. 2932. An act to amend section 3568 of title 18, United States Code, to provide for reducing sentences of imprisonment imposed upon persons held in custody for want of bail while awaiting trial by the time so spent in custody; and

S. 3487. An act to amend the "Anti-Kickback Statute" to extend it to all negotiated contracts.

The message also announced that the Senate insists upon its amendment to the bill (H.R. 6871) entitled "An act to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. JAVITS, and Mr. CASE of New Jersey, to be the conferees on the part of the Senate.

The message also announced that the Senate recedes from its amendments to the bill (H.R. 5747) entitled "An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4826) entitled "An act for the relief of Arthur E. Collins."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 10455) entitled "An act to amend the Mineral Leasing Act of February 25, 1920."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11666) entitled "An act making appropriations for the Departments of State and Justice, and the Judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2669) entitled "An act to extend the period of exemption from inspection under the provisions of section 4426 of the Revised Statutes granted certain small vessels carrying freight to and from places on the inland water of southeastern Alaska."

ARTHUR E. COLLINS

Mr. LANE submitted a conference report and statement on the bill (H.R. 4826) for the relief of Arthur E. Collins.

AMENDMENT OF SMALL BUSINESS ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11207) to amend the Small Business Act so as to authorize an additional $150 million for loans to small businesses and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, RAINS, MULTER, MCDONOUGH, WIDNALL, and BASS of New Hampshire.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

Mr. FOGARTY. Mr. Speaker, I call up the conference report on 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, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2152)

The committee of conference on the disagreeing votes of the two Houses on 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 14, 15, 20, 25, 30, 35, 36, 38, 59, 79, and 83.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 6, 7, 8, 10, 11, 12, 13, 26, 27, 28, 29, 31, 33, 37, 41, 52, 53, 55, 57, 58, 61, 62, 63, 65, 66, 67, 68, 73, 74, 75, 76, 77, 78, and 81, and agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$56,200,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$54,700,000"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$70,000,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree

to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,430,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$186,200,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$35,000,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$1,675,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$9,714,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$83,900,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$111,000,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$100,900,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$86,900,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$15,500,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$61,200,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$44,000,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$56,600,000"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment insert "$350,000"; and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with amendment, as follows: Restore the matter stricken out, amended to read as follows:

"SEC. 204. None of the funds provided herein shall be used to pay any recipient of a grant for the conduct of a research project an amount for indirect expenses in connection with such project in excess of 15 per centum of the direct costs."

And the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "205"; and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "206"; and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment, as follows: In lieu of the matter proposed by said amendment insert "207"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 2, 5, 9, 16, 21, 23, 24, 40, 44, 46, 56, 64, 80, and 82.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
CLARENCE CANNON,
MELVIN R. LAIRD,
JOHN TABER,
Managers on the Part of the House.

LISTER HILL,
RICHARD B. RUSSELL,
DENNIS CHAVEZ,
JOHN STENNIS,
JOHN O. PASTORE,
MIKE MONRONEY,
THOMAS H. KUCHEL,
MARGARET CHASE SMITH,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House, at the conference on the disagreeing votes of the two Houses on the amendments of the 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, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—DEPARTMENT OF LABOR

Office of the Secretary

Amendment No. 1—Salaries and expenses: Deletes language as proposed by the Senate. It was also agreed, in connection with a subsequent Senate amendment, that the same language would be made a part of Title IX—General Provisions.

Amendment No. 2—Working capital fund: Reported in disagreement.

Labor-management reporting and disclosure activities

Amendment No. 3—Salaries and expenses: Deletes language as proposed by the Senate. It was also agreed, in connection with a subsequent Senate amendment, that the same language would be made a part of Title IX—General Provisions.

Bureau of Labor Standards

Amendment No. 4—Salaries and expenses: Deletes language as proposed by the Senate. It was also agreed, in connection with a subsequent Senate amendment, that the same language would be made a part of Title IX—General Provisions.

Bureau of Employment Security

Amendment No. 5—Grants to States for unemployment compensation and employment service administration: Reported in disagreement.

Amendment No. 6—Grants to States for unemployment compensation and employment service administration: Appropriates $325,819,000 as proposed by the Senate instead of $320,819,000 as proposed by the House.

Amendment No. 7—Salaries and expenses, Mexican farm labor program: Appropriates $1,404,100 as proposed by the Senate instead of $1,344,100 as proposed by the House.

Wage and Hour Division

Amendment No. 8—Salaries and expenses: Deletes language as proposed by the Senate. The conferees agreed, in connection with a subsequent Senate amendment, to include similar language in Title IX—General Provisions.

TITLE II—DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

Amendment No. 9—Pharmacological-animal laboratory building: Reported in disagreement. It was agreed that a motion will be made for the House to recede from its disagreement to the Senate amendment providing $150,000 for plans and specifications for a special pharmacological-animal laboratory, and agree to the same with an amendment to reduce the appropriation to $100,000. The conferees are in agreement that the original, tentative plans for this building, presented by the Food and Drug Administration, appear to be unnecessarily elaborate. It is the desire of the conferees that this building be adequate for the purpose but that it be so planned that any unnecessary construction expenses are avoided.

Office of Education

Amendment No. 10—Promotion and further development of vocational education: Deletes language as proposed by the Senate.

Amendment No. 11—Grants for library services: Deletes language proposed by the House relating to allotment of funds and the period of availability of funds. A supplemental appropriation for 1960 in the approximate amount of $1,369,000 will be necessary in order to carry out the Federal Government's obligation under the legislative action taken in connection with the 1960 and the 1961 appropriations for this activity.

Amendment No. 12—Payments to school districts: Appropriates an additional amount of $7,362,000 for fiscal year 1959 as proposed by the Senate.

Amendment No. 13—Defense educational activities: Appropriates $173,050,000 as proposed by the Senate instead of $171,000,000 as proposed by the House.

Amendments Nos. 14 and 15—Defense educational activities: Delete language proposed by the Senate which would have changed the manner of making, and the amounts of allotments under Titles II and III of the Defense Education Act.

Amendment No. 16—Defense educational activities: Reported in disagreement.

Office of Vocational Rehabilitation

Amendments Nos. 17 and 18—Grants to States: Appropriates $56,200,000 instead of $54,000,000 as proposed by the House and $57,500,000 as proposed by the Senate, and provides that $54,700,000 of the appropriation is for vocational rehabilitation services under Section 2 of the Vocational Rehabilitation Act instead of $53,000,000 as proposed by the House and $56,000,000 as proposed by the Senate.

Amendment No. 19—Grants to States: Provides that allotments to the States for the current fiscal year under Section 2 of the Act shall be made on the basis of $70,000,000 instead of $63,000,000 as proposed by the House and $77,000,000 as proposed by the Senate. The conferees are in agreement that no deficiency in the appropriation shall result from this provision.

Amendment No. 20—Grants to States: Deletes language proposed by the Senate which would amend the authorizing legislation with respect to grants to the State of Hawaii.

Amendment No. 21—Research and training: Reported in disagreement.

Amendment No. 22—Research and training: Appropriates $15,430,000 instead of $14,800,000 as proposed by the House and $15,800,000 as proposed by the Senate. The increase of $630,000 over the amount proposed by the House will provide $350,000 for new research and demonstration projects for an increased program for the rehabilitation of those who are more severely disabled, particularly those applying for OASI disability benefits; $230,000 for approximately 50 new traineeships; and $50,000 for approximately 11 additional research fellowships. The additional traineeships and fellowships are all in the fields of medicine and related speech and hearing.

Public Health Service

Amendment No. 23—Preamble: Reported in disagreement.

Amendment No. 24—Preamble: Reported in disagreement.

Amendment No. 25—Assistance to States, general: Deletes language proposed by the Senate, which would permit the use of $1,000 for entertainment of officials of other countries.

Amendment No. 26—Assistance to States, general: Appropriates $24,620,000 as proposed by the Senate instead of $22,620,000 as proposed by the House. The increase proposed by the Senate represents approval of a budget amendment sent to the Senate by the President after the House had acted on the bill. The additional $2,000,000 was proposed to be used for grants to States in order to stimulate and assist States and communities in initiating and expanding services designed to improve patient care and related services in nursing homes, which terms embrace nursing, medical, and other related health services provided by homes for the aged.

Amendments Nos. 27 and 28—Control of tuberculosis: Appropriate $6,430,000 as proposed by the Senate instead of $5,930,000 as proposed by the House and provide that $4,000,000 shall be available for grants to States as proposed by the Senate instead of $3,500,000 as proposed by the House.

Amendment No. 29—Communicable disease activities: Appropriates $14,116,000 as proposed by the Senate instead of $13,516,000 as proposed by the House.

Amendment No. 30—Communicable disease activities: Deletes language proposed by the Senate to provide that $5,700,000 of the appropriation shall be for the control of venereal diseases. This deletion was agreed to solely for the purpose of simplifying accounting. It will be expected that the amount indicated will be administratively set aside for use in the program to control venereal diseases.

Amendment No. 31—Environmental health activities: Appropriates $27,640,000 as proposed by the Senate instead of $25,640,000 as proposed by the House.

Amendments Nos. 32 through 37—Grants for hospital construction: Appropriate $186,200,000 instead of $150,000,000 as proposed by the House and $211,200,000 as proposed by the Senate and provide for the allocation of these funds as follows: $150,000,000 for hospitals and related facilities pursuant to Part C as proposed by the Senate instead of $118,800,000 as proposed by the House; $35,000,000 for facilities pursuant to Part G instead of $30,000,000 as proposed by the House and $60,000,000 as proposed by the Senate; $7,500,000 for diagnostic or treatment centers as proposed by the House instead of $20,000,000 as proposed by the Senate; $7,500,000 for hospitals for the chronically ill and impaired as proposed by the House instead of $20,000,000 as proposed by the Senate; $10,000,000 for rehabilitation facilities as proposed by the Senate instead of $5,000,000 as proposed by the House.

Amendment No. 38—Grants for hospital construction: Restores language relating to allotments proposed by the House and deleted by the Senate, and deletes language proposed by the Senate regarding the calculation of allotments to the State of Hawaii.

Amendment No. 39—Salaries and expenses, Hospital construction services: Appropriates $1,675,000 instead of $1,654,200 as proposed by the House and $1,786,000 as proposed by the Senate.

Amendment No. 40—Hospitals and medical care: Reported in disagreement.

Amendment No. 41—Foreign quarantine activities: Appropriates $4,931,000 as proposed by the Senate instead of $4,812,000 as proposed by the House. The conferees are agreed that the increase of $119,000 be used to augment the inspection services at those airports most seriously undermanned because of the increases in international travel.

Amendment No. 42—Construction of Indian health facilities: Appropriates $9,714,000 instead of $8,964,000 as proposed by the House and $9,964,000 as proposed by the Senate. The increase of $750,000 is for domestic and community sanitation facilities. The conferees are in agreement with the admonition contained in the House report that the Public Health Service carefully analyze all proposals for such facilities with a view to eliminating any projects where the cost is so high that more beneficial results could be obtained by a different application of funds.

Amendment No. 43—General research and services, National Institutes of Health: Appropriates $83,900,000 instead of $52,660,000 as proposed by the House and $104,405,000 as proposed by the Senate.

Amendment No. 44—General research and services, National Institutes of Health: Reported in disagreement.

Amendment No. 45—National Cancer Institute: Appropriates $111,000,000 instead of $102,469,000 as proposed by the House and $126,375,000 as proposed by the Senate. The amount appropriated includes $5,000,000 for grants for construction of cancer research facilities on a nonmatching basis.

Amendment No. 46—National Cancer Institute: Reported in disagreement.

Amendment No. 47—Mental health activities: Appropriates $100,900,000 instead of $79,863,000 as proposed by the House and $110,800,000 as proposed by the Senate.

Amendment No. 48—National Heart Institute: Appropriates $86,900,000 instead of $71,762,000 as proposed by the House and $125,166,000 as proposed by the Senate.

Amendment No. 49—Dental health activities: Appropriates $15,500,000 instead of $12,604,000 as proposed by the House and $16,710,000 as proposed by the Senate.

Amendment No. 50—Arthritis and metabolic disease activities: Appropriates $61,200,000 instead of $52,841,000 as proposed by the House and $70,760,000 as proposed by the Senate.

Amendment No. 51—Allergy and infectious disease activities: Appropriates $44,000,000 instead of $38,439,000 as proposed by the House and $48,234,000 as proposed by the Senate.

Amendments Nos. 52 and 53—Allergy and infectious disease activities: Provides that $750,000 shall be available for payment to the Gorgas Memorial Institute as proposed by the Senate instead of $150,000 as proposed by the House and that the funds shall be available for construction.

Amendment No. 54—Neurology and blindness activities: Appropriates $56,600,000 instead of $44,362,000 as proposed by the House and $61,550,000 as proposed by the Senate.

Amendment No. 55—Grants for construction of health research facilities: Appropriates $30,000,000 as proposed by the Senate instead of $25,000,000 as proposed by the House.

Amendment No. 56—Construction of mental health-neurology research facility: Reported in disagreement.

Amendment No. 57—Buildings and facilities: Appropriates $3,470,000 as proposed by the Senate instead of $3,135,000 as proposed by the House.

Amendment No. 58—Salaries and expenses: Appropriates $6,900,000 as proposed by the Senate instead of $6,800,000 as proposed by the House.

St. Elizabeths Hospital

Amendment No. 59—Salaries and expenses: Deletes language proposed by the Senate relating to the rate of reimbursements to St. Elizabeths Hospital.

Social Security Administration

Amendment No. 60—Cooperative research or demonstration projects in social security: Appropriates $350,000 instead of $700,000 as proposed by the Senate.

Amendment No. 61—Salaries and expenses, Office of the Commissioner: Appropriates $350,800 as proposed by the Senate instead of $342,500 as proposed by the House.

Gallaudet College

Amendment No. 62—Construction: Appropriates $2,512,000 as proposed by the Senate instead of $2,432,000 as proposed by the House.

Office of the Secretary

Amendment No. 63—White House Conference on Aging: Appropriates $760,000 as proposed by the Senate instead of $550,000 as proposed by the House.

Amendment No. 64—Working capital fund: reported in disagreement.

General Provisions

Amendments Nos. 65 and 66: Delete language proposed by the House. The conferees agreed, in connection with subsequent amendments, to include the same language as a part of Title IX—General Provisions.

Amendments Nos. 67 and 68: Change section numbers.

Amendment No. 69: Restores language proposed by the House and stricken by the Senate relating to the payment of indirect costs for research projects.

Amendments Nos. 70, 71, and 72: Change section numbers.

Amendment No. 73: Deletes language proposed by the House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

TITLE III—NATIONAL LABOR RELATIONS BOARD

Amendment No. 74—Salaries and expenses: Deletes language proposed by the

House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

TITLE IV—NATIONAL MEDIATION BOARD

Amendment No. 75—Salaries and expenses: Deletes language proposed by the House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

Amendment No. 76—Salaries and expenses: Provides authority for the temporary employment of referees under Section 3 of the Railway Labor Act at rates not in excess of $100 per diem as proposed by the Senate, instead of $90 per diem as proposed by the House.

Amendment No. 77—Salaries and expenses: Appropriates $1,555,000 as proposed by the Senate instead of $1,522,500 as proposed by the House.

TITLE V—RAILROAD RETIREMENT BOARD

Amendment No. 78—Limitation on salaries and expenses: Deletes language proposed by the House. The conferees agreed, in connection with a subsequent amendment, to include the same language in Title IX—General Provisions.

TITLE VI—FEDERAL MEDIATION AND CONCILIATION SERVICE

Amendment No. 79—Salaries and expenses: Appropriates $3,905,400 as proposed by the House instead of $4,093,000 as proposed by the Senate.

TITLE IX—GENERAL PROVISIONS

Amendment No. 80: Reported in disagreement.

Amendment No. 81: Inserts language proposed by the Senate which will have the effect of consolidating in one place language which previously appeared at several different places in the bill.

Amendment No. 82: Reported in Disagreement.

Amendment No. 83: Deletes language proposed by the Senate to make appropriations available for rental of space in the District of Columbia.

JOHN E. FOGARTY,
WINFIELD K. DENTON,
CLARENCE CANNON,
MELVIN R. LAIRD,
JOHN TABOR,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, when this bill, making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, was approved by the House of Representatives it carried a price tag of $4,184 million. That was $164 million above the budget figures and it was my opinion then that it was too rich.

Now the bill comes back to us today from the other body and we find it calls for the spending of $4,354 million in this fiscal year or $334 million above the budget figures.

This is budget busting with a vengeance.

It should be remembered, too, that this is the bill which provides funds for the National Defense Education Act under which fellowships are financed for studies such as comparative literature, the theater, home economics, animal ecology, the ecology and economics of flowing waters, political science, music, and folklore. What a study of the theater, music, folklore, and all the rest have to do with national defense has never been explained.

This is the appropriation which also provides several thousand dollars for a study of dog discipline; a $50,000 grant for a study of bird sounds; a $30,000 study of the circulatory physiology of the octopus, and a $33,000 grant to a foreign university for a study of both the intrapersonal and interpersonal aspects of the role of relationship of husband and wife.

These are but a few of the inexplicable grants made under the appropriations to these departments and related agencies.

Mr. Speaker, I could not support this bill when it was before the House and exceeded the budget figures by $164 million. It is unthinkable that it should come back to us from the other body and the conferees should ask us to support it with increases which bring it $334 million above the budget recommendation.

I say again that this is budget busting at its worst and I want my vote recorded in opposition.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 2: On page 2, line 17, insert the following:

"WORKING CAPITAL FUND

"The paragraph under this head in the Department of Labor Appropriation Act, 1958 (71 Stat. 210) is amended to read as follows:

" 'Working capital fund: There is hereby established a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of (1) a central reproduction service; (2) a central visual exhibit service; (3) a central supply service for supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department; (4) a central tabulating service; (5) telephone, mail and messenger services; (6) a central accounting and payroll service; and (7) a central laborers' service: *Provided,* That any stocks of supplies and equipment on hand or on order shall be used to capitalize such fund: *Provided further,* That such fund shall be reimbursed in advance from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment'."

Mr. FOGARTY. Mr. Speaker, I offer a motion, and on that motion I ask recognition to explain the conference report.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 2 and concur therein.

CALL OF THE HOUSE

Mr. GROSS. Mr. Speaker, I thought we were to have an explanation of this bill before the conference report was voted on.

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. 193]

Alexander	Holifield	Murray
Barden	Holt	Nix
Baumhart	Ikard	Norrell
Blitch	Kearns	Passman
Bolling	Kilburn	Patman
Bowles	King, Calif.	Powell
Celler	King, Utah	Preston
Davis, Tenn.	Kirwan	Quie
Dixon	Landrum	Rains
Durham	Loser	Rogers, Mass.
Glenn	McDowell	Shelley
Goodell	McSween	Smith, Kans.
Grant	Magnuson	Taylor, N.Y.
Gray	Mahon	Thompson, La.
Healey	Mitchell	Vinson
Hébert	Moeller	Withrow
Hess	Morris, Okla.	
Hoffman, Ill.	Morrison	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 379 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

Mr. FOGARTY. Mr. Speaker, I was on my feet at the time the conference report was adopted, in order to give a brief explanation, but apparently did not make it clear that I desired recognition. I would, therefore, like to explain it at this time.

This is a unanimous conference report. Every member of the conference signed it. As is always the case, there were some members of the conference that felt that the appropriations were too high in some areas, and others felt they were too low, but we were all agreed that a good compromise resulted from the four sessions that we held.

The total of the bill as it passed the House was $4,184,022,731. As it passed the Senate the total was $4,485,788,931, or an increase over the House bill of $301,766,200. The conference agreement totals $4,354,357,931, or $131,431,000 less than appropriated by the Senate bill.

There were 83 Senate amendments to the bill. Most of them involved rather small amounts. The large increase was in the Public Health Service. In the field of medical research alone the House bill provided $455 million for the National Institutes of Health. The Senate bill increased this figure to $664 million, or an increase over the House bill of $209 million. So in this one field the increase accounts for over two-thirds of the total increase for the whole bill. The conference agreement was $560 million, or a decrease of $104 million below the Senate bill, and $105 million over the bill as it passed the House. This represents approximately two-thirds of the total amount by which the entire bill is now over the amount passed by the House last March.

Another significant item in conference was for hospital construction under the Hill-Burton program. The House originally provided $150 million for this program, and this was increased by the Senate to $211,200,000, or an increase

of $61,200,000. The conferees adopted the figure of $186,200,000, which keeps the amount at the same level as for last year. This is an increase of $36,200,000 over the House bill and $25 million under the Senate bill. These two items, the National Institutes of Health and the hospital construction program, account for over 80 percent of the increase provided by the conference report over the bill as it originally passed the House.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. HOFFMAN of Michigan. How much was it over the budget?

Mr. FOGARTY. It is $334,135,950 over the budget.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. I thought this bill was exceedingly rich when it left the House at $4,184 million. Now it is $164 million above the House figure, and $334 million above the budget recommendation.

Mr. FOGARTY. As I tried to explain at that time, it was a compromise that we reached in the House last March. Some of us wanted to include more in the House bill than we did and others wanted to spend less, but we came out with a unanimous report on the agreement that was reached. Then the other body increased it by $300 million. After four long sessions, we have finally made this compromise.

Mr. GROSS. Mr. Speaker, will the gentleman yield further?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I am opposed to this bill and I ask unanimous consent to extend my remarks immediately prior to the vote on the adoption of the conference report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to our distinguished chairman.

Mr. CANNON. Mr. Speaker, the following tabulation shows up-to-date comparison with the President's budget requests for the session on the appropriation bills. At the insistence of the other body, the 16 bills thus far cleared, including the excessive Labor-HEW total reported in this morning's RECORD, exceed the corresponding budget requests by $301,807,547. Excessive nondefense appropriations pushed the total over the budget.

The two bills—public works and mutual security—on which conferences are being held today offer the last practicable opportunities to bring the total under the budget requests.

At a time when our gold reserves are continuing to dwindle, when the cost-of-living hits a new high nearly every 30 days, when the buying power of the dollar is less than half what it was only a few years back, when business profits on which the Treasury heavily depends to help pay the bills are slacking off—the situation demands that we stay within the budget.

The tabulation follows:

Status of the appropriation bills for the 86th Cong., 2d sess., as of Aug. 25, 1960

	Bills compared with House	Bills compared with budget
Net total for the 16 session bills enacted		+$301,807,547
Loan authorizations		(+211,400,000)
Pending:		
1. Public works, as passed by the Senate	+$115,211,620	+25,869,425
2. Mutual security, as passed by the Senate	+399,304,000	−292,650,000
As the bills now stand (appropriations)	+514,515,620	−266,780,575

NOTE.—Supplemental bill is yet to come.

GENERAL LEAVE TO EXTEND REMARKS

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on this bill or have 5 legislative days in which to extend their remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I would like to inquire of the distinguished chairman of the committee with reference to the student loan fund. What disposition was made of that title?

Mr. FOGARTY. Last March, when the bill passed the House originally, we gave the Department of Health, Education, and Welfare everything that they asked for. They told us at that time that they would probably have to come back for a supplemental appropriation. That will be taken up on tomorrow in connection with the supplemental appropriation bill. It is not in this bill.

Mr. CHENOWETH. Then, do I understand correctly that there will be funds in the supplemental appropriation bill for the student loan fund?

Mr. FOGARTY. The bill is to be reported tomorrow and so I cannot answer the gentleman at this time.

Mr. TABER. Mr. Speaker, if the gentleman will yield at that point, as I understand the situation, if amendment No. 16 is adopted, they can spend anything they like. I did not understand that that was brought up with the idea that it was going to be agreed to.

Mr. FOGARTY. May I say to my distinguished colleague, the gentleman from New York, that that is in another area and will be charged against next year's appropriation.

Mr. TABER. Yes; but it is not limited.

Mr. FOGARTY. It is the same as we are doing with reference to social security grants for public assistance and other similar programs. Then the advances are charged against the appropriation when it is made. This is what it says on page 20 of the bill "to be charged to the appropriation for the same purpose for that fiscal year."

That is the language of the bill.

Mr. TABER. Yes; but there is no limitation on what they can spend and while it might be charged to an appropriation, obviously, they can go ahead and spend anything they like.

Mr. FOGARTY. The limitation is there since they cannot spend more than what the Congress appropriates. If they spend more in that first quarter than they should, then they are going to have to make up for it by cutting back the rest of the year.

Mr. TABER. It is a contract on the part of the Congress to provide the money and we cannot get out of it.

Mr. FOGARTY. We do this for the Social Security Administration and the Bureau of Employment Security in connection with their grant programs and we have not had any problems with reference to it.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. LAIRD. Is the intention made clear here that it is not a contract authority and that a contract could not be read into this?

Mr. FOGARTY. No.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. TABER. Under this provision in amendment 16 they are authorized to take the money out of the Treasury, and there is no way to get it back after they receive it.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. CEDERBERG. Do I understand that the 15 percent overhead has been maintained in this conference report?

Mr. FOGARTY. That is right.

Mr. CEDERBERG. I have had some serious reservations as to the advisability of expanding some of these programs as rapidly as we have. In talking with some of the administrators of schools in the administration of these research grants it seems to me we could well give consideration next year to increasing the indirect costs but not accelerating the actual grants as we have been in the past.

Mr. FOGARTY. I appreciate the gentleman's remarks, and I think maybe something should be done, but perhaps in the other direction. A study has just been completed under a grant made by the National Institutes of Health that dealt with the question of overhead costs. I would like to read it, because there is a serious question raised by this grantee as to whether any overhead costs ought to be paid.

Mr. CEDERBERG. The gentleman knows probably better than I do that the determination of costs is not uniform, not the same for different departments of Government, not the same for the National Institutes of Health, for instance, as for the military. Different formulas are used. It seems to me desirable to have uniform treatment in this regard. Some administrators of schools have serious reservations as to the adequacy of 15 percent.

Mr. FOGARTY. I thank the gentleman.

Now, Mr. Speaker, I would like to discuss in a little more detail the action taken with respect to the appropriations

agreed to for the National Institutes of Health.

THE BASIS FOR AGREEMENT

First, I should like to emphasize that I believe there is almost complete agreement between the House and the Senate concerning the basic philosophy under which the Federal Government should act in respect to medical research. This was reflected in the attitude of the conferees from both Houses in their discussions of the items that were in disagreement in this bill.

Their attitudes reflected complete agreement upon the significance of medical research, upon the objectives to be sought, and in general upon the approaches which should be followed in attaining such objectives.

The basic problems which the conferees faced were to find a financial plan consistent with these agreed-upon basic principles and that was also realistic in terms of operational requirements.

I should like, as I did last year, to report to the House the gratification I experienced in participating with the immediate members of the Senate and my distinguished colleagues in the House in the conference discussions concerning these medical research appropriations. There was, as always, a forthright exchange of views which, as I have said, did not differ in respect to basic principles but only in honest attempts to determine the optimum level of support of these programs in order to achieve the most effective results.

The conferees have agreed to accept a figure of $560 million as the total for the several appropriations of the National Institutes of Health in fiscal year 1961. This amount is $104 million under the amount in the Senate version of this bill and $105 million above the allowance originally made by the House in its passage of this bill. It is, however, $160 million greater than the amount which the President had requested for these appropriations in his budget last January.

MEDICAL RESEARCH AND THE NATIONAL BUDGET

To those who are concerned about this increase I should like to say this: The President's budget proposals for fiscal year 1961 in the field of medical research in essence set forth the point of view that the development of medical research in the United States should not be accelerated. This view, I am afraid, was based wholly upon fiscal considerations.

The Congress this year, as it has in past years, has again emphasized that maintaining the existing level of our national medical research effort is a completely unwise, if not disastrous, course of action to follow.

We cannot stand still in our search for knowledge. We cannot mark time or restrain research because of contrived fiscal reasons or for misleading arguments that research is inflationary or that there are economic obstacles which stand in the way. This attitude, I believe, reflects an utter and complete misunderstanding of the meaning that medical research has for the Nation.

It is my view, and I believe the view of this Congress, that a strong and sustained and increasing medical research effort is sound national economics. The effect of medical research is not inflationary, nor does it threaten progress in other areas of our national economy.

The ultimate product of medical research is an enlargement of the wealth of this Nation. This wealth comes from the increased national productivity which derives from a well population, from reducing the loss in energy and creativity resulting from disease, and the longer effective lifespan of our people.

This Nation now spends over $21 billion for doctors bills, for the operation of hospitals, for the purchase of drugs and medicines, and other forms of medical care and health services. This vast national expenditure is a burden which can be substantially modified if we can move forward with our medical research programs.

BETTER HEALTH AND GREATER PRODUCTIVITY

Medical research can change in a radical and revolutionary manner the whole pattern of medical care, hospital services, and health practices. The achievements and the progress that is possible as a result of research findings can drastically reorder the nature of health manpower requirements and the whole pattern of medical, hospital, and health services and expenditures of the Nation.

This is not only possible, but it has happened, and happened numerous times. Outstanding instances of the revolutionary consequences of the findings of medical research are the following:

First. The whole character of the treatment of infectious disease has changed, the great threats that the pneumonias and other dangerous infections posed in the past have been almost completely dispelled by the emergence of the antibiotics. This is the result of research efforts. On the other hand, the common cold still costs the Nation as much as $2 billion a year in industrial absenteeism.

Second. We have witnessed in the past few years the diminishment of tuberculosis as a major cause of death and illness in this country as a result of the development of new drugs effective in the care of this dreaded disease. The whole structure of hospitalization in the Nation has changed as a result. Large numbers of tuberculosis hospitals throughout the country have closed or been converted to other uses and all the health manpower, nurses, technicians, and physicians, once demanded for the treatment of tuberculosis, have now directed their skills and energies to other urgent health and medical care problems. On the other hand, recent increases in the attack rate of cancer of the lung places this condition foremost in the causes of death from lung involvements.

Third. We are witnessing today a basic change in the approach to the treatment of mental illness as a result of the remarkable discovery made concerning the relationship of drugs and psychological and psychiatric conditions. For the first time we have seen the total population of our mental institutions decrease and we are looking forward, as a result of the intensified efforts in this area engendered by the actions of the Congress of the United States, to new and heartening prospects in the solution of the problems of mental illness. This, again, is an achievement of medical research that is reshaping the entire character of our community health efforts and recovering for the Nation the vast creative potential of these once ill minds. Nonetheless, the mentally ill still occupy one out of two hospital beds throughout the country, and in the aggregate this group of illnesses cause the taxpayer the loss of approximately $2.5 billion.

On the basis of these few isolated but dramatic instances of the influence and effect of medical research on the one hand and of the problems yet to be solved on the other, it is possible to see that the continued movement forward in medical research holds the promise of completely transforming the balance of national expenditures and productivity in the future. The concept that we must maintain the line on expenditures for medical research, is the same as saying that we must stop now, not pursue the promising leads that have opened in respect to the viral origin of cancer, nor seek virus vaccines to control the common cold, we must not expand our effort to understand the biochemical basis of schizophrenia, we must stop now our promising inquiry into the nature of heart disease. That we must mark time, hold opportunities that now beckon in abeyance and direct our attention to a budget balance sheet. To do all this is to deny the strength and promise of our scientific capability.

It is not the role of medical research to wait. The promise of the future is too bright and too great.

Medical research is a revolutionary force. It can change in a radical manner the level of national productivity, the life expectancy of our people, and our prospect of well-being.

This progressive decrease in the ravages of disease, the tragedy of premature death, and the progressive increase in the productivity of our people and our Nation is to me an objective without parallel when we consider what our national purpose should be.

It is toward this end which we are moving in the level of appropriations which I present here to you today as a result of the House and Senate conference on the Labor-Health, Education, and Welfare appropriation bill.

A budget of over a half a billion dollars for the National Institutes of Health is a complicated matter. It cannot be intelligently considered except through a detailed consideration of its various parts. The following table will in summary indicate the nature of the conference agreement.

I should like to emphasize that the specific amounts set forth in this table for the individual program elements comprising the several appropriations are not intended to be fixed or absolute levels of expenditure for the individual items. When changing operating circumstances require, I believe it important to leave it up to the good judgment of the program operators to make such adjustments in these amounts as is necessary in the interest of effective progress and prudent utilization of resources.

	Budget estimate	House allowance	Senate allowance	Senate increases	Conference agreement
Grants for research and training:					
1. Research projects at 15 percent indirect costs	$205,589,000	$235,189,000	$262,389,000	+$27,200,000	$260,000,000
(a) Increase required to pay 25 percent indirect costs	0	0	22,681,000	+22,681,000	
2. Research fellowships	14,570,000	15,070,000	22,500,000	+7,430,000	20,000,000
(a) 1960 unpaid, approved applications	(5,444,948)				
3. Training grants	66,894,000	78,894,000	128,991,000	+50,097,000	110,000,000
(b) Increase provided for forward notification on graduate training grants	0	(9,565,000)	(16,445,000)	(+6,880,000)	(16,445,000)
State control programs	10,375,000	12,975,000	13,475,000	+500,000	13,000,000
Community demonstration projects	1,500,000	1,500,000	1,625,000	+125,000	1,500,000
Clinical research centers	3,000,000	3,000,000	55,000,000	+52,000,000	20,000,000
Primate centers	2,000,000	2,000,000	12,000,000	+10,000,000	7,000,000
Construction of cancer research facilities	0	5,000,000	0	−5,000,000	5,000,000
Cancer and mental-neurology buildings construction	0	0	12,839,000	+12,839,000	12,839,000
Total, extramural programs	303,928,000	353,628,000	531,500,000	+177,872,000	449,339,000
Direct operations:					
1. Chemotherapy contracts	21,145,000	21,145,000	23,140,000	+1,995,000	21,500,000
2. Other direct operations	74,927,000	80,227,000	83,860,000	+3,633,000	82,161,000
Total, intramural programs	96,072,000	101,372,000	107,000,000	+5,628,000	103,661,000
New areas:					
1. Medical libraries	0	0	5,000,000	+5,000,000	0
2. Communications research and translation	0	0	4,500,000	+4,500,000	0
3. Instrumentation research	0	0	5,000,000	+5,000,000	0
4. Career development	0	0	4,000,000	+4,000,000	2,000,000
5. International medical research	0	0	7,000,000	+7,000,000	5,000,000
Total, new areas	0	0	25,500,000	+25,500,000	7,000,000
Grand total	400,000,000	455,000,000	664,000,000	+209,000,000	560,000,000

I should like to explain for the information of the House, the basis of the conference action in each of the major NIH functional areas and relate the amounts proposed for these areas to the levels contained in the appropriation bill passed by the House earlier in the year.

RESEARCH PROJECTS

A total of $260 million is provided to be utilized for the making of grants in support of medical research projects carried out in the universities, medical schools, and research institutions in the country. This amount will provide the funds necessary to continue the research programs which are now under way supported by NIH grants in these institutions and in addition permit the awarding of grants for most new applications received during fiscal year 1961 which withstand the rigorous scientific review carried out by the NIH review bodies and which are recommended for payment as being important to the solution of major disease problems by these several national advisory committees of the NIH.

This total increase in funds for research grants should be viewed in terms of the important areas of research inquiry which will benefit. A very few of these areas selected as examples of both past progress and present opportunity would include viruses and the cause of cancer, radiation and the treatment of cancer, drugs and the mentally ill, surgery and heart disease, dental caries and infectious agents, causation of arthritis and drugs for treatment, arteriosclerosis and strokes, and a whole host of such practical problem areas as mental retardation, drug addiction, alcoholism, to say nothing of the pressing medical problems of our elder citizens.

FELLOWSHIPS

A total of $22 million is provided for the support of research fellowships in fiscal year 1961. This program of research fellowships is an essential activity directed toward the development of the supply of senior teachers and research investigators which will be needed to staff the medical schools and research laboratories of the future. This allowance will permit the payment of substantially all the backlog of unpaid-approved fellowship applications now in hand and extending the senior fellowship awards to include the clinical areas. It will also permit providing broader support for medical students and enlarging the foreign fellowship program. This amount also includes $2 million for the awarding of approximately 100 research fellowships as a means of establishing research professorships to enlarge opportunities for stable careers in academic medicine and research.

TRAINING GRANTS

An amount of $110 million is provided for the support of training grants to support training in the sciences and disciplines basic to medicine and medical research where shortages continue to exist in terms of current needs and to provide for enlargement of the trained research manpower of the future. Included in this amount is sufficient funds, estimated at $16.4 million, to permit reordering the payment periods for training grants which will allow such grants to be made on a forward payment basis—an arrangement necessary to permit proper planning and effective conduct of these programs.

Important areas of manpower development which will be benefited by this increase in training grant funds include:

Investigators in the sciences fundamental to clinical medicine.

Experimental approaches to providing greater research and scientific content to the training of physicians.

Research pharmacologists in the field of mental disorders.

A wide range of specialized manpower contributory to cardiovascular research.

Virologists, immunologists, and immunochemists whose work is basic in the fields of infectious diseases and allergies, and now of crucial importance to virus-cancer investigations.

Investigators able to pursue genetic phenomena at the molecular level.

Biophysicists and biochemists who can pursue the basic phenomena of chemical and energy transformations at the cellular level.

Research neurophysiologists and neuroanatomists essential to the research attack upon the disorders of vision and cerebrovascular diseases.

CLINICAL RESEARCH CENTERS

A major feature of the conference agreement is the provision of funds for several special programs which had been included in the Senate-passed version of the appropriation bill and had their origins in the extensive recommendations made by the Jones committee. Most important amongst these special programs is the designation of $20 million for the further development and support of a program for the establishment of large-scale clinical research centers throughout the country This program has its origins in the efforts made by the National Institutes of Health to provide support for a series of clinical and metabolic research facilities undertaken in fiscal year 1960.

During this past year some eight grants, totaling approximately $3 million, were made to eight medical institutions in the country. These grants provided funds for the establishment of specially designed clinical and metabolic research facilities, staffed and equipped to meet the growing needs of programs involving research investigations in the clinical area. This program has met with enthusiastic support and approval in the research community of the Nation. The Jones committee report called for an enlargement of this program to permit the establishment of broadly based clinical research centers. It is intended that these centers will provide a stable framework in which a variety of medical and scientific disciplines can be organized for a concentrated attack upon major disease or health problems. All laboratory and clinical facilities and supporting services necessary for the research program to be carried out would be encompassed within such centers.

The Senate-passed version of the bill provided $55 million for these research centers. The conferees have agreed that a level of $20 million is perhaps a more realistic and feasible level to initiate what undoubtedly will be a substantial program of great importance to the further development of medical research in the Nation.

PRIMATE RESEARCH CENTERS

A total of $7 million is provided for the further development of centers for research utilizing subhuman primates. This program was begun in fiscal year 1960 when $2 million was made available. These funds were granted for the establishment of a large primate center near Portland, Oreg. This center will make available several species of primates in adequate numbers and with appropriate facilities to meet the needs of scientists engaged in research requiring the use of primates. Although the Senate proposed a level of $12 million in fiscal year 1961 for this purpose, the conferees agreed that $7 million, a reduction of $5 million from the Senate allowance, but an increase of $5 million over the House allowance, would be an adequate amount to satisfy the more urgent needs in this area during fiscal year 1961. On the basis of experience gained in this more modest initial effort, it will be possible to develop an appropriate goal in this important program area.

INTERNATIONAL RESEARCH

The conferees also agreed that special emphasis in fiscal year 1961 should be given to the further extension of NIH research programs through support of investigators in foreign countries working in fields important to the program objectives of the several institutes. The Senate allowance for this purpose totaled $7 million. The conferees agreed that $5 million was a more appropriate amount for this purpose. In the conferees' view this amount should be utilized in addition to current funds now being utilized for research support of foreign investigators.

CONSTRUCTION

A total of $12,839,000 is provided for two important building projects at the National Institutes of Health; $12,139,000 of this amount will be for the planning and construction of a joint mental health-neurology basic science laboratory building; $700,000 is intended to be utilized for the planning of a new building to house cancer research activities at NIH. These projects will provide the means to deal with the increasingly difficult problems of space shortage which are hampering the progress of research activities at the Bethesda installation of NIH.

A special item of $5 million has been provided in the cancer appropriation to be utilized for taking care of a special need in the development of cancer research facilities which require nonmatching funds.

The conferees agreed to allow the full authorized maximum of $30 million to be used for matching grants for research facilities construction under the health research facilities construction program. This amount was previously allowed in both the Senate- and House-passed versions of the bill, but is an increase of $5 million over the President's budget request.

I have attempted in the foregoing to single out the major elements of increase in this overimportant series of appropriations. Both the Senate and House reports contain observations concerning the views of Congress on the direction and emphasis which should be given in the development and conduct of these national research programs. The National Institutes of Health is expected to pay careful attention to these observations in the planning and development of its programs during the forthcoming year.

Mr. YATES. 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 Illinois?

There was no objection.

Mr. YATES. Mr. Speaker, I want to commend the gentleman from Rhode Island [Mr. FOGARTY], and all the members of the subcommittee, for the very fine bill they have brought in. One item particularly is of vital importance to the people of Chicago, namely, the appropriation of $500,000 to undertake a study of water pollution in the Great Lakes and the Illinois Waterway. The total cost of this survey as estimated by the Department of Health, Education, and Welfare is $12 million. The fund approved by this bill permits a significant start on that survey.

I stated that this appropriation is of vital importance to the people of the city of Chicago, but that is an inadequate understatement. Actually, this is a national bill. It is of vital importance to the people living on the Great Lakes because it seeks to protect that vital water resource for the enjoyment of those living today, and for future generations to come. It is of importance to all the people of our Nation, not only in the preservation of the waters of the Great Lakes but because of the essential scientific information the study will elicit. For decades literally, a harassing, vituperative verbal and legal battle has been fought between the States bordering on the Great Lakes and the people of Chicago. Chicago needs the waters of Lake Michigan to live. Chicago needs such waters to dispose of its sewage and waste so that its people may continue to grow and prosper.

Years ago, when the city's pollution was discharged into the lake, it contaminated the drinking water and epidemics of typhoid ravaged Chicago's population. It was only when the flow of the Chicago River was reversed and a portion of Lake Michigan's waters were diverted to move the waste along the Illinois Waterway, that Chicago's health problem was solved.

Water is a precious resource and the opposition of our sister States to our withdrawal of water can be understood if not appreciated. They have flung recriminations against the people of Chicago charging that we are stealing water from the Great Lakes, which is untrue. The water has not been stolen. It has been withdrawn pursuant to authority granted by the Federal Government. The fact remains that the disputants have been at loggerheads. The effort has been made to withdraw an additional 1,000 cubic feet of water from Lake Michigan as an experiment for 1 year to determine whether such withdrawal would have any harmful effects upon Chicago's sister communities on the Great Lakes. Objection to the proposal has been violent, not only in the debates in the Halls of Congress, but in the courts in a suit filed by a number of the States in the Supreme Court of the United States to require Chicago to return its sewage into the Great Lakes.

This appropriation approving the study brings the olive branch of peace to the dispute. For the first time the parties will be able to obtain tangible facts where speculation and estimates existed before. For the first time actual measurements can be taken of the effect of the diversion on lake levels and upon harbor, shipping, and power facilities. For the first time, a scientific study will be made of lake currents and drifts to ascertain the situation in the lower end of Lake Michigan to determine whether sewage may be safely returned therein or whether the method now used by the city in washing it along the Illinois Waterway is not only the preferable method but the only feasible method.

The time for accusations, for invective, for playing politics with the diversion issue is over. This is the time for cooperation and working together, for purposeful mature effort to obtain the basic information which will permit everyone to know what to do and to take the steps necessary to preserve this vital water resource and the health of our communities.

Mr. FOGARTY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 5: Page 6, line 2, insert "including conveyance by the Commissioners of the District of Columbia to the United States of title to the land on which such building is to be situated,"

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 5 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 14, line 14 insert:

"PHARMACOLOGICAL-ANIMAL LABORATORY BUILDING

"For plans and specifications for a special pharmacological-animal laboratory for the Food and Drug Administration, $150,000."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein, with an amendment, as follows: In lieu of the sum named therein, insert "$100,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 19, line 25, insert "Grants, loans, and payments under the National Defense Education Act, next succeeding fiscal year: For making, after May 31 of the current fiscal year, loans, and payments under all titles of the National Defense Education Act, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation for the same purpose for that fiscal year."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield.

Mr. TABER. Mr. Speaker, this amendment provides, as follows:

Grants, loans, and payments under the National Defense Education Act, next succeeding fiscal year: For making, after May 31 of the current fiscal year, loans, and payments under all titles of the National Defense Education Act, for the first quarter of the next succeeding fiscal year such sums as may be necessary, the obligations incurred and the expenditures made thereunder to be charged to the appropriation for the same purpose for that fiscal year.

Under this amendment No. 16 there is carte blanche authority given to the agency to do what it pleases and incur any liability it might want to and take the money out of the Treasury. Frankly, so far as I am concerned, I am not prepared to let any agency have that authority, therefore I hope the House will refuse to approve this motion.

Mr. FOGARTY. Mr. Speaker, this language is exactly the same as that carried in the bill in previous years for grants made by the Bureau of Employment Security, and we have also done it for social security programs. If we do not do this it will be impossible for the program to operate in these colleges where the students are asking for loans if the appropriation bill is late next year.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from New York.

Mr. TABER. If we are going to do things this way and allow them to take the money right out of the Treasury, there is no restraint whatever.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. This would permit them under the National Defense Education Act to grant funds for the study of the theater, music, jazz, and the policy and economics of flowing water, and all that sort of thing, is that correct?

Mr. FOGARTY. This bill does not govern that at all. The basic legislation governs that.

Mr. GROSS. They have made grants for fellowships for the study of those things.

Mr. FOGARTY. I think the gentleman did a very good job when the bill was on the floor in bringing to light some of these problems. I assume they have corrected any weaknesses because of the gentleman's interest in the program.

Mr. GROSS. Under the language of this amendment they can go even further.

Mr. FOGARTY. This would allow the students to get these loans even if the annual appropriation bill is late in being passed and thus enable the administrators and the schools and colleges operating under the program to carry out a better program.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Colorado.

Mr. CHENOWETH. I would like to inquire if the adoption of this amendment will make available sufficient funds for the applications of these students for loans?

Mr. FOGARTY. No. That will be taken up tomorrow in connection with a deficiency appropriation bill. There is a request pending before that committee to increase funds for student loans. That will be taken up at that time. This pertains to the first quarter of the next fiscal year.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. From what the gentleman from New York [Mr. TABER] said, as I understand it under this bill this group could go direct to the Treasury and get their money. I assume that the House has something to do with appropriations. I understood the gentleman to say earlier that the Senate increased the bill we sent over by something like $500 million, is that right?

Mr. FOGARTY. It was not quite that much.

Mr. HOFFMAN of Michigan. How much?

Mr. FOGARTY. The Senate increased the bill by a little over $300 million.

Mr. HOFFMAN of Michigan. Three hundred million dollars. I thought they had in their bill $500 million and you cut it down or your committee cut it down to $300 million.

Mr. FOGARTY. I mentioned a figure of $664 million for the National Institutes of Health. We cut that figure by $104 million.

Mr. HOFFMAN of Michigan. My information is that over the years every bill we sent over there they up it; is that not right?

Mr. FOGARTY. We think we did a pretty good job in reaching the compromise we did this year.

Mr. HOFFMAN of Michigan. In reality we do not have too much to say about how much is appropriated.

Mr. FOGARTY. We do by our votes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FOGARTY. I yield to the gentleman from Iowa.

Mr. GROSS. Does the gentleman know of the other body ever cutting this particular appropriation bill?

Mr. FOGARTY. Not this one. This affects every section of our society. It affects human beings. It is a popular field. The people are vitally affected and so are interested in these programs.

Mr. GROSS. Mr. Speaker, will not the gentleman agree that it also affects the taxpayers of the country?

Mr. FOGARTY. Yes. And I am sure the taxpayers are willing to pay for this kind of a program, because in the end it is going to save them money.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Rhode Island.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. TABER. Mr. Speaker, on that motion I call for the yeas and nays.

The SPEAKER. Well, it appears to the Chair that the gentleman's request comes rather late. The Chair has already declared the motion agreed to and ordered the Clerk to report the next amendment in disagreement.

CALL OF THE HOUSE

Mr. TABER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 194]

Alexander	Healey	Murray
Alger	Hébert	Nix
Ayres	Hess	Norrell
Barden	Hoffman, Ill.	Passman
Baumhart	Ikard	Powell
Blitch	Jones, Ala.	Preston
Boggs	Kearns	Quie
Bolling	Kilburn	Reece, Tenn.
Bowles	King, Calif.	Rogers, Mass.
Boykin	King, Utah	Shelley
Buckley	Landrum	Sisk
Cahill	Loser	Smith, Kans.
Celler	McDowell	Taylor, N.Y.
Cooley	McSween	Teague, Tex.
Curtis, Mass.	Magnuson	Thompson, La.
Davis, Tenn.	Mahon	Vinson
Durham	Metcalf	Widnall
Glenn	Mitchell	Withrow
Goodell	Moeller	
Grant	Morrison	

The SPEAKER. On this rollcall, 376 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENTS OF LABOR, AND HEALTH, EDUCATION, AND WELFARE APPROPRIATION BILL, 1961

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 21: Page 22, line 18, strike out "for research, training, and traineeships, and other special project grants, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for", and insert "for grants and other expenses for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for expenses of."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 21 and concur therein with an amendment, as follows: In lieu of the matter stricken and inserted by said amendment, insert the following: "For grants and other expenses (including not to exceed $150,000, in addition to funds provided elsewhere, for administrative expenses) for research, training, traineeships, and other special projects, pursuant to section 4 of the Vocational Rehabilitation Act, as amended, for expenses of".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 23: Page 24, line 4, insert "expenses incident to the dissemination of health information in foreign countries through exhibits and other appropriate means;".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 24: Page 24, line 20, insert "*Provided*, That section 208(g) of the Public Health Service Act, as amended, is amended by striking out 'eighty-five', and inserting in lieu thereof 'one hundred and fifty', and by striking out 'seventy-three' and inserting in lieu thereof 'one hundred and fifteen';

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 24 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 40: Page 30, line 5, insert ": *Provided further*, That this appropriation shall be available for medical, surgical, and dental treatment and hospitalization of retired ships' officers and members of crews of Coast and Geodetic Survey vessels, and their dependents, and for payment therefor."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 40 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 32, line 2, insert "not to exceed $2,500 for entertainment of visiting scientists when specifically approved by the Surgeon General;".

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 44 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 46: Page 32, line 23, insert ", of which $700,000, to remain available until December 31, 1961, shall be available for plans and specifications for a research facility for the National Cancer Institute."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as folows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 46 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 56: Page 34, line 13, insert:

"CONSTRUCTION OF MENTAL HEALTH-NEUROLOGY RESEARCH FACILITY

"For construction of a combined basic and collaborative research facility for the National Institutes of Mental Health and Neurological Diseases and Blindness, including a physical biology component, and including plans and specifications, fixed and semifixed equipment, access roads and parking facilities, extension of existing power, refrigeration and other utility systems, $12,139,000, to be derived by transfer from 'Mental health activities' and 'Neurology and blindness activities', as determined by the Surgeon General."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 56 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 64: Page 45, line 16, insert:

"WORKING CAPITAL FUND

"The paragraph under this head in the Federal Security Agency Appropriation Act, 1953 (66 Stat. 369) is amended to read as follows:

"'Working capital fund: There is hereby established a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of (1) a central reproduction service; (2) a central visual exhibit service; (3) a central supply service for supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department; (4) a central tabulating service; (5) telephone, mail, and messenger services; (6) a central accounting and payroll service; and (7) a central laborers' service: *Provided*, That any stocks of supplies and equipment on hand or on order shall be used to capitalize such fund: *Provided further*, That such fund shall be reimbursed in advance from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave and depreciation of equipment'."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 64 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 80: Page 52, line 15, insert:

"SEC. 903. Appropriations contained in this Act available for salaries and expenses shall be available for payment in advance for dues or fees for library membership in organizations whose publications are available to members only or to members at a price lower than to the general public and for payment in advance for publications available only upon that basis or available at a reduced price on prepublication orders."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 80 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 82: Page 53, line 3, insert:

"SEC. 905. Appropriations contained in this Act available for salaries and expenses shall be available for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made or which will contribute to improved conduct, supervision, or management of those functions or activities."

Mr. FOGARTY. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. FOGARTY moves that the House recede from its disagreement to the amendment of the Senate numbered 82 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to include extraneous matter in my remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent that all Members may have permission to extend their remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. BROYHILL. Mr. Speaker, I should like to commend the members of the House conferees and the members of the House Committee on Appropriations, and particularly the gentleman from Rhode Island [Mr. FOGARTY], on agreeing to the Senate amendment in adding funds for schools in impacted areas. Unfortunately, there has been a perennial problem concerning Public Laws 815 and 874, in explaining to the membership that this is not Federal aid to education or a Federal handout as such, but is simply a program by which the Federal Government can meet a portion of its obligations to the various communities in which its agencies are located. Obviously, when the Federal Government becomes a principal industry in a community and does not pay taxes for the land it owns as other industries must do, there is a deficiency in the economy of that community to render the services that must be provided as a result of the existence of the industry in the area. One of the most vital services which must be provided is an adequate public school system.

Yet, as I stated above, in spite of the simplicity of this obligation, it seems necessary to explain the problem over and over again. Fortunately, the Congress has repeatedly recognized this responsibility and has continually granted the appropriations pursuant to the act as well as renewed and extended the act on previous occasions.

The problem that exists here today is the fact that even though we recognize the responsibility from time to time, we fail to appropriate the full amount which is authorized and the amount to which the communities would be entitled under the formula agreed upon. This makes it extremely difficult for the communities involved to formulate a sound budget or financial program. It is, therefore, imperative for the Congress to state what it intends to do and fulfill its promises in a way in which the communities can count on these funds. The action taken by the conferees to eliminate the current deficiency, I am certain, will help many communities involved in overcoming a serious problem of meeting a deficiency in the school budget for this current year.

Mr. TOLL. Mr. Speaker, I support the conference report on H.R. 11390, which makes appropriations for the Departments of Labor, and Health, Education, and Welfare and related agencies for the fiscal year ending June 30, 1961.

I am glad to note that the higher Senate figure of $173,050,000 was agreed to for grants, loans, and payments under the National Defense Education Act of 1958; that the expansion of teaching in education of the mentally retarded grant of $1 million to public or other nonprofit institutions of higher learning and the State educational agencies, pursuant to the act of September 6, 1958, was not disturbed.

I am pleased with the increase of grants to States in accordance with the Vocational Rehabilitation Act to $57,500,000. The substantial increase in favor of grants for hospital construction to $186,200,000 will materially help grants and loans for hospitals and related facilities, including diagnostic and treatment centers and hospitals for the chronically ill and injured.

I am glad to see substantial increases in the appropriations for research in cancer, heart, arthritis, mental health, and other conditions which are affecting our population and which will be eliminated or reduced by continued study.

AMENDING FAIR LABOR STANDARDS ACT OF 1938

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 624, Rept. No. 2156), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution the bill (H.R. 12677) to amend the Fair Labor Standards Act of 1938, as amended, to provide coverage for employees of interstate retail enterprises, to increase the minimum wage under the Act to $1.15 an hour, and for other purposes, with the Senate amendments thereto, be, and the same hereby is, taken from the Speaker's table, to the end that the Senate amendments be, and they are hereby disagreed to and that the conference requested by the Senate on the disagreeing votes of the two Houses be, and the same is hereby, agreed to.

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 624 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Illinois.

Mr. ALLEN. Mr. Speaker, on June 30 of this year this body passed H.R. 12677, a bill to amend the Fair Labor Standards Act of 1938, as amended. The vote was 341 to 72. I voted in the negative.

I voted against the bill for many reasons, the chief reason because I am opposed to the Federal Government regulating wages whether the regulation be minimum or maximum wages.

The bill as passed the House is a moderate one as compared to the bill that passed the other body. Even the bill that passed the other body is mild as compared to the decision of some in this field.

The Senate bill would establish the minimum for workers presently covered at $1 with three annual raises, to $1.15 next January; on January 1, 1962 to $1.20, and to $1.25 on January 1, 1963. It would add 4 million workers. Exemptions were for hotels, motels, restaurants, and sales agencies. I believe I am safe in saying that if a wage-hour bill passed this Congress that there will be a strong effort to include hotels, motels, restaurants, laundries, automobile and farm implement dealers the next session of Congress. I also predict that should this bill pass that there will be many bankruptcies in the businesses affected.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House now consider House Resolution 624?

The question was taken, and (two-thirds having voted in favor thereof) the House agreed to consider House Resolution 624.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints the following conferees: Messrs. BARDEN, LANDRUM, ROOSEVELT, DENT, KEARNS, AYRES, and HIESTAND.

REVISING THE BOUNDARIES OF DINOSAUR NATIONAL MONUMENT AND PROVIDING AN ENTRANCE ROAD OR ROADS THERETO

Mr. ASPINALL submitted a conference report and statement on the bill (H.R. 6597) to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes.

DISTRICT OF COLUMBIA COMMITTEE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for District of Columbia bills to be considered tomorrow. I shall put a list of bills in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I shall not object, the majority leader spoke to me about calling these bills up. I have talked to our people on the committee, and they are in agreement that the bills might as well be considered tomorrow as on a later District day.

Mr. GROSS. Mr. Speaker, further reserving the right to object, may we know what the bills are?

Mr. McCORMACK. Yes. Does the gentleman want me to list them now?

Mr. GROSS. Yes.

Mr. McCORMACK. I cannot say that they will be called up in this order, but they are:

S. 2131, a motor vehicle records act. That is on responsibility, a responsibility bill.

H.R. 13053, an increase in pay for police and firemen.

H.R. 12993, a pay increase for teachers.

H.R. 12775, retirement compensation for police and firemen widows and orphans.

S. 3727, home improvement companies, a bill relating to the bonding of the same.

S. 2306, National Women's Party, Inc., exempting certain property from taxation.

S. 3415, a bill relating to exempting certain property from taxation of the American Association of University Women, Educational Foundation, Inc.

H.R. 11535, amending the Alcoholic Beverage Control Act to permit the sale of alcoholic beverages on New Year's Day when New Year's Day falls on Sunday.

S. 3416, a bill to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out provisions of the Temporary Unemployment Compensation Act of 1958.

S. 1870, a bill to provide for the licensing of practical nurses in the District of Columbia.

H.R. 11370, a bill amending the Alcoholic Beverage Control Act.

H.R. 10921, to regulate life insurance investments. That is on the acceptance of Senate amendments.

Mr. GROSS. Does the gentleman say that these bills will come up tomorrow?

Mr. McCORMACK. They will be on the list tomorrow. Of course, next Monday is another day, but we could utilize tomorrow and get rid of as many as possible.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ELECTIONS SUBCOMMITTEE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Elections Subcommittee of the Committee on House Administration may be permitted to sit today during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PROJECT GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH

Mr. ROBERTS submitted a conference report and statement on the bill (H.R. 6871), to amend title III of the Public Health Service Act, to authorize project grants for graduate training in public health, and for other purposes.

FREEDOM

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 60 minutes.

Mr. FLOOD. 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 Pennsylvania?

There was no objection.

Mr. FLOOD. Mr. Speaker, because of the limited calendar at our disposal in this session, I hesitated to ask for this time but felt the subject for discussion warranted the special order.

My purpose today is to speak of freedom. And I am sure that every Member of this body will be in ready agreement that there is no more important subject with which we can concern ourselves.

It is in no wise to minimize the patriotism of my countrymen to suggest that sometimes, in these days, we are inclined to take freedom for granted.

It is like the air we breathe; we expect it as a right, and accept it casually. Because freedom for Americans is an accepted thing, we are ofttimes disposed to assume that this is a commonplace condition throughout the world.

As a matter of fact, while we are gathered here, and at the very time I am speaking, millions upon millions of human beings are totally denied freedom, are in fact existing under the stern repressions and deprivations of Communist tyranny.

And so I address myself today to the all-important subject of freedom—freedom as a God-given right to be enjoyed by all men in all climes and in all the remote parts of the world.

Americans cannot be indifferent—nor are we—to the plight of our fellow human beings behind the Iron and the Bamboo Curtains. These slaves of Red tyranny are our brothers; their distress is our concern; their welfare our duty.

One has only to consult the pages of American history to quickly come upon the fact that the colonial forces in our Nation's war for freedom and independence were brilliantly served by patriots from the Old World. Gen. George Washington and his men were admirably assisted by such soldiers as Baron von Steuben of Germany, Kosciusko and Pulaski of Poland, and valiant warriors from Hungary and elsewhere. These men risked their all that America might have independence. And so it is now only a matter of conscience and sound national policy, a matter of retributive justice that we now interest ourselves in our separated brethren who languish in the vast prisons of Iron Curtain land.

Mr. Speaker, in the beginning I would like to stress one simple fact: freedom is indivisible. To paraphrase Lincoln, the world cannot endure "half slave and half free," and further to remark upon the like thought of the Great Emancipator, just so long as the freedom of any one people is denied, then so is the freedom of the whole world in jeopardy.

Another fact I would like to point up at the outset is that nowhere on the face of the earth is there a Communist government that has resulted from a free choice by free men. Communist governments today are the result of bloody force, or the connivings of Red puppets who undermined the states by subversion and treason. The Red empire today rules by force—let the Red armies be withdrawn from the satellite countries and see how long the Communists would remain in power.

As we look out upon the world at this very minute, we see a real imperialist empire, a vast colonial enterprise, imposing its will on millions of people in many countries.

So we come to the all-important question of the captive nations—nations and peoples held in the vicious vise of Red tyranny.

Mr. Speaker, last year the Congress of the United States passed one of the most significant pieces of legislation in our time. That was the Captive Nations Week resolution, now Public Law 86-90. This year, Americans responded enthusiastically to the summons of this resolution and also to the Presidential proclamation which is based upon it. The first anniversary of the Captive Nations Week resolution was a huge success. The record of this year's Captive Nations Week observances must be taken account of, and the pressing need for the implementation of Public Law 86-90 must be needed. The citizens of our Nation have expressed themselves on this need, and we, their representatives, are obliged to fulfill it.

In proposing a House Committee on the Captive Nations I wish to describe in the most succinct manner possible the record of essential events surrounding the resolution and this year's observances. Allow me to approach this vital subject by, first, stating the meaning and significance of Captive Nations Week; second, presenting the preparations made by our citizens for this year's successful observance; third, showing the scope and extent of the observance; and, fourth, offering additional evidence for immediate congressional action in establishing a House Committee on the Captive Nations.

KHRUSHCHEV AND CAPTIVE NATIONS WEEK

In view of world developments this past year, and particularly in recent months, the urgency of recognizing the strategic importance of all the captive nations to U.S. interests in the cold war cannot be too strongly emphasized. Khrushchev himself provided conclusive evidence of this. It will be recalled that when Congress passed the resolution last year and the President issued the proclamation, Khrushchev flew into a wild rage. There was good, sound reason for this violent and troubled reaction. The resolution for the first time struck at the tenuous bases of Moscow's propaganda pretensions and claims by which it seeks to deceive and influence minds throughout the nontotalitarian free world.

Month after month, Moscow and its organs continued the attack against the resolution and the enormous possibilities implied by it. Why should this so-called mighty power have been troubled so deeply? The reason lies in the critical threat posed by the contents of the resolution to Moscow's ideologic war against the free world. Realism in foreign policy necessitates that we be guided by evidence. This evidence of the past year cannot be ignored.

Unfortunately, the meaning of the resolution and Moscow's reaction to it was not fully understood or appreciated by many Americans. Some chided the Congress for confronting the sprawling Bear with the clubs of truth and ideals. Others failed completely in their understanding of the new qualities and dimensions of the resolution. They never bothered to ask themselves, "How is it, our leaders spoke in the past about captive nations and yet Moscow didn't react this way?" The reason for this was due to the fact that for the first time the resolution spoke in behalf of all captive

nations, particularly those within the Soviet Union. In this respect, Mr. Speaker, I should like to incorporate with my remarks a transcript of the program, "Moscow's Reaction to Captive Nations Week," staged by the award-winning Georgetown University Forum. It explains in detail the points I have been making here:

MOSCOW'S REACTION TO CAPTIVE NATIONS WEEK

Participants: Donald L. Miller, editor of Freedom Facts; Francis McNamara, executive member of the All American Conference To Combat Communism; Dr. Lev E. Dobriansky, originator and author of the Captive Nations Week resolution and chairman of the national committee organizing the observance. Moderator: Matthew Warren.

Mr. WARREN. "Moscow's Reaction to Captive Nations Week," the topic for the 711th consecutive broadcast of the Georgetown University Radio Forum, another in a series of educational and informative programs from Washington.

The Georgetown Forum was founded in 1946. This is Matthew Warren speaking by transcription from the Raymond Reiss Studio on the campus of Georgetown University, historic Jesuit seat of learning in the Nation's Capital.

Today's discussion will be on "Moscow's Reaction to Captive Nations Week." The participants are Mr. Donald L. Miller, editor of Freedom Facts and chairman of the Washington Captive Nations Week Committee; Mr. Francis McNamara, executive member of the All American Conference To Combat Communism and member of the staff of the House Un-American Activities Committee; Dr. Lev E. Dobriansky, originator and author of the Captive Nations Week resolution and chairman of the national committee organizing the observance.

To begin our discussion, I should like to call your attention to the observance of Captive Nations Week which will take place this year during the week of July 17 to 23.

In 1959 Congress passed the Captive Nations Week resolution which is now Public Law 86-90. According to the law, the President is authorized to issue an annual proclamation. Committees have been formed in all major cities to observe the spirit of the congressional resolution.

One way to measure the worth of the Captive Nations Week observance is to analyze the Soviet reaction during the past year, which we propose to do during this program.

Dr. Dobriansky, what was the purpose of such a resolution?

Dr. DOBRIANSKY. The purpose of the resolution was manifold, I believe. One could say on an overall basis that actually we sought to bring to the attention of the American people the strategic importance of all the captive nations to American security interests.

In addition to this, it is to serve as a vehicle for the advance of freedom in the areas of propaganda, psychological and political warfare. By emphasizing the contents of this resolution, not only during Captive Nations Week but in the course of the entire year, I sincerely believe that we would be able to offset the propaganda advances made by Moscow.

Mr. WARREN. Would you say, then, it was designed to stir up the people of the captive nations?

Dr. DOBRIANSKY. Yes; in the sense of stirring them up to this fact and realization, that the people in the United States are ever cognizant of their captive status and that we will explore every possible peaceable means to bring about their eventual liberation and freedom.

I want to emphasize that contrary to many of the speculations at the time the resolution was passed by Congress, and certainly after the reaction on the part of Moscow, when many newspapers claimed that actually the resolution sought to make the American people cognizant of the plight of these captive nations, it does more than that.

It is not simply to recognize that they are in this captive status but to see and understand, as I put it before, the strategic importance of all of the captive nations. I am not just referring to those in satellite Europe, meaning central Europe, but I am also taking into account the captive nations within the U.S.S.R. and those in Asia. And, taken in the aggregate, you have a very imposing factor here.

Mr. WARREN. How do American individuals participate in such an observance other than to be cognizant of it?

Dr. DOBRIANSKY. The resolution passed by Congress calls, of course, upon all Americans to observe Captive Nations Week. In the course of this week, which is the third week of July, individuals and groups in their respective localities are expected to engage in religious services, to have rallies, discussion meetings, even editorial comments through various journalistic media; and in the course of such thinking and reasoning about the captive nations—again, taken in the aggregate—it is hoped that our people would in turn press for more formidable and really more successful cold war media on the part of our Government in offsetting the perilous threat of Moscow.

Mr. WARREN. Mr. MCNAMARA, shortly after this resolution was passed last year the Soviet Premier, Khrushchev, appeared to be very upset by asking numerous questions of the then visiting Vice President NIXON.

Why do you suppose he was so upset?

Mr. MCNAMARA. Well, one reason, I would say, was because this resolution pricked his conscience; it hit him in a very sensitive spot. His violent reaction to the proposal indicated this. To quote Shakespeare, "He did protest too much." This usually indicates that they know they are wrong and they feel guilty. I think that this was the major reason for his violent reaction; that he knew that this charge was true; and he screamed and protested the way he did in a more or less desperate effort to offset the effectiveness and the truth contained in this resolution.

Dr. DOBRIANSKY. Mr. MCNAMARA, may I ask, "Would you agree that Khrushchev exploded and reacted violently against this resolution because of certain new qualities contained in the resolution?"

What I have in mind here is the fact that for years we have been talking about certain captive nations. The President and our Secretaries of State talked about them over the Voice of America and other media. Surely right up to the time of the Hungarian revolution there was a great deal of talk about the captive nations. But, significantly, the concept was largely restricted to central Europe: whereas here for the first time we have a governmental document which lists numerous and all the captive nations; in fact, the majority of them exist outside of central Europe, both within the Soviet Union and, in addition, in Asia.

Because of this new element—namely, this recognition that the Soviet Union is not a nationally integrated state, that, instead, it is really made up of numerous nations and that they are captive in the sense that the resolution conveys captivity—this, I think, rocked Khrushchev.

Would you agree with this interpretation?

Mr. MCNAMARA. I do. I believe that is undoubtedly true. Another element is this, that Moscow has been demanding self-determination in all parts of the world for many years, always throwing the charge of colonialism against the Western Powers generally and demanding that the people in Latin America, who are allegedly enslaved by U.S. imperialism, the people in Asia, Africa, and so forth, be allowed to determined their own form of government, be given independence.

Here for the first time, really, the United States officially challenged Khrushchev on this point. We threw his challenge back to him and demanded that he permit self-determination in the nations that he, the great imperialist, has enslaved.

This, I think, was a very good thing. We have been more or less backing away and not doing much before in answer to this challenge and the propaganda that he had issued on the theme of self-determination.

Here we were answering him and doing it so very effectively, I might add.

Mr. WARREN. Mr. Miller, do you recall some other incidents of violent Soviet reaction?

Mr. MILLER. I think the Russian Communist reaction to Captive Nations Week was quite dramatic. We have to remember that this was not a U-2 incident. We did not actually invade or cross Russian territory.

We merely stated a principle and a point of view. The reaction to that was somewhat surprising. A few days after Captive Nations Week began here, on July 22, Pravda came out with quite a vitriolic editorial which condemned Captive Nations Week and made a very strong point of the fact that the Socialist camp is firm and strong as never before.

The following day, as you probably remember, Vice President NIXON visited the Soviet Union and nearly the first word which Khrushchev addressed to him was to the effect, "Well, here you are coming to visit and take a look at the captives."

Throughout Mr. NIXON's visit to the Soviet Union, Khrushchev and a number of hecklers in the crowds came up to him and asked him about the captives, and tried to persuade him that the people in the Soviet Union really were not captives.

To demonstrate this, on July 22 Khrushchev took NIXON on a boat trip and showed him a number of Russian bathers. He used the phrase, "Here are your captives. See how happy they look."

But the most surprising expression from the Russian Communist came on July 30, when the propagandists told their own people that Captive Nations Week had failed. They suggested that the reason that they thought it had failed, was because during the week none of the peoples in the captive nations had revolted.

I don't believe that anyone in the United States had expected a revolt during that particular week, but apparently many of the Russian Communists did.

I think we can make two deductions from this. One is that Captive Nations Week hits a very weak spot in the Communist armor; and the second is that we can do this without even leaving our own communities.

Mr. WARREN. Dr. Dobriansky, it sounds to me as if Mr. Khrushchev was your best publicity agent.

Dr. DOBRIANSKY. To that I would agree. As a matter of fact, the publicity agent served our purposes in many ways, having made this known to the peoples and nations within the entire Communist empire and, at the same time, having made it known even to our American people, despite the fact that many of them still down to this day don't really understand the meaning and the significance of this resolution.

But before saying anything about that, I would like Mr. McNamara to discuss perhaps some of the reactions in the so-called satellite area of central Europe. Moscow alone was not in this game of violent and vehement rebuttal against the resolution.

Mr. WARREN. Would you first point up the difference between a "satellite" and a "captive nation"?

Dr. DOBRIANSKY. Frankly, I don't accept this distinction in connection with the various nations within the Communist world.

A satellite, a political satellite in its true sense would be, let us say, Portugal in relation to Great Britain. One wouldn't say that Portugal was in any state of enslavement, but it was a satellite in terms of the general directions of British foreign policy.

Analogous to that, I imagine, one can justify somewhat the use of the term "satellite" to Yugoslavia. That was the reason Yugoslavia was not contained in this resolution.

But with regard to the countries that we oftentimes, I think, misapply the term "satellite," the term "captive nation" is vastly more accurate and appropriate.

What does it indicate? It simply indicates that each of these nations, those in central Europe, those within the U.S.S.R., those in Asia, have been subjected by force to a foreign yoke. They are under the domination of the policy of that foreign yoke, meaning Moscow.

I say this in full cognizance of the supposed cleavage between Peiping and Moscow.

Mr. WARREN. Mr. MCNAMARA.

Mr. MCNAMARA. As Dr. Dobriansky mentioned, there was violent reaction to this resolution not only on Khrushchev's part and within the Soviet Union itself but in all of the other captive nations.

In Czechoslovakia, Hungary, Bulgaria, Poland, Albania, East Germany, all the official propaganda media—radio, the newspapers, controlled press, and so forth—all were extremely vitriolic and loud in their denunciations of the resolution.

They charged that it was interference in their internal affairs, just as Moscow did. They charged it was a threat to peace, and so forth. I believe that this violent reaction throughout the Soviet empire indicates how fearful Moscow is of this resolution and the ideas contained in it.

You see, Khrushchev denounces this resolution very loudly. But if you just stop to think of it you can realize that, if this charge on the part of the U.S. Congress against the Soviet Union was false, he could so easily prove it by just allowing free elections within the Soviet empire. And if, as he claims, they are not captive nations, they would all vote for continued Soviet enslavement; and, then, he could turn around and laugh in our face and make the United States look ridiculous.

Of course, he will never risk this because he knows in truth that they are captive nations and, if given a chance to vote, they would overwhelmingly, from all the evidence that we can gather, reject Soviet and Communist rule.

Dr. DOBRIANSKY. If I may interrupt; another aspect, I think, that should be mentioned is that this reaction on the part of Moscow and the puppets was not restricted in a time length to 1 week or 2 weeks at the end of last July.

On the contrary, the reaction was perpetuated so that going into the following months of the year, right down to December, as far as I know, the Communist organs continued to lambast this particular resolution.

For example, in August, you recall, the month before Khrushchev made his arrival in the United States, they played up an article of his that appeared in the Foreign Affairs journal. It was an October issue, but an advance publicity was given to it. In this particular article, which I have before me, Khrushchev regards the resolution as "an act of provocation."

The interesting thing about this is that he offers a challenge to the sponsors of the resolution and the backers of it, in the sense that he raises the question: "How would America and Americans have felt if the Parliament of Mexico had, for instance, passed a similar resolution demanding that Texas, Arizona, and California be liberated from American slavery?"

Now, after this appeared, I prepared a question which was submitted to one Senator who eventually, the following month, presented this to Khrushchev at the tea party given by the Senate Foreign Relations Committee. And the question was this: Fine, Mr. Khrushchev. In view of the fact that you used Texas, Arizona, and California, let us use comparable areas within the Soviet Union: Ukraine for Texas, the Caucasian nations for California, and Lithuania for Arizona. Let us, under U.N. supervision, have the respective peoples in their areas vote: in our area here, for example, whether our Texans want to remain with the United States, join Mexico, or be independent, and there, whether the Ukranians want to remain with Moscow, join some other unit, or be independent.

The question, I understand, was posed to him and he refused even to recognize it.

Mr. WARREN. How many times has the United Nations rebuked Mr. Khrushchev in this connection and he has ignored it completely. Why should this particular thing worry him even more? Mr. Miller, would you like to answer that one?

Mr. MILLER. I think Captive Nations Week goes right to the heart of one of the great problems of the Soviet Empire, that is, the problem of nationalities.

Joseph Stalin a number of years ago built his reputation as a Communist theorist on the basis that he had solved the nationalities problem.

His solution consisted of saying, "Let's tell the people in the various nations that they can be free and equal within the Communist bloc, that they can maintain their own language and their own culture, and get the benefits of being in this larger group"; at the same time, all these nations are ruled by Communist Party leaders who owe their jobs and their loyalties to Moscow. So that in reality all the nations are ruled directly from Moscow.

This is a very thin kind of deception which the Communists have been using in respect to the captive nations within the U.S.S.R. They have been using it in respect to the nations in central Europe.

To these people in central Europe, for example, Khrushchev says time and time again, "Your government is entirely in the hands of your own people."

Well, the people in these countries know this isn't true because they know that they are ruled by the Communist Party leaders and these party leaders are responsible to Moscow.

So that when Captive Nations Week and the American people come out and say the truth about this matter, Khrushchev feels that the very statement of the truth is a deadly threat to the whole unity and the so-called solidity of the Communist empire.

Dr. DOBRIANSKY. That is a very important point, in my judgment, for it advances the weapon of truth. In the past few months we have been talking about the diplomacy of truth.

It would seem to me, in answer to your original question, that the contents of this resolution, if properly elaborated, would give us many new truths which we could use in this area of the cold war.

I am one who is convinced that this is the only course for us. Knowing something about the cold war pursued by St. Petersburg and Moscow even prior to the coming of the Communists, about the manner in which they built up their empire over the centuries, about the ways they have developed their cold war techniques, I feel that it is in the propaganda, psychopolitical area where untimately the final decision will be made in this life-or-death struggle.

In this case the resolution gives us many channels, many dimensions that we could pursue, diplomatically, in the propaganda area, even in the economic area. If one considers, for example, the disposition of resources within the U.S.S.R., one finds that most of the important resources in any single area are concentrated in Turkestan or in Ukraine.

Turkestan is a huge area and it is properly listed as one of the captive nations in this resolution. I submit that Khrushchev and the others in the Kremlin began to suspect that perhaps there would be a popular appreciation in this country of the immense psychopolitical possibilities that are truly open to us.

Unfortunately, when one looks at the record—and I have here quite a number of news clippings, editorials, and comments by our analysts concerning the Captive Nations Week resolution and the President's proclamation—I must say that many of our people simply didn't undertsand it last year.

Mr. WARREN. Mr. MCNAMARA, what evidence do we have that the people in the captive nations are aware of this resolution?

Mr. MCNAMARA. Well, they must be aware of it. We know this because of the extensive coverage given the resolution in the press, over the radio and in other communications media within the captive nations.

One thing I would like to point out is the importance of the captive peoples, in this respect, of maintaining peace in the world today.

We hear an awful lot about this and various plans are being advanced for preventing the outbreak of war, and so on. I believe the captive peoples have been possibly as important a factor as our atomic bomb, when we had a monopoly on it, in preserving peace in this world.

This is because of their resistance to the Kremlin. The Soviet Empire has a fifth column that is larger in numbers and more intensely hates the regime than any nation in the world has ever experienced before.

It is largely because of this resentment, as demonstrated in the uprising in East Germany in 1953 and Poznan, Poland, in early 1956, in Hungary in October 1956, that the Soviet Union is afraid to start a war, because it knows that the moment that it does, there will be a huge outbreak behind its own lines and it will be sabotaged.

So I think this resolution is extremely important as a peace preserver because it shows the captive peoples that we are on their side, that we are working, thinking of their freedom and independence, that we recognize the fact that they are enslaved and captive.

This tends to keep up their resistance, bolster their courage so they will continue to be a thorn in the side of the Communist regime.

Mr. WARREN. Dr. Dobriansky, you said something a few moments ago that interested me in reminding us of the supposed cleavage between China and Soviet Russia. Would you call the people of China, first of all, captives?

Dr. DOBRIANSKY. Yes; and it is so indicated in the resolution.

Mr. WARREN. All right——

Dr. DOBRIANSKY. Mainland China, mind you.

Mr. WARREN. Then do you suppose that your resolution would enable those captives in mainland China to be hopeful of some help in the future?

Dr. DOBRIANSKY. That depends. It is one thing to have a resolution; another thing to observe a Captive Nations Week which is provided by the resolution; it is a third thing—and we are hopeful of this—to begin to recognize, as Mr. MCNAMARA well stated here, that the captive nations in the aggregate are really one of our greatest deterrents against the outbreak of a hot war.

If we are interested in preserving peace; that is, no hot global outbreak, then we should be vitally interested in all of these captive nations, including those on mainland China.

This is what I meant when I said that this whole issue is significantly affected by a very

important strategic factor in connection with American security and also in connection with our desire to maintain the peace.

Mr. WARREN. What would be the next natural step?

Dr. DOBRIANSKY. The next natural step would be to set up our cold war apparatus, and this doesn't mean leading us into a hot war; on the contrary, it means we will be implementing the intent and the purpose of this particular resolution to prevent a hot global war and to win the cold war.

We are finally becoming more realistic with regard to the cold war advances of the Russian totalitarians and the very nature of the cold war being waged by Moscow.

I ask you, "Must we always be subjected to shock treatments?" For example, an eruption occurs in the Middle East. Many of our leaders are shocked. Observers there knew what was transpiring right along. I am not suggesting that the problem of Arab nationalism is nonexistent, but also there is the problem of sinister Russian infiltration. The same thing in Cuba. The same thing in Japan. I would add also the same thing in San Francisco with the House Un-American Activities Committee. When we face these events, immediately people, as though babes in the wood, including Senators, Congressmen, and others, express their shock.

There is nothing to be shocked about. You have had a whole series of these, and there will be more. Instead of depending upon shock treatments it is about time we realized fully the nature of this cold war process and proceeded to build up that kind of apparatus to cope with it.

There has been a host of proposals, well-rooted proposals, realistic proposals, along this line.

Mr. WARREN. We only have a few seconds remaining. Would you again tell us the dates of the upcoming Captive Nations Week?

Dr. DOBRIANSKY. Captive Nations Week this year will be held and observed during the week of July 17–23, and in many major cities local committees have been set up to observe this week.

Mr. WARREN. Gentlemen, thank you very much for your participation in this discussion of "Moscow's Reaction to Captive Nations Week." The participants, Donald L. Miller, editor of Freedom Facts, chairman of the Washington Captive Nations Week; Mr. Francis McNamara, executive member of the All American Conference To Combat Communism and member of the staff of the House Un-American Activities Committee; Dr. Lev E. Dobriansky, originator and author of the Captive Nations Week resolution and chairman of the national committee organizing the observance.

Mr. Speaker, a meaningful and knowing belief in the individuality of freedom does not permit a restriction of freedom to some nations, as, for example, the so-called satellites in Central Europe, and its exclusion as concerns others, as, for example, the more numerous captive non-Russian nations in the U.S.S.R. like Ukraine, Lithuania, Turkestan, Armenia, White Ruthenia, Latvia, and others. The resolution is founded on this belief. From the overall viewpoint of propaganda and psycho-political war, Moscow displayed its fear of any intensive American concern with the freedom of these captive non-Russian nations in the primary sphere of its farflung empire, namely the Soviet Union itself. The concept of captive non-Russian nations in the U.S.S.R. is anathema to it because its proper development and elaboration would produce an entirely different and accurate image of the Soviet Union in world opinion. We have yet to develop this concept, this new dimension, and begin to take long strides in overwhelming Moscow's psycho-political offensive which necessarily has always been its chief mode of attack. In this regard, Mr. Speaker, it is noteworthy that the editors of the New York Times stress this very essential point in their August 8 editorial, titled "The New Imperialism." At this point I request that this illuminating editorial be made part of my remarks. In addition, I wish to introduce also an article on "The Myth of Soviet Unity" which appeared in the May issue of the Sign magazine. This article explains in detail the new imperialism referred to by the Times editor:

[From the New York Times, Aug. 8, 1960]

THE NEW IMPERIALISM

If the possibilities were not so grave, there would be much for the world to laugh at in Moscow's posturing over both Cuba and the Congo. In both these situations the Soviet Union is trying to appear before humanity as the great enemy of imperialism, the friend of oppressed peoples everywhere. The sad truth, apparent to anyone with an elementary knowledge of Soviet history, is that the Soviet Union is today the last remaining great imperialist state, the only colonial power which today rules more conquered territory and more subject peoples than it did a quarter of a century ago.

When Americans think of the captive nations, their thoughts normally turn first to the countries of Eastern Europe upon which Communist dictatorship was imposed by the Red Army a decade and a half ago. Of the Eastern European nations, only Yugoslavia today can claim to be truly independent and sovereign, having survived almost a decade of Stalinist political, economic and subversive warfare aimed at turning it into a satellite. The bitterness of the Hungarian people at their enslavement broke out fiercely in the revolution less that 4 years ago, a revolution drowned in blood by Soviet troops. The real feelings of the Polish people were expressed a year ago by the tremendous ovation Vice President NIXON received when he visited Warsaw, but the Gomulka regime has to conduct itself in cognizance of the reality of Soviet military forces on either side of Poland.

But if the Eastern European satellites are still allowed to keep the trappings of outward sovereignty, the same cannot be said of the non-Russian peoples in the Soviet Union. Twenty years ago the independence of the Baltic States—Estonia, Lithuania and Latvia—was extinguished by acts of crude aggression. Red Army invasion of those states was followed by farcical elections which ended those nations' freedom, though not their love of liberty.

The list of other nations imprisoned in the Soviet Union is long. The Ukrainians are today one of the advanced peoples of Europe, yet Kiev is a mere provincial capital ruled from Moscow. In the Transcaucasus, the Georgians, Armenians and Azerbaidzhanis have known freedom in their history, but know it no longer. In Central Asia the Kazakhs, the Uzbeks, the Kirghiz, the Turkmens, the Tadjiks and other smaller peoples are denied independence and liberty.

If Moscow really were an enemy of imperialism it would give liberty to the non-Russian peoples now subject to its will. But in this era when the former Western colonial powers have been and are rapidly making their former colonies sovereign nations, there is no evidence of a similar trend in Moscow's empire. Rather the witch hunt against true patriots among the Soviet subject peoples goes on unceasingly, as does the campaign to Russify these peoples, their cultures and their histories. On the issue of imperialism, therefore, Moscow stands at the bar of world opinion with blood and dirt on her own hands.

[From the Sign, May 1960]

THE MYTH OF SOVIET UNITY

(By Lev Dobriansky)

Propaganda is the Russian Communists' most important weapon in the cold war. Out of a strange mixture of truths, half-truths, and bald lies, they have cunningly devised an amazing system of deception. Chief among their deceits is the myth of Soviet unity.

This myth is kept alive only as long as we remain ignorant of the facts. It is high time we exploded the myth with knowledge of the truth.

What Americans do not know about Russia came to light painfully last July when a joint resolution, unanimously passed by Congress, called for the observance of Captive Nations Week. Now Public Law 86–90, this congressional act is the first official recognition which our Government has made of the existence of non-Russian nations within the Soviet Union.

The act of Congress mentions many captive nations without and within the U.S.S.R. borders. Deceived by Russian propaganda, Americans had long thought of captive nations only in terms of the satellites in Eastern and Central Europe.

When the resolution was made public, reporters, commentators, and the public inquired, "Where is White Ruthenia? Where is Cossackia?" Many admitted that they had never heard of Idel-Ural or Azerbaijan or even Turkestan. Meanwhile, a number of writers and analysts continued along their merry but blind way to apply this act of Congress solely to those minority captive nations in central Europe.

Those who investigated the situation were astonished to discover that there are more captive nations within the U.S.S.R. than there are without. They were surprised to learn that the people of those captive nations within the Soviet borders outnumber all the Russians combined.

When the joint resolution was passed, few Americans appreciated this fact. But Khrushchev did. Knowing the implications of President Eisenhower's proclamation of Captive Nations Week, he exploded.

Khrushchev was aroused because he wants to hide from the free world the fact that Russia, although a political giant, is a giant with clay feet—a giant whose framework is made up of many different strands.

We must understand some important distinctions between tribes, nations, states, voluntary federations, and tyrannically constructed empires.

The state, it should be noted, is simply the political aspect of the nation. Sometimes you have several nations voluntarily existing in one state, as in Switzerland. Again, you may have one nation being ruled, in separate parts, by two governments, as in Ireland. Again, many nations, against their will, may be politically and tyrannically controlled by one superimposed government, as in the Soviet Union.

After World War I, the present captive nations within the U.S.S.R. were newly independent states. In the collapsing Russian Empire, after World War I, Lithuania, Georgia, Armenia, and other non-Russian nations declared their political independence. They were free of Czarist control. Furthermore, they had no mind to submit to Communist control from Moscow. They established themselves as free democratic

republics. Ukraine and Georgia were even recognized as separate states by Lenin's Soviet Russia.

We remember well the tragic fate that overtook independent Lithuania, Poland, Hungary, and others in the forties. But what most of us forget is that similar tragedies befell Georgia, the Ukraine, White Ruthenia, and others in the early twenties. Trotsky's Red Russian Army had picked them off one by one after softening them up by infiltration, subversion, propaganda, etc.

By 1923, following the first wave of Red Russian imperialism, these non-Russian nations were forced into the spurious federation called the Union of Soviet Socialist Republics. Because of their large populations and their natural resources, these non-Russian nations formed the base for Moscow's further imperialist thrust into central Europe. Currently they form the base for Russian colonial designs in the Middle East, Asia, and Africa.

Yet—and here is a basic point which Americans must grasp—these non-Russian nations within the U.S.S.R. have not passively accepted the Soviet yoke. Each decade since the twenties has seen serious friction, resistance, even open rebellion scald the hand of their Moscow masters.

This struggle continues. Not a month goes by that Moscow does not launch a fresh attack against this nationalistic trend. Indeed, this opposition to Moscow pressured Stalin to bid for the inclusion of Ukraine and Byelorussia as original members of the United Nations. From time to time Moscow finds it expedient to pretend that the non-Russian republics are independent. Amendments to the U.S.S.R. constitution provide for these republics to have their own war ministries and to enter into direct diplomatic relations with other states. Moscow clearly does not underestimate the reality of these restless nations.

In December 1957 Khrushchev addressed the Supreme Soviet in Ukraine. He referred to Ukraine as "a truly free and independent nation."

But Nikita Khruschchev is not fooling the Ukrainians—and he dreads their genuine nationalism. Even during the illusory "Spirit of Camp David" his agents in Munich assassinated the Ukrainian nationalist leader, Stefan Bandera, and, under the economic disguise of voluntary resettlements, Khrushchev is currently engineering the deportation of families from western Ukraine to central Asia and the Crimea.

These non-Russian nations within the Soviet borders are ancient peoples with long histories and periods of national freedom. Ukraine has 42 million people, the biggest non-Russian nation within the U.S.S.R. The three Baltic nations number 6 million; White Ruthenia (Byelorussia), 10.8 million; Georgia, 4 million; Armenia, 1.8 million; Azerbaijan, 3.7 million; and Turkestan, purposely divided by Moscow into five republics, (Kazakh, Tadzhik, Kirghiz, Turkmen, Uzbek), 22.9 million. And to these some 10 million ethnic and nationally conscious Cossacks located above the Caucasus, and about 15 million Moslems concentrated in the Idel-Ural (Volga-Ural) country, and you wind up with the sizable figure of about 114 million people. This figure covers only 11 compact ethnic and national non-Russian units. There are many small tribal units besides. The Russians number 96 million. Kremlin propaganda concerning the economic progress of the U.S.S.R. would take on a different color if it were subjected to the searching light of reality.

Moscow is supervising an uneasy conglomeration of many nations within the borders of the U.S.S.R. and a restless system of additional colonies outside its borders.

An economy based on extensive captive resources can hardly be compared with a free national economy. Most of the resources within the U.S.S.R. are concentrated in non-Russian areas: agriculture in Ukraine, Turkestan, and Georgia; coal in Ukraine and Turkestan; oil in Azerbaijan and Idel-Ural; 90 percent of the manganese in Georgia and Ukraine; iron ore in the Caucasus and Ukraine. Turkestan, three times the combined size of Britain, France, and Germany, alone accounts for about half the copper, lead, zinc output, and is also rich in bauxite and silver.

Soviet propaganda concerning the military might of the U.S.S.R. also acquires a different shade of meaning when confronted with facts. Forty-three percent of the armed forces of the U.S.S.R. are non-Russian. Even apart from likely Russian defections, this is most significant. As for potential Ukrainian, Russian, and other defections, Hungary has furnished the most recent example of what may happen.

Despite their inner weaknesses, the Russians have not only manufactured a myth of unity and invincible strength but they have managed to have the myth accepted by America. The myth has been swallowed not only by the public but by newsmen, commentators, columnists, and political leaders in high levels of Government. A few examples:

The New York Times, October 21, 1958: "Cardinal Agagianian is Russian by birth, having been born near Tiflis." This statement makes about as much sense as asserting that "Cardinal D'Alton is English by birth, having been born in the British Empire." Cardinal D'Alton is Irish and Cardinal Agagianian is Armenian.

Returning from a visit to the U.S.S.R., Adlai Stevenson wrote: "Russia is still a land of sharp and vivid contrasts." He meant the U.S.S.R.

Last July the Governors Report on the Soviet Visit was issued. Referring to the United States and the U.S.S.R., the report stated: "Ways must be devised for the people of these two major nations to understand each other." Even Khrushchev, speaking to various peoples within his Empire, would not go so far as to call the U.S.S.R. a nation.

We would expect the U.S. Office of Education would be correctly informed. Yet, in its U.S. Mission's Report on Education in the Soviet Union, we read: "The one fact that most impressed us in the U.S.S.R. was the extent to which the nation is committed to education as a means of national advancement." Actually, our Government still recognizes the free Governments of Latvia, Lithuania, and Estonia.

I can almost hear my readers complaining that I am indulging in semantics. But this is not merely semantics. Senator JOHN F. KENNEDY would resent it very much if people kept calling him RICHARD M. NIXON and vice versa. Everyone likes to retain his own identity, his own background, character, and intentions. So do peoples and nations.

The cold war today is being waged basically on the propaganda level. Hearts and minds of men are the primary targets. This has always been Russia's empire-building mode of attack. But Moscow's lies will eventually smash themselves against the hard reality of truth. Truth makes men free, and we can begin to triumph over imperialist Russian totalitarianism once we replace our misconceptions of Russia with knowledge of the truth. The Captive Nations Resolution was a start. It is tragic that Moscow knows this better than we.

THE IDEAS OF CAPTIVE NATIONS WEEK

The millions of Americans who observed Captive Nations Week did so not out of any superficial sentiment for the oppressed and occupied nations, but by reason of certain basic convictions concerning the overriding issue of the totalitarian imperialism and democratic national freedom. The first of these convictions refers to the nature of the conflict. The chief struggle is not in the nuclear, military, or economic field as such, but rather in the overall, totalistic propaganda and psychopolitical area which embraces the products of the other individual fields. Recent events in Tokyo, Italy, Cuba, and elsewhere should bring home to us the methodical techniques of political abrasion that no amount of armament could deal with. The main arena is ideas and the ultimate weapon is man.

Observing Captive Nations Week, our citizens expressed a second important conviction. And that is that the only way to prevent a hot global war is to win the psychological cold war by the prime ideology of all the captive nations. As Winston Churchill once put it, "If you will not fight for the right when you can easily win without bloodshed, you may have to fight when there is no hope of victory because it is better to perish than to live as slaves." Of all the existing challenges before us, the prime and really only mortal challenge to our national existence is Moscow's imperialist challenge.

The third conviction is that our Declaration of Independence, wisely externalized and made applicable to all people and nations, provides the moral and political truths—as well as unsurpassable national purposes—for us to cage the bear. Many of us are simply unaware of the powerful ideologic weapons we have in our possession, but these weapons have yet to be skillfully and effectively used.

It is the height of irony that Moscow cynically exploits the principle of natural self-determination and independence in Africa, Asia, and Latin America, whereas we, the natural bearers of this principle, fear to apply it in the one area which is most crucial to us in any type of war, hot or cold. The area of the Soviet Union itself. Pertinent to this aspect is an address that was delivered over the Manion Network under the title "We Must Declare For Independence of Captive Nations." I include it as part of my remarks here:

WE MUST DECLARE FOR INDEPENDENCE OF CAPTIVE NATIONS

DEAN MANION. Emerson once wrote that "nature is an endless combination and repetition of a very few laws." Upon these dependable "laws of nature and of nature's God" the National Independence of the United States was launched 184 years ago this week.

Just as nature wisely repeats its inflexible elementary laws, this program has repetitiously stressed the all-important historic consequence of those same basic principles, namely, the sovereign Independence of these United States.

The ringing declaration of these laws of nature, which made us a free, independent Nation in 1776, needs endless reiteration now, an ominous time, certainly, when the laws of God and nature are being flouted in the Satanic Communist conquest of all mankind.

We now need to remember that the sacred principles that made us free can keep us free and, in the process, defeat communism and liberate the world.

This truth is the rationale of the Captive Nations Resolution which Congress passed last year, and of our Captive Nations Week

observance which a national committee of prominent Americans is now organized to promote.

I have the distinguished chairman of that committee with me at this microphone now. Dr. Lev E. Dobriansky is professor of economics at Georgetown University, and he is also a great champion of human liberty. Dr. Dobriansky, I want to take this occasion to thank you publicly for the leading part you played in the conception and adoption of the congressional Captive Nations Resolution. It is a pleasure to welcome you to the Manion Forum.

Dr. DOBRIANSKY. Thank you, Dean Manion. Tomorrow we Americans, throughout this land and also abroad, will be celebrating the Independence of our Nation.

To all patriotic citizens this sacred day symbolizes, under God, our national freedom, the untampered will of a sovereign people, our firm determination to meet any enemy who would attempt to destroy our hard-won independence.

It symbolizes, too, the spiritual and moral power of our great tradition, the liberal institutions of this country, and the warm humanism of its laws.

Friends, I am not sounding any super or ultrapatriotic note when I emphasize that our Spirit of Independence is at once our past, our present, and our future. Different peoples throughout the world see the meaning and essence of this Nation more objectively and even more appreciatively than many of us do.

The European writer, R. L. Bruckberger, in his remarkable book, "Image of America," rightly maintains that the religiously inspired perennial principles and tenets in our Declaration of Independence belong today not only to the American people but to all the peoples and nations of the world, particularly those in Moscow's farflung totalitarian empire.

The philosopher, Jacques Maritain, in his book, "Reflections on America," views the development of this Nation as a unique and unprecedented historical phenomenon and says, "all this talk about American materialism is no more than a curtain of silly gossip and slander."

Our Nation, built on the free and creative energies of people drawn from every quarter of the globe, is a unique historical experiment—indeed, the great experiment of mankind. Our Nation is a living revolution that moves the hearts and minds of freedom-aspiring peoples everywhere; again, particularly those in captive Eurasia.

In the full perspective of the history of mankind, we, as a united, prosperous, and peaceful people, have with all humility every reason to be proud of our unique development and rich tradition.

Our society, to be sure, is not perfect. But, by all evidence, it is unquestionably one that has given so much in so many ways to so many within a short span in the history of man. It is one which has made this Nation most powerful, exemplary, and respected everywhere.

Contrary to some false notions, we do possess an ideology which inspires our continued growth as a morally leading nation and remarkably equips us to contend successfully with the present threat of imperialist Red totalitarianism.

AMERICAN IDEOLOGY DEFINITE AND DISTINCT

This ideology is plainly and precisely spelled out in our Declaration of Independence and the Bill of Rights. Normal American citizens, like you and myself, know the principles of freedom enshrined in these historic documents and the purposes they necessarily imply for the continued growth and leadership of our Nation.

A few in this country seem to think otherwise. It is a sad commentary on the faith that these few have in the strength and vision of the American people, no less in the political and moral foundations of our Nation, where they believe that by setting up a committee to define our national purposes, they could either improve upon or supplant the purposes and objectives of our Nation as provided by our own Declaration of Independence.

On this Independence Day it is vitally important for us to reflect upon the moral and political principles embodied in the declaration. Nuclear weapons, missiles, luniks, and the whole array of new technologic innovations—which by nature are only instruments and means—cannot reshape or antiquate these natural norms of civilized human existence.

Even more important at this time is the application of the perennial principles of national and individual independence to other nations and peoples. For, not only is the living application of these principles crucial to the further growth and development of our Nation, but it is also indispensable to the existence and survival of the nontotalitarian free world.

What a moving and powerful force our Declaration of Independence was on the various nations which were subjugated in the empires of the last century and a half.

Nations in the Russian, Austro-Hungarian, and Ottoman empires soon rose at the beginning of this century to declare their independence with a will to pursue an independent national existence similar to ours. But, in significant part, this was short lived as the unchecked surge of Russian totalitarian imperialism since 1918 once again reduced the many non-Russian nations of Eastern Europe and Asia to servility.

Today, we ourselves are seriously threatened by this barbaric peril. Worst of all, in our confusion, generated in great degree by the tremendous propaganda skill of the enemy, we aren't even aware of the enormous opportunities we have to defeat this menace in the cold war and thus stave off a hot global war.

The way, I believe, was demonstrated last year with the passage by the Congress of the Captive Nations Week Resolution. What this resolution, now Public Law 86-90, calls for is, in essence, a universalized Declaration of Independence.

For the first time, our Government recognized the fundamental fact that the Soviet Union itself is an empire, in which the majority of people constitute captive non-Russian nations. In addition to the three captive non-Russian Baltic nations, there are White Ruthenia, Ukraine, Georgia, Armenia, Azerbaijan, Cossackia, Idel-Ural, and Turkestan—held captive and occupied by foreign Moscow.

Following World War I, each of these—as did Poland, Finland, and others—broke away from Russian imperial rule, only to be reconquered one by one on the divide-and-conquer principle. Without these economically rich non-Russian colonies in the Soviet Union, Russia, with less than half of the population of the Soviet Union, would be only a second-rate power.

When Congress passed this resolution last July, you will recall that Khrushchev reacted violently and fearfully. He persistently sought to reassure Vice President NIXON that there were no captives in the U.S.S.R.

Unfortunately, in our country the greater part of our press was puzzled and bewildered by this development; in fact, many for the first time learned that there are nations like Turkestan and Cossackia in the U.S.S.R.

KHRUSHCHEV FEARS INTERNAL AWAKENING

Now, why did Khrushchev react with such verbal violence against this resolution? Our Government spoke often in the past about the few captive nations in Central Europe—the so-called satellites—and, yet, no such reaction was produced.

The answer lies in the fact that there is a serious colonial problem within the Soviet Union, which Moscow calls "bourgeois nationalism"; and if this is dragged out into the spotlight of world attention and opinion, the proper characterization of Russian Moscow as the last major colonial and imperialist power in the world would be devastating to its propaganda and cold war efforts. Khrushchev well understood this and ranted against the resolution months after; we remained puzzled and bewildered, and muffed our opportunity.

Our opportunity, I am convinced, will come once we realize the following:

1. That the Soviet Union is an empire in itself, holding in bondage the majority of the captive nations in the Red totalitarian world.

2. That the issues of colonialism and imperialism within the Soviet Union are prime targets for our national concern.

3. That the chief type of warfare Moscow—and, before it, St. Petersburg—wages is propaganda warfare, one that we must equal and surpass.

4. That the cold war will be as permanent as the colonial imperium maintained by Moscow from the Danube to the Pacific.

5. That the universalization of our own Declaration of Independence is the appropriate and most formidable weapon in this type of war. Initiative, positive action, imaginative ideas can be ours with these new dimensions of thought.

The recent events in Paris, Japan, Cuba—indeed, in our own San Francisco—are not shocking to those who understand Moscow's traditional techniques. It has built an unprecedented empire by them.

These events should bring us back to the realities of the main struggle, for which we are, unhappily, poorly prepared. Toward this end, citizens throughout the country have formed in Washington the National Captive Nations Week Committee. In accordance with Public Law 86-90, the committee is stimulating a nationwide observance of Captive Nations Week beginning July 17.

We earnestly hope you will join in this observance. The Independence we enjoy, and will celebrate tomorrow, can only be preserved if we begin to translate it for all of the captive nations, both within and outside the Soviet Union, 2 weeks hence.

Don't be fooled by the slogan "coexistence or codestruction"; the real alternative is a policy of emancipation, beating Moscow at its cold war propaganda game. This we can do with hitherto unused weapons of truth; and year by year we can truly find ourselves deserving to rejoice as a free Nation in 1976, the 200th anniversary of our Declaration of Independence.

In addition to these convictions, Mr. Speaker, the recent countrywide observances of Captive Nations Week expressed also an important view regarding alleged Soviet unity. It holds that the myth of Soviet unity and power must be exploded so that the entire world may see what the Soviet Union really is—a loosely knitted quilt of captive nations where economic colonialism and political imperialism are rampant. Not only in the interest of truth but also in behalf of our stakes in the cold war we should be doing this. Instead of abetting this myth with such misleading concepts as Soviet nation, the Soviet people, and the Soviets, we should be stressing the empire nature of the U.S.S.R.—really the last imperial and colonial center in the world. It requires little reflection to see how this valid conception alters our other fallacious notions about Soviet military power, the Soviet economy, and the like. Mr. Speaker, we can have no hope of successfully competing with Moscow in

the main struggle of ideas, argument, and propaganda, until we correct our own misunderstandings.

By tradition and principle our overall policy cannot but be one of independence aimed at all the captive nations, which necessarily includes those in the Soviet Union. This would be not only in our strategic interest, not only in the interest of the freedom aspirations of all the captive nations, but it would also best aid the approximately 96 million Russian people to attain their independence from centuries-long authoritarian rule. When asked about the Captive Nations Week resolution last year, the President rightly stated:

> The United States would never believe and never accept the idea that a true peace had been established in the world until every single nation had the right to express its own views about its own destiny.

It makes little rational sense to hail the new States of Africa which have far less national sinews of historical continuity, geographical contiguity, religion, customs, language, mores, law, common experiences of war and peace, laws, heroes, and arts than the majority captive non-Russian nations in the U.S.S.R., and to overlook these nations which are situated at the very base of the enemy of the free world.

THE NATIONAL CAPTIVE NATIONS COMMITTEE

In accordance with Public Law 86-90 our private citizens established the National Captive Nations Committee, under the chairmanship of Dr. Lev E. Dobriansky, professor at Georgetown University, and the executive directorship of Thomas F. Connor. This committee planned and successfully stimulated the observances of Captive Nations Week this past July. As early as last January, Dr. Dobriansky called for such private action in an address delivered to the 1960 Women's Forum on National Security. Because of the pertinent contents of this address, I include it as part of my remarks at this point:

JUSTICE AND FREEDOM FOR PEACE AND FRIENDSHIP

(Address by Dr. Lev E. Dobriansky, professor of economics, Georgetown University faculty member, National War College, 1957–58, before the 1960 Women's Forum on National Security, Hotel Statler-Hilton, Washington, D.C., Jan. 30, 1960)

Ladies of America, your fellow citizens cannot praise you too highly for convening annually in this vital forum to deal with problems of our national security. This year, far more than in previous years, the forum is properly charged with a consciousness of urgency and solemn decision as we face the momentous and determining events of this new decade. It is both a privilege and pleasure for me to exchange with you certain basic thoughts on peace with honor at the very beginning of this decade of decision.

Hypothetically (and it couldn't be otherwise) if Khrushchev were standing here this morning, he would be forced to eat the words he uttered in the spirit of Camp David 2 months ago. Mimicking past dictators, he claimed that the West is hit by old age. (Interview by Maj. Salah Salem, Reuters, Cairo, November 10, 1959.) He illustrated his point by quoting Tolstoy: "When I was young, I was strong with women, but now I feel pain and bitterness—I have a great desire for them but I have no strength." "This," opines Nikita the sanguine, "is exactly the West's attitude." It is obvious that one of the many fundamental subjects he failed to learn during his triumphant cold war visit here is the full power of an American woman. That boundless power is reflected here. And it is this power, diversely generated in the sanctity of the American home, that provides the inspirational drive, the intuitive vision, the courage and will, the principled behavior which help to shape the soul of America. Poor Nikita Sergeyevich, he will never understand that behind American thrones rests the power of American women.

FIRST THINGS FIRST

The unique feminine capacity for placing first things first, for planning under the guidance of fixed principle and toward well-defined ends, is a facility by which the so-called intricacies of international relations could be easily unraveled. A study of foreign affairs and how they impinge on our national security demands the exercise of not only the mind but also the heart. Our gestures, our appeals, whether executed through economic, military, diplomatic, or other means, are necessarily directed at both the minds and hearts of peoples elsewhere. The success or failure of these efforts depends primarily on what we stand for, how well and passionately we articulate it, and why we are determined by common will to uphold and advance that for which we really exist. Basically, no matter from what angle of interpretation, the security of our Nation is inextricably tied up with this what, how, and why.

Peace with honor has no meaning without the principles, operational means, and objective ends that are respectively implied by our what, how, and why. Peace with honor carries a price set by these three determinants: by nature, it precludes peace at any price. The very formidability of our military defense structure is also founded on the what, the how, and the why. Billions of dollars worth of the finest military equipment could easily become a heap of junk if the national will to fight were successfully sapped by Moscow's cold war maneuvers. The being of our Nation—what the United States is, means, and symbolizes for people everywhere—subsists in the what of our principles, the how of our methods, and the why of our certitude, will, and vision. Peace with honor is only another way of expressing this national being.

JUSTICE AND FREEDOM FOR PEACE AND FRIENDSHIP

Let us examine first the what—the principles by which our Nation has become the most powerful on earth. Derived from our rich Judeo-Christian heritage and natural law, the moral and political principles of intrinsic personal dignity, equality before the law, individual liberty, private opportunity and enterprise, communal welfare, and national self-determination have formed the very foundation of the great tradition which is America. These principles are enshrined in our Declaration of Independence, the Constitution, and our Bill of Rights which in whatever age—the machine, the atomic, or space—have steadily mirrored the hopes and aspirations of peoples and nations throughout the world. These documents spell out a living and expanding revolution which affects peoples and nations not only in Africa and Asia but also within the Soviet Union itself. Freely blessed for self-criticism, we are the first to say that in the perennial light of these principles, many of our institutions require improvement, reconstruction, and change; but this is no reason for us to shy from the prodigious truth that our society stands in a contrast of day to night to the totalitarian jungle of Moscow's empire.

Those who today are virtually uttering "I'd rather be Red than dead," had no faith in these principles or in themselves before sputnik, no less after. But since the launching of the sputnik and, with it, Khrushchev's concentrated cold war campaign against the United States, many strange voices have been raised in this country. Their number and their depth attest to the effectiveness of Russian cold war propaganda. Without even knowing it, many have become efficient, costless tools of this propaganda. Worse still, in addition to the many other gaps thrown at us daily, they give witness to the basic intellectual and spiritual gap found in many quarters of our society. Their rantings about coexistence or codestruction, accommodation or war, evolution as opposed to revolution, disarm or perish, and other catchworded themes are not even poised on logic, not to say active, directing principles. Often among these fear mongers, the conception of self-preservation is a crudely physical one and their exhortations amount to an open invitation to national rape.

Ideologically, our firm bent as a Nation can only be along the path of justice and freedom for peace and friendship. Given our time-honored principles, our tested rules of national conduct, logically it could not be otherwise. Khrushchev's offer of peace and friendship is as spurious as his issue of capitalism versus socialism. Yet it is amazing how many in this country uncritically permitted their thoughts to slide with Hitler, the overriding issue with Khrushchev and his puppets is freedom and slavery. One imperialist system was smashed, another surges forth to threaten our national existence. Peace and friendship are the effects, the consequents, of justice and freedom, not their cause. Only through the advance and establishment of justice and freedom can the harmonization of relationships into normal concourse be attained to weld the true bonds of peace and friendship among nations as well as between individuals and groups. As in the case of his predecessors of many centuries, for Khrushchev the slogan of peace and friendship is only an instrument of calculated deception. Its logic rests only in the complacency, doubt, confusion, and naivete it can breed in the camp of the targeted non-Russian victim.

By simple analysis, justice and freedom for peace and friendship is the essence of peace with honor. It logically places first things first, it clearly transports the reality of our national being, and it demandingly calls for activity in thought and deed toward the creative growth of a free world environment. It suggests a more active agency for our thoughts and behavior than does the passive guideline of peace and friendship in freedom. Unending stress upon justice and freedom for peace and friendship alone can provide us, like the trained fighter, with maximum flexibility of action and maneuver against the already compromised opponent. Less than this means our own compromise and thus our curtailed flexibility.

THE COLD WAR GAP

Now let us turn to the how—the means, ways, methods by which we articulate, translate, and objectify the what. The efficacy of our methods—the how—depends on how well we understand and perceive the object against whom they are forged and employed. This involves our own conception of the cold war, our knowledge and understanding of the Soviet Union, and our awareness of the primacy of propaganda in the cold war arsenal of imperial Moscow.

We are barraged nowadays by unbalanced complaints about the missile gap, the big booster gap, the narrowing economic gap, and a host of other subsidiary gaps. This frenzy is doubtlessly to the keen delight of Khrushchev. For the past 2 years his masterful propaganda machinery has so well utilized old Potemkin Village tactics in connection with costly and pointedly concentrated

scientific, technologic, economic, military, and cultural projects that acute political neurosis has burst out in many sectors of our society. This was calculated to aid him immensely on the primary politico-psychological front and at the bargaining table on the diplomatic stage. The psychological treasures of Pushkin, Dostoyevsky, Tolstoy, and others are paying off vastly more than anything Marx was able to produce. Without casting self-reflections, one is almost inclined to say, "It takes a Slav to know a Slav."

Here, too, it is amazing that in all this dither about gaps, the truly most essential gap—the gap that will determine whether we'll plunge disadvantageously into a hot war or face, in moral surrender, a cold war defeat—is scarcely mentioned. The cold war gap, rather than any other gap, has accounted for freedom's tremendous losses these past two decades. Just bear in mind that the tides of freedom even receded when the other gaps were nonexistent. "From Atomic Monopoly and Air Supremacy to the Fear of Annihilation" might not be a pretty caption in the book of some future historian, but it cannot be denied that no nation in modern history has lost so much in so short a time as ours. Even during World War II we failed to understand our hot war ally who bore also the face of our cold war enemy. In the present, we witness the strange spectacle of our USIA Director indicating, in effect, himself and the Agency by trying to rationalize that the sputnik precipitated a worldwide belief in the scientific and technological superiority of the Soviet Union over the United States. By the same token, American Motors is supposed to be superior to General Motors by first exploring the Rambler field.

"The best way to eliminate war," said Khrushchev last year, "is the gaining of power by Communists all over the world." This statement alone gives one an insight into the nature of the cold war. On every continent Moscow is feverishly pursuing its goal of world domination while at the same time professing efforts aimed at a lessening of world tensions. This cold war maneuver has even succeeded in generating the illusion of a cold war cessation here. The plain fact is that cold war activity is a necessary coefficient of the Russian imperialist system and totalitarian structure. On smaller scales, it has always been. In the same way that the elimination of the Iron Curtain or a genuine and extensive liberalization of conditions in Moscow's empire would seal the demise of this empire, so the cessation of cold war operations would dry up its motivating forces of being. In short, the cold war is a basic motive force for the necessary expansionism of Moscow's empire without which its internal totalitarianism would have no justification for existence.

If eventually we are not to be cornered into making the drastic, or better, disastrous choice between a hot war at considerable disadvantage or humiliating cold war surrender, it is indispensable for us now to face up to the cold war gap, to grasp the traditional Russian cold war methods, to establish an efficient cold war apparatus, and to pose our own freedom challenges to Moscow. Those who counter that this might lead to a hot war, not only hide from the realities of the cold war but also, in their thinking, wind up with the reductio ad absurdum of this disastrous choice. In a military condition of mutual deterrence, the weight of net advantage naturally favors the one better equipped to wage the cold war. With the cold war gap, this advantage is Moscow's. Missiles, boosters, and evidences of the other gaps have no place in so-called intensive revolutions sparked off by patient subversion, infiltration, blackmail, and other devices in Asia, the Middle East, Africa, South America, and even in Cuba. Unless one is so far gone with haunting hallucinations of pushbutton co-annihilation, a skillfully executed cold war operation could even balance off, with much to spare, the effects of the other gaps. After all, man will always be the ultimate weapon; and freedom-aspiring men and nations in Moscow's empire are yet our most formidable weapon.

I have defined the cold war as a twilight condition of neither peace nor hot war where all the basic elements of a hot war—predatory design, aggressive strategy, tactics, and techniques—are present, except for open military combat between states. But the cold war, as waged by Moscow, is also a planned process leading to victorious results in time. This is why it is an illusion to speak of peace while this process is going on relentlessly and with increasing Russian confidence and arrogance. The prevalence of peace, thus, is measured not only by the absence of a hot war but also by the absence of a cold war and all that it entails.

Our situation in the cold war gap today embraces both a supreme paradox and an imposing irony. The supreme paradox is that while we fear to meet the demands of the cold war because it might lead to a hot war, Moscow shows no fear of a hot war resulting from its intense cold war operations. The imposing irony is that in any hot war we wouldn't think twice about establishing a politico-psychological apparatus which is the same that is desperately needed in the present cold war. For reasons of survival, if not national goals of expanded freedom, the cold war gap must be closed. Foreign economic aid, military alliances, and our own adequate Military Establishment cannot in themselves cope with Moscow's cold war operations.

Of course, the present Russian totalitarians possess the wealth of centuries of experience in cold war methods and techniques. From the 16th century on, their predecessors built an unprecedented empire with these selfsame techniques of subversion, infiltration, conspiracy, blackmail, and divide and conquer. There isn't a century for which cases cannot be given of the skillful use of these methods. Lenin learned these from the history of the empire, not from Marx or Engels. Being a true Leninist, Khrushchev exploits the fake philosophy of communism as a cold war instrument in the same way that the previous czars manipulated the equally fake philosophies of Russian Orthodox supremacy and pan-Slavicism. Also true to tradition, he bellows noninterference as concerns free interest in his captives just as his forebears had done in connection with their enslaved nations. Interference, in the Russian view, is only a one-way street outside the empire. The czars were also masters in instigating anti-Jewish agitation to discredit legitimate movements and institutions: Czar Nikita shows equal mastery in dipping into the sewers of prejudice to accomplish similar ends.

These and more are not just academic historical parallels. The past lives very much in the present. Khrushchev himself attests to this. Only last month, in Budapest, he compared himself with Czar Nicholas I who helped put down the Hungarian Revolution in 1848. Had we been prepared for the glorious opportunity provided by the Hungarian Revolution of 1956—and without involving our own forces—he wouldn't have had this chance to compare himself with a previous czar. Khrushchev today is playing a triadic role: like Nicholas, he is seeking Western consent and acquiescence toward his empire; like Lenin, he is advancing the ideas of nationalism, anticolonialism, and antiimperialism in Asia and Africa; like Stalin, he is holding firm to the totalitarian reins, accomplishing even more adroitly police state measures which Stalin handled crudely.

Khrushchev may have this wealth of experience in cold war operations, but we have to our enormous advantage the most fertile field for cold war application. To make use of this field in the interest of our own freedom, as well as others, necessitates the overcoming of a serious intellectual gap in our knowledge and understanding of the Soviet Union.

THE INTELLECTUAL GAP RE U.S.S.R.

When I authored the Captive Nations Week resolution last year, little did I anticipate that its able sponsorship and passage in our Congress would provoke Khrushchev to think that this intellectual gap in our country has been spontaneously closed. His actions showed that he fears this deeply, and with good reason. Once this gap is filled, in our eyes and the eyes of the free world, Russia will dwindle to proper size. Russian propaganda, which exaggerates the Potemkin Village achievements of science, technology, economics, and education in the U.S.S.R., would suffer irreparable losses. Our added knowledge, understanding, and perception of the Soviet Union, if skillfully used, could render Moscow indefinitely insecure within the Soviet Union itself. They would eliminate, too, many of our baseless fears.

It is not a stroke of superpatriotic rhetoric to declare that, on the basis of projected current trends, easily within the next 50 years no nation could be compared in total power and capability with the United States. The Soviet Union, factually and historically, is not a nation. In addition to Russia and its approximately 96 million people, the Soviet Union consists of many non-Russian nations which, significantly, make up the majority of captive nations in the entire Red Empire. One of them, Ukraine, with its 40 million people, is the largest non-Russian nation behind the Iron Curtain. Moscow has its internal satellites as well as its external ones. If the external ones, like Poland and Hungary, are deemed unreliable for Moscow's global purposes, the record of the past 38 years shows that the internal satellites, like Ukraine and Turkestan, are equally unreliable. Without the rich captive resources of these internal satellites, Russia would be a power no greater than an integrated Germany. Most of us are even unaware of the fact that about 35 million Moslems, many with strong ties with Turkey and Pakistan, are held captive in this primary empire of Moscow.

Give some thought to these fundamental facts and what they signify. These facts are expressed in the Captive Nations Resolution and Khrushchev recognized well their significance and their portent. Unfortunately, many of us still don't. Our economic and military comparisons are drawn on the basis of false and misleading concepts and definitions. There is no more a gross national product in the Soviet Union than there is a gross global product here. A gross imperial product, with phonetic emphasis upon the gip, is truer to fact. We approach a far more accurate and different picture of relative economic strength by only comparing the total output of Moscow's entire empire, which includes mainland China, with that of the free world alliances. The difference is staggering. Comparing the United States, which is a Nation, with the Soviet Union, which is an empire of many subjugated nations, cannot suit Moscow's propaganda mill better. It conceals all the facts of economic colonialism within the U.S.S.R. itself.

For the same basic reasons, our military comparisons are askewed. If we deem the armed forces of the external satellites as being unreliable for Moscow, there are firm grounds for a similar evaluation of the armed forces in the U.S.S.R. About 45 percent of these forces consist of captive

non-Russians, and these, by basic policy, are largely dispersed from their respective homelands in this substrate empire. Our memories are short, and our perspectives are narrow. Only in the past World War, millions of these non-Russians deserted to take up arms against Moscow. In the Hungarian revolution, Ukrainians, Russians, and others joined with the Hungarian patriots. In Napoleonic times, Alexander I threatened Europe with his armed might; before World War I, Czar Nicholas II scared Europe with the steamroller, his imperial armed forces; and now Czar Nikita engages in nuclear blackmail. In three major wars in this century, the multi-national forces controlled by Moscow disintegrated early in the deadly game. On the basis of these facts and more, one can understand why at the end of the recent 2-day session of the Supreme Soviet, the delegates were whisked away to see a performance of Tolstoy's "War and Peace." Their self-assuring theme song was that "no conqueror will ever again march through Moscow." Contrary to popular myth, both Napoleon and Hitler were defeated not by the empire's forces but by the emptiness of their ideologies. Both had nothing but continued slavery to offer to the Russians and non-Russian nations in Moscow's empire.

We, of course, seek to conquer no one. But we richly possess an ideology which emphasizes that freedom is indivisible. And in the permanent cold war it is the deadliest weapon against Moscow's totalitarian empire, the Soviet Union. Terms like "the Soviets," "the Soviet people," "the Soviet nation," or Russia as an equivalent for U.S.S.R. are marks of our intellectual lag regarding this basic empire. This lag is shown, too, by the fact that nowhere in our Government is there any continuous study made of the sensitive relations between Moscow and its internal satellites. Our ignorance along this fundamental line is appalling. We're like a football team facing an opponent without the advantage of a scout's briefing on his basic weaknesses. You wouldn't believe it, but 2 years ago an obtuse attempt was made to eliminate the non-Russian languages beamed by our Voice of America to the U.S.S.R. Thanks to a few alert Congressmen, the peoples there were spared listening to our programs in the language of their Russian captor.

THE WILL FOR FREEDOM

Now, finally, the why of our position on peace with honor. Principles and know-how are mute without the human will to enforce them. Our will for freedom is not just an emotion; it is a certitude, a vision with a rational outlook. On the basis of our principles and the capabilities set by our know-how, this will works creatively to mould that world order allowing for the free and maximum fruition of individual and national potentialities. Our conception of world order, based on rights and law, is the very negation of Moscow's colonial and imperialist totalitarianism. This will for freedom creates, not just preserves; it moves forward, not just rests; it is determined to see things through on the time-honored principle that the best defense is the offense. We are so growth-conscious today about our economy, foreign trade, the underdeveloped countries, space exploration and other fields: the one area we should be most growth-conscious about is the state of world freedom.

In this eventful year, you and your organizations can do much to further this will for freedom:

1. The year 1960 is a Lincolnian year, the centennial of a Presidency whose immortal words on the impossibility of half free and half slave applies on a global basis today. The year 1976 will be the 200th anniversary of our Declaration of Independence for which we should prepare with clean consciences and firm hearts. Instead of long-run economic plans, let us initiate in the spirit of our living revolution a 16-year freedom plan for spiritual rededication and a politico-psychological force that would stir the hearts and minds of people throughout the world;

2. More than anything else, Khrushchev wants our acquiescence and consent to the permanent captivity of the over 20 nations in his vast empire. His sputniks, luniks, and missilniks are all diversionary means for attaining this crucial objective. Unless we are bent upon suicide, this we could never allow to happen. In terms of our principles, not to say national strategy, such an accommodation is unthinkable. Your organizations can give full expression to this by preparing now for the first anniversary of Captive Nations Week this July;

3. The record shows that all recent summits have resulted in grave disadvantages for us. Two years of clever propaganda by Moscow has sucked us into another summit and perhaps a series of diversionary talkfests. Even now Khrushchev is reviving pressure on West Berlin. You and I can urge our President that the summit agenda include the basic issues of the captive nations and an integrated Germany and that our stand on West Berlin, which is only the tail of these issues, be firm and uncompromising. Before long we shall learn that the only self-respecting way to treat a totalitarian Russian is by firmness and confident resolve;

4. To close the serious cold war gap, your organizations can help immensely in this by supporting the important bills in Congress (H.R. 3880 and S. 1689) proposing the creation of a Freedom Commission and a Freedom Academy; and

5. We are constantly told to learn about and understand other peoples and nations. By all means. From the viewpoint of our own national security, I believe you will agree that a working knowledge and understanding of the many non-Russian nations in the U.S.S.R. ranks high in priority. You can develop this important interest which basically is in the interest of our own national security.

By doing what you believe in is the true exercise of the will for freedom. Our will for freedom is the backbone of the will to freedom among the enslaved. This will is at the core of peace with honor. This will is ably represented by you.

Mr. Speaker, along with many other Members of Congress, it has been my happy privilege to become an honorary member of this committee. This national committee of over 250 prominent Americans represents every major sphere of our society—labor, management, education, the press, fraternals, the entertainment world. The committee's preparations for Captive Nations Week were extensive and impressive. It stimulated the formation of local committees in about 50 major communities throughout the country.

It is not possible for me here to present all the evidences of this preparation, but the following selected items are sufficient to give an indication of the work of this committee. I include at this point the prayers printed in the colorful brochure, "Captive Nations Week, July 17–23, 1960," prepared and distributed in tens of thousands of copies. Dr. Alexis Carrel, a famous scientist, once said:

The most powerful form of energy that one can generate is prayer. Only in prayer do we achieve that complete and harmonious assembly of body, mind, and spirit, which gives the frail human need its unshakable strength.

Khrushchev scoffs at this because he fears it. Through such energy the committee released a letter to the President prior to the summit, statements on "The Summit Debacle" and "Nekulturniy Khrushchev," and on the eve of the observance letters to our newspaper organs, which also I include as part of my remarks:

PRAYERS FOR CAPTIVE NATIONS

O, Lord, the Blessed One, through Thy blessings and Thy unique compassions, succor all the human beings who are suffering under the oppression of the tyrannic and brutal acts of imperialist totalitarianism.

May they have the opportunity to enjoy their freedom and liberty, for they were equally created: may we, with courage and strength, always work to magnify this opportunity. (Prepared May 1960 by Geshe Wangyal, graduate of Buddhist Seminary, Tibet.)

Our Father God, Author of liberty, grateful for our own freedom we lift our prayer for the millions of God-fearing people—Thy children, who look up to Thee crying "how long, O Lord, how long," even as they are bound with the chords of a temporary tyranny.

In this desperate hour when the world's hope for a brighter tomorrow is so largely committed to our frail hands, strengthen us in Thy name to challenge all evil forces which deal in fetters of the body and mind and which seek to degrade human personality.

Without ceasing we would remember the captive nations in their cruel bondage—proud peoples with their precious traditions stamped into the dust while alien Caesars exercise their ruthless sway over them. Above all the tumult and shouting of these volcanic days we hear the summons of Thy voice as in centuries past. "Let my people go."

May we play our full part in the restoration of human rights everywhere. May no denial of human freedom by those who would crush the liberties of others contaminate our souls with the blight of expediency. Strengthen us with Thy might that the arrogant boasts of entrenched tyranny may but put steel into our purpose to break their grip upon the governments and lives they now enslave.

We thank Thee for the inner shrine in human hearts which no dictator can desecrate, and where blaze the candles of faith which no iron fists can snuff out.

Give us to see that to acquiesce in the crucifixion of freedom anywhere is ultimately to nail our own liberty on the same cross, knowing that with what measure we mete, it shall be measured to us again.

We ask it in the Name of the Redeemer who came to proclaim liberty to the captives and deliverance to those who are bound. Amen. (Prepared May 1960 by Dr. Frederick Brown Harris, Chaplain, U.S. Senate.)

O Almight Creator, who has endowed every human being with the power of free choice, hear the cries of Thy children from whom this precious birthright has been stolen. In this day when whole nations groan under the yoke of godless oppression, let those countless martyrs who have willingly shed their blood for Thee give testimony of their desire for the blessings of liberty.

O God of our Fathers, once Thy Chosen People begged Thee for deliverance from captivity in the Land of Egypt, and Thou didst take pity on them. Show forth Thy power today and lead from bondage the millions of Thy people enslaved by men who revile Thy very name.

O God of Wisdom, whose beloved Son has said, "You shall know the truth, and the truth shall make you free," let the light of Thy divine truth penetrate the hearts of

those who hate and persecute Thy people. Only Thy truth can bring that peace which the human race has ever sought—not merely the absence of armed conflict, but peace based on justice and freedom for every human creature.

O God of Mercy, regard not our unworthiness, for we do not pray for ourselves—but for the unknown millions who are suffering in silence for love of Thee. For their sake, O Lord, we earnestly beg Thee to hasten the coming of Thy reign of peace. Amen. (Prepared May 1960 by Rt. Rev. Msgr. John B. Roeder, vice chancellor, archdiocese of Washington, D.C.)

O Thou who are the peace of the world: Save our generation from the terror that cometh by night and the arrow that flieth by day; from the pestilence that walketh in darkness and its destruction that wasteth at noonday:

O Thou who hast led us across the Red Seas and the wilderness of the yesteryears in a vision of a divine covenant; quicken that vision in our minds so that with renewed faith we shall be its living witness and inspire free men toward a rebirth of freedom to face the promise of a new age:

O Thou who hast been our refuge and our fortress through the ages, our altar of devotion, light our lives with Thy sacred fire and our hearts with Thy flame so that with strength of spirit and courage of purpose we will strive toward a world bringing Thy light and Thy peace unto the children of men.

Bless Thou the men who raise the standards of Thy law in our own time; the men who are not neutral in time of evil nor turn their face when the wicked would barter the birthright of freedom for a mess of red pottage; the men who would rise to new sacrifice so that the captives will be freed and the age of a free church in a free state shall come for all Thy children;

Guide us and guard us and lead us forward so that through our labors in this moment of history we shall be the witness of Thy covenant and the time will soon come when the world shall be filled with the knowledge of a righteous God even as the waters cover the seas. (Prepared May 1960 by Dr. Norman Gerstenfeld, rabbi, Washington, D.C., congregation.)

MAY 12, 1960.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: On the eve of your departure for the summit meeting in Paris, I wish to take this opportunity to express the one central idea which binds the rapidly growing membership of this national committee, namely that in the light of our traditions and our moral leadership among the nontotalitarian nations of the free world it is unthinkable that we should fail to press the fundamental issue of the captive nations—those within as well as those outside the Soviet Union—as a paramount subject of summit discussion. Indeed, the U-2 incident and Moscow's distorting propaganda abuse of it necessitate that at long last we face the reality of all the captive nations, not just the minority of them in Central Europe.

In accord with the written intent of Public Law 86-90 enacted last year, this committee is a natural response to the reasoned convictions and judgments of countless American citizens who properly view the captive nations issue as a subject of cold logic and national strategy, not just one of warm sentiment and humanitarian concern. The surging, nationwide support for Captive Nations Week observance is impressive evidence that the rank and file of the American people view with abhorrence the slavery status of whole nations, the result of Moscow's imperialist totalitarianism. Our American people, thank God, are not reconciled to the captivity of millions by Red totalitarian tyrants, nor do we regard this as their permanent condition. We thus urge you, Mr. President, to expressly convey at the summit both the spirit and the contents of the captive nations resolution which our Congress passed last year.

Developments of the past 3 years, highlighted by sputniks and other basically diversionary Russian performances, cannot but cause us to recall here the apt words of Karl Marx—words which still are unquotable in Khrushchev's supposedly relaxed empire:

"They will have learned before that the idea of Russian diplomatic supremacy owes its efficiency to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. There is only one way to deal with a power like Russia, and that is the fearless way."

Applied to the current scene, this is doubtlessly a strong statement and, in part, exaggerated. But when one faces the paramount fact that, in this past century, of all the major colonial empires the Russian one was not only able to survive but also, behind the legalistic mask of the U.S.S.R., now even threatens the security of the nontotalitarian world, the aptness of the statement could scarcely be denied. It is most significant that this observation was made during the reign of Czar Nicholas I with whom Khrushchev now openly compares himself, as witness his Budapest address last December. With secrecy and espionage in the air today, we can all profit by reading the illuminating chapter on "The Secret Life of Russia" in Marquis de Custine's classic "Journey for Our Time," a work written in the days of Khrushchev's present model and about whom the author says: "when I gaze upon this personage, unique in the world, from close at hand, I believe his head has two faces, like that of Janus" (p. 215).

The cold war techniques of Khrushchev who has clearly earned the imperial title of Nikita the Surly, are essentially those of Nicholas I, the former and equally arrogant gendarme of Europe. Nuclear blackmail threats, exercises in Potemkin Village economics, and many other stratagems have their substantial precedents in the history of Russian empire building, written by the blood of both the oppressed Russian and non-Russian peoples. The peace-at-no-price attitude shown by Moscow toward the summit indicates in itself the manner by which it seeks to exploit this given opportunity. Its propaganda machine has even gone to the length of attempting to compromise the position of Western Germany by unjust attacks upon Theodore Oberlaender, the Refugee Minister of our ally, in whose defense scores of witnesses in this country could be supplied. Its propaganda exploitation of the U-2 incident, which may well backfire, is more generally known. In short, Moscow's carefully calculated game of bluff and bluster has reaped for it another summit: its aim now is to exploit it fully.

It cannot be too strongly emphasized that the irony of the current situation lies in the overall fact that Moscow is able to advance diplomatically and propagandawise though it is really operating from basic weaknesses and multiformed necessity. Our memories are short. All evidence shows that at the time of the Hungarian Revolution the Red totalitarian empire was in grave trouble. Surely the passage of 4 years has not erased the inherent weaknesses in the structure of this far-flung empire. Plainly, a ruler secure in his empire would certainly not erupt as Khrushchev had upon the passage of the Captive Nations Week resolution last year. Out of necessity and the need for time to consolidate, Moscow is clearly pressing for Western accommodation to its empire under the spurious label of "peaceful coexistence," along with the hope that its calculated propaganda of bluff and bluster may twist any indication of Western timidity into real concessions.

Unleashing Marx at Khrushchev, our actions should be completely guided by the historical truth that "there is only one way to deal with a power like Russia, and that is the fearless way." Disarmament, nuclear test bans, the misnomered topic of East-West relations, involving trade and cultural exchange, are in reality secondary issues. Khrushchev's overriding objective is free world assent and acquiescence to his empire. His emphasis upon disarmament and other subsidiary issues is designed to deflect our attention from the basic issue. The omission of this subject in summit discussion will certainly be propagandistically exploited in the empire to mislead the captives that the free world's interest in them has waned.

This committee, therefore, strongly urges that our Government seize every opportunity to insist upon this crucial subject as a major point of summit discussion. Failure to do so would be, in effect, an accommodation to Moscow's empire and a victory for Khrushchev, far surpassing anything his unreliable multinational military forces could achieve. We would be bolstering the security of his totalitarian, colonial system and undermining one of our most powerful deterrents against overt totalitarian aggression and a hot war, namely, the captive nations both within and outside the Soviet Union. The very implication of an assent to the status quo would make mockery of the Captive Nations Week resolution and also of the proclamation issued by you, Mr. President, last year. In terms of bargaining position, the captive nations are of enormous and strategic value to the security of the nontotalitarian world. Any rationalization to the effect that this fundamental subject might be discussed later in a possible series of summits would not mitigate some of the above effects.

This summit is truly a ripe occasion for the expression of our initiative, diplomatic offensive, and asserted knowledgeability as concerns Moscow's empire, which includes the Soviet Union itself. At every point we could express these qualities and place Moscow on a retreating defensive. The U-2 incident has revived the open skies plan and the need for breaking through the Iron Curtain. We could also point out that most of the territory flown over by the plane is captive non-Russian and forthrightly bring into question the legitimacy of Moscow's argument on international law. A law which in truth and history is not founded upon the inalienable rights of people is hardly one commanding of dutiful observance. We earnestly hope that after all that has been sensationally revealed by this incident, our Government will manifest at the summit that power of fearless initiative without which the unending challenge of Moscow's imperialist totalitarianism cannot be met.

With God's many blessings upon your historic venture and best wishes in our firm policy of justice and freedom for peace and friendship among all nations, including those in the Soviet Union, I am

Sincerely yours,

LEV E. DOBRIANSKY,
Chairman.

THE SUMMIT DEBACLE: A LESSON AND AN OPPORTUNITY

MAY 18, 1960.—The firm and honorable position taken by our President with regard to Khrushchev's arrogant demands at the summit warrants the praise and admiration of every American. The National Captive Nations Week Committee, made up of citizens dedicated to the spirit, principles, and content of the Captive Nations Week resolution, proudly lauds the President's forthright rejection of the Red czar's ultimatum. The President monumentalizes our stand of no Munich with Moscow's totalitarians.

The collapse of this summit should at long last signalize for all sober-thinking Americans the basic need to face up to the realities of the incessant cold war. Taking a leaf from Russia's imperialist history, the cold war will exist so long as captive non-Russian nations exist, both within and without the Soviet Union, and the Russian people themselves are kept in totalitarian bondage. It is a pity that our President had to be subjected to the indignities of an ill-bred leader who in the captive world has the fixed reputation as the "Hangman of Ukraine" and the "Butcher of Budapest." But perhaps this event will serve as a lesson to the many naive elements in our country who pressed these past 2 years for a deal with Red imperialist totalitarianism.

Khrushchev's insulting behavior was a calculated part of the zigzag cold war game played by Moscow, a game designed to undermine the resistance of freemen. Contrary to obtuse statements that the cold war will now be resumed, the stubborn fact is that the summit itself was an instrument of Moscow's cold war game. The cold war is merely in a state of continuation. It is fervently hoped that by this acid experience we will now begin to recognize the dire need for preparing and seizing the opportunities open to us for victory in this protracted conflict. Moscow's brand of peaceful coexistence or a hot war is certainly not the only choice before us.

The blustering Khrushchev statement on the opening day more than confirms the contents of our memorandum delivered to the White House last week. His statement and timed behavior provided the third phase in the summit development since November 1957: first he pressured for it; then, long before the grossly exaggerated U-2 incident, he arrogantly propagandized against free world interests; and now he brazenly prostituted the organs of international diplomacy by his design to humiliate the spokesman of the leading power in the nontotalitarian free world.

As we stressed in our memorandum last week, Khrushchev is operating from a position of weakness, not one of strength. All his bluster about military power, retaliation, space satellites and rockets—of secondary and tertiary importance in themselves—cannot conceal the deep, inherent weakness of his empire, which necessarily includes the numerous captive non-Russian nations in the U.S.S.R. Khrushchev's statement at the summit is in reality a statement of self-indictment. It attains to the same summit of diabolical fraudulence as his atheistic appeal to God as his witness. The entire statement is girded to the spurious sovereignty of the Soviet state, standards of international law, and the lofty principles of the United Nations Charter. It even alludes to the Soviet Union as being a nation.

The premises of this statement should not go without challenge at this time. The whole issue of the captive non-Russian nations in the U.S.S.R. is tied up with these premises. Our diplomacy of truth should be pursued to lay before the world the full truth of all the captive nations. On the basis of historical fact and truth there is no need to apologize for the U-2 incident. Most of the territory flown over, namely Turkestan, is captive non-Russian territory anyway. Clearly, in point of logic, if before the summit it was a distasteful necessity to conduct aerial reconnaissance over this non-Russian territory and the fringe of the territory of the Siberyaks, it is no less now. The promotion of an open society plan is only another way of calling for the emancipation of the captive nations. We should press for this now, with pointed concentration on the captive nations within the Soviet Union. We would be building up further one of our greatest deterrents against a hot war and, with truth as our weapon, defeating Moscow's cold war challenge. Needless to say, Moscow could ill afford a hot war with a progressively insecure empire. How frightened Moscow is by this prospect was plainly shown last July when the captive nations resolution was passed. Its three major wars in this century clearly demonstrate that even improved military technology cannot possibly overcome the basic forces of nationalism and human freedom. In all three, its military forces disintegrated early.

Khrushchev likes to compare himself with the equally arrogant Czar Nicholas I, the gendarme of Europe. For our time we cannot but quote again the apt remarks made by Karl Marx in Nicholas' time: "There is only one way to deal with a power like Russia, and that is the fearless way." A persistent campaign of truth about Moscow's empire—its economic colonialism, militaristic imperialism, and barbaric totalitarianism—would be enough to cage even a raving bear with a club.

NEKULTURNIY KHRUSHCHEV

It is nothing short of amazing that in all the verbal furor over the U-2 incident and the summit, two fundamental facts are completely ignored. Indeed, a persistent oversight of these two basic and determining facts hardly speaks well for those who today are most vocal on the issue.

The first clear fact is that the U-2 plane flew over mostly captive non-Russian territory in the U.S.S.R., specifically that of Turkestan, as well as over a fringe of the area occupied by decentralist Siberyaks. From the viewpoints of geography, history, and demography, Russian territory as such was not even involved in this incident. Unless we subscribe to the notion of sovereignty based on conquest and colonial domination by totalitarian Moscow (and many in this country unwarily seem to), this essential fact should forthrightly be put before the American people.

Curiously enough, when Congress passed the Captive Nations Week resolution last year, it rightly manifested to the world its solid understanding of the captive status of Turkestan and parts of Siberia. If we are truly dedicated to a diplomacy of truth, the time is now to bring into full question the fictitious sovereignty and hollow standards of international law which imperialist Moscow exploits to conceal its more basic empire from the world. An open debate grounded in essential fact and truth would be most salutary at this time.

The second notable fact which eludes the understanding of many in this country is the full and open exposure of the Nekulturniy Khrushchev (the uncultured Khrushchev) at the summit. Note is taken, to be sure, of his uncouth, boisterous and arrogant behavior, but these are only symptoms of his essentially uncultured character. It cannot be too strongly emphasized that the effects of this exposure are felt in the hearts and minds of the Russian intelligentsia itself.

Khrushchev pretends to represent the Soviet people. He, of course, does not represent the captive non-Russian nations and peoples in the U.S.S.R. His reputation among them is that of the hangman of the Ukraine and the butcher of Hungary. But also vitally important is the fact that Nekulturniy Khrushchev does not represent the culture and intellectual attainments of the Russian nation itself. Against the rich background of Russian culture and civilization the barbaric behavior of Nekulturniy Khrushchev at Paris is unquestionably an ineradicable blot in the pages of Russian history. Without doubt, this barbaric spectacle has brought nothing but disgust and shame to the minds and hearts of the present Russian intelligentsia.

Whereas the Russian intelligentsia cannot express itself on this score, we as a free people can do it for them. Khrushchev clearly established his reputation at Paris as Nekulturniy Nikita. This appropriate nomer, Nekulturniy (ne-kool-toor'ny) Nikita or Khrushchev, deserves to be heard throughout the nontotalitarian free world. Its general use would provide that free expression to the disgust and nausea that now dwells in the minds and hearts of cultured Russians.

A LETTER TO THE EDITOR

JULY 12, 1960.

EDITOR,
Washington Post and Times Herald,
Washington, D.C.:

Captive Nations Week will be observed on July 17–23. In accordance with Public Law 86-90, the National Captive Nations Week Committee was founded to prepare this observance. In most major cities, local committees have been formed to conduct the activities of this significant observance.

In view of the world developments this past year, the urgency of recognizing the strategic importance of all the captive nations to U.S. interests in the cold war cannot be too strongly emphasized. It will be recalled that when Congress passed the Captive Nations Week resolution last July, followed by the President's proclamation, Nekulturniy (uncultured) Khrushchev broke into a wild rage. There was good reason for this violent reaction. The resolution for the first time struck at the tenuous bases of Moscow's propaganda pretensions and claims by which it seeks to deceive and influence minds throughout the free world.

Unfortunately, the meaning of the resolution and Moscow's reaction to it were not fully understood by some of our observers. Your editorial then "Irritating the Bear," July 24, 1959, essentially held that we must not confront the sprawling bear with the club of truth. In the recent light of Paris, Tokyo, Italy, Cuba, and elsewhere, we earnestly hope you and others will now understand our position.

Our observance of Captive Nations Week expresses these convictions: (1) That the chief struggle is not in the nuclear and military field but in the overall propaganda and psycho-political; (2) that the only way to prevent a hot global war is to win the psychological cold war by the prime ideology of the freedom of all the captive nations; (3) that our Declaration of Independence, wisely externalized, provides the moral and political truths—as well as unsurpassable national purposes—to cage the Bear; (4) that the myth of Soviet unity and power must be exploded so that the entire world may see what the Soviet Union really is, a loosely knitted quilt of captive nations where economic colonialism and political imperialism are rampant; and (5) that by a firm and unwavering policy of emancipation and independence aimed at all the captive nations, including those in the U.S.S.R., we can best aid the Russian people to attain their independence from centuries of political barbarism.

Toward these ends and dynamic, programmatic action, we urge (a) the establishment of a permanent Congressional Committee on Captive Nations, (b) the creation of an executive agency on the self-determination of captive and occupied nations, (c) the institution of a freedom academy, and (d) the adoption of a policy of emancipation and independence. We call for a 16-year freedom plan, commencing with this anniversary Lincolnian year of the Great Emancipator and earning the honor of our being as the nation of world freedom by 1976, the 200th anniversary of the Declaration of Independence.

In the year of one of Khrushchev's favorite predecessors, Marx wrote: "They will have learned before that the idea of Russian diplomatic supremacy owes its efficiency

to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. There is only one way to deal with a power like Russia, and that is the fearless way." We're not imbecile or timid, but some are deluded and we have yet to take the fearless way.

LEV E. DOBRIANSKY,
Chairman, National Captive Nations Week Committee and Author of Captive Nations Week Resolution.

NATIONWIDE CAPTIVE NATIONS WEEK OBSERVANCE

Mr. Speaker, due to the tireless efforts of the National Captive Nations Committee and those of the many local committees, millions of Americans participated in the 1960 observance of Captive Nations Week. At my request, the committee has furnished me hundreds of newspaper clippings reporting the activities of this nationwide observance. Every section of the country is represented. Editorials and reports appeared in the New York Times, the Chicago Tribune, the New York Daily News, the Philadelphia Inquirer, the Daily Times of Maine, the Saturday Democrat of Massachusetts, the Sentinel of South Carolina, the Eastern Colorado Plainsmen, the Sacramento Union of California, and many others, large and small, from almost every State of the Union.

Mr. Speaker, to show the range and types of these reports on the observance activities throughout the Nation, I present the following selected items which I include as part of my remarks:

[From the Washington Star, July 24, 1960]

SPIRES OF THE SPIRIT—LET MY PEOPLE GO

(By Dr. Frederick Brown Harris, Chaplain of the U.S. Senate)

The test of America's boasted freedom is how much her free men care for those who have lost their liberty. To revel only in one's freedom, and to forget the fetters of others, is a base betrayal of our own heritage. Such forgetfulness is an ominous prophecy that those who do not fight for liberty everywhere will finally lose their own. There is absolutely no question more vital in this day of besieging problems than the attitude of the free nations toward the lands Soviet Russia has bound with the shackles of serfdom.

There is nothing on which the conspirators of the Kremlin are more adamant than their insistence that their imperialistic robberies be recognized and the status of satellite nations be accepted as final. That assumption is a definite part of their strategy to communize the whole earth. They have the effrontery to suggest to the free world that they agree to coexistence with those who are using every foul force to stamp out the fire of freedom in lands once free but now under the Soviet's savage sway.

The greatest imperialists of the age so discount the intelligence of the human race and so distort the facts that they now charge the very Republic which gave Cuba its freedom with plotting its enslavement. The system with millions of slaves in its iron hold threatens to "free" Cuba. Could the big lie be stretched to bigger proportions?

It is an appeal to the best instincts of America which sounds in the call of Congress and of the President for a specific week of remembering the captive nations whose anguished cry, "How long, O Lord, how long?" must never be drowned by the glorification of our own freedom. Nothing which he heard in our free land aroused the ire of the crude and cruel peasant who stands at the top of the Soviet pyramid of brute strength as much as any reference to Hungary, and the other captive nations.

No wonder, for it is the one heinous blot that gives the lie to all the fair promises of this vast principality of evil which has invented its own inverted and perverted dictionary in which the holy word "peace" means simply the victory of their tyranny.

Captive Nations Week serves notice on the Kremlin that no rocket-rattling will ever make America forget her vow to keep alive the knowledge of atrocities perpetrated, until the submerged nations are rescued from the invader and their soil no longer defiled by this abomination.

Our Congress has called the roll of those now under the Soviet yoke: Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, Rumania, East Germany, Bulgaria, mainland China, Armenia, North Korea, Albania, Tibet, and others. To make sure that the idea of Captive Nations Week does not prove to be simply an ephemeral sop to the American conscience, Congress specifically declares that "the President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world." With wholehearted approval President Eisenhower sounds a trumpet which must never know retreat in his ringing words, "There can be no true peace which involves acceptance of the status quo in which we find injustice to many nations and repression of human beings on a gigantic scale."

And what does all this have to do with "Spires?" Everything. It is under the church spires of America that there thunders the emancipating words of the Father God, to whom all souls belong and to whom all souls are dear, "Let My people go."

Every remembrance of the captive nations is a prayer. Their plight ought to be the subject of prayer in every temple of worship on the Sunday of the annual Captive Nations Week.

We can imagine no more moving scene in any church in America than the service at 11 a.m. on the dear Lord's blessed day of that week observed at St. Patrick's Catholic Church in the Capital of free America. Present were many whose ancestral roots are in the nations now enslaved. Many of them had fled from the present tyranny. From the high white pulpit of that lovely sanctuary Bishop Philip M. Hannan proclaimed the unvarnished truth in sermon and in prayer. His was indeed the voice of America, and the voice of the Universal Church as to the altar of the Most High the shackled millions were lifted in the arms of Christian sympathy and intercession.

In such an hour of worship in any church we are reminded of the final judgment test of the Master who came preaching release for the captives as He asks the piercing question, "When I was in prison did you come unto Me?"

In the spirit of that moving service in St. Patrick's, let us pray—Our Father God, author of liberty, without ceasing we would remember the captive nations in their cruel bondage—proud peoples with their precious traditions stamped into the dust while alien Caesars exercise their ruthless sway over them. Above all the tumult and shouting of these volcanic days we hear Thy summons, even as in centuries past, "Let My people go." Give us to see that to acquiesce in the crucifixion of freedom anywhere is ultimately to nail our liberty on the same cross, knowing that with what measure we mete, it shall be measured to us again. We ask it in the Name of the Redeemer who came to proclaim liberty to the captives and deliverance to those who are bound. Amen.

[From the Washington Star, Aug. 7, 1960]

COMMENDS DR. HARRIS

For some time now both my wife and I have been consistent readers of the "Spires of the Spirit" column written by Dr. Frederick Brown Harris in the Sunday Star. To us it has come to be a weekly must. And on the basis of my various associations I know that this expressed admiration for the column also reflects the thoughts and feelings of countless other readers.

I sincerely congratulate the Star for making the writings of the Chaplain of the U.S. Senate accessible to us. In his own right Dr. Harris is widely respected in many quarters of the globe for his remarkable capacity to interpret the temporal and ephemeral in terms of the eternal and universally necessary. His lucidly written column furnishes us with perspectives and insights which are not readily obtainable elsewhere. The manner in which he invariably weds principle and act, the moral idea and the experiential empiric, illuminates the meaning and significance of every current development he treats.

His recent article "Let My People Go" clearly substantiates these points. In behalf of all our citizens who observed Captive Nations Week, I wish to express publicly our gratitude and esteem for this superb literary rendition which will be widely distributed next year. Indeed, Dr. Harris presented the facts about the 22 captive nations with impressive accuracy. His column is a source of powerful spiritual sustenance for all its readers.

LEV E. DOBRIANSKY,
Chairman, National Committee on Captive Nations Week.

[From the Pittsburgh Press, July 17, 1960]

WHY YOU PRAY TODAY FOR 22 CAPTIVES—DR. DOBRIANSKY HAS AROUSED WORLD TO PLIGHT OF ENSLAVED

(By William Gill)

Because of the perseverance of one man, thousands of people here and in the rest of the United States will kneel today in prayer for the liberation of 22 nations held captive by the Kremlin.

He is Dr. Lev E. Dobriansky, 41, a balding, scholarly professor of Soviet Economics at Georgetown University in Washington.

A lieutenant-colonel in the U.S. Army Reserve, Dr. Dobriansky was teaching at the National War College when he conceived the idea for Captive Nations Week which starts today.

The year was 1958 and the United States, having failed to act in the Hungarian Revolt 2 years earlier, had all but buried its avowed policy of liberation of the captive peoples of Eastern Europe and Asia.

"Then, as now, I was increasingly concerned over the growing indifference in many American circles toward not only the status but also the strategic value of the captive nations," Dr. Dobriansky says.

New York-born, Dr. Dobriansky graduated magna cum laude from New York University, studied philosophy 7 years at Fordham and returned to New York University to earn his Ph. D. in political science in 1950. He is of Ukrainian heritage and is chairman of the Ukrainian Congress Committee of America.

Dr. Dobriansky views Nikita Khrushchev's peaceful coexistence as a sinister drive to break the wills of the captive nations by convincing the United States it is hopeless to encourage the spirit of freedom behind the Iron Curtain.

This, he claims, would amount to an American guarantee of the territorial integrity of the Russian Empire. Secure in this knowledge, the Kremlin could then step up its cold-war operations far beyond their present scope.

Washington had all but officially granted this guarantee when Dr. Dobriansky saw his opportunity to head it off in June 1958.

The executions in Hungary of ex-Premier Imre Nagy and Gen. Pal Maleter spurred widespread anti-Communist demonstrations in the United States and Europe.

At this point Dr. Dobriansky got a resolution introduced in Congress calling for observance of a Captive Nations Year. The House Judiciary Committee killed it, largely because a majority felt a year was too long for such an observance.

Dr. Dobriansky had to wait another year before another event gave him a second chance. The event was Vice President RICHARD M. NIXON'S visit to Moscow last July. Many saw in this a first step toward granting the guarantee the Kremlin wants.

To allay these fears, Dr. Dobriansky again introduced his resolution, this time pruning the observance from a year down to 1 week—Captive Nations Week.

Cosponsored in the Senate by PAUL DOUGLAS, Illinois Democrat, and JACOB JAVITS, New York Republican, the resolution was unanimously passed by voice vote on July 6. Massachusetts' Representative JOHN MCCORMACK, House majority leader, hustled it through the lower Chamber.

The resolution did not mince words. It said that the "enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence."

It named the 22 nations Communist Russia holds in bondage, some of them nations Americans never thought of as independent entities because they had been conquered by the czars.

It sidestepped the promise of any direct U.S. action to set these nations free but it tied their continued resistance to America's own national security.

Finally, it urged the President to issue a proclamation setting aside Captive Nations Week to encourage this resistance.

Dr. Dobriansky claims the State Department is responsible for watering down the version signed by President Eisenhower last year. But this was barely noticed in the fireworks that followed.

Nikita Khrushchev squealed like a stuck pig. On the eve of Mr. NIXON'S arrival in Moscow, he let loose a series of blasts at President Eisenhower for having the temerity to set aside a week of prayer for the captive nations.

Mr. Eisenhower returned the fire and he was backed up by leaders of both parties and most notably by George Meany, president of the AFL-CIO. Mr. Meany called Khrushchev's outbursts "only a demonstration of the inherent weakness of his sprawling slave empire."

In Moscow, Khrushchev got into a heated argument over the proclamation with Vice President NIXON as they toured the American exhibit.

Khrushchev's tirades did not deter Congress from passing the resolution again this year.

DOBRIANSKY ON RADIO THIS WEEK

Pittsburgh will have a chance to hear Dr. Lev E. Dobriansky on two local radio stations this week.

Today at 5:30 p.m. on WPIT, Dr. Dobriansky will take part in a Georgetown University Forum session titled "Moscow's Reaction to Captive Nations Week."

Tuesday at 9:05 p.m. on KDKA radio, Dr. Dobriansky will discuss the significance of the observance.

Justice Michael A. Musmanno, of the State supreme court, heads the Captive Nations Week observance in Pittsburgh and will speak tomorrow at a luncheon rally in the Roosevelt Hotel.

Other Pittsburghers on the national Captive Native Nations Committee include Bishop Nicholas T. Elko; Michael Komichak of the Ukrainian Congress Committee; Michael J. Vargovich of the Catholic Slovak Union, and Bozidar Vuckovic of the Croatian Fraternal Union.

[From the Lincoln (Ark.) Leader]

A TIME TO TAKE STOCK

As a result of long fumbling of our diplomacy, military intelligence, and economic relations around the globe, the United States is today in deadly peril of joining the captive nations. If we should collapse under the pressures our slop-happy policies have generated against us, we could no longer be of assistance—morally, spiritually, or financially—to any nation. And if we should collapse, the other presently free nations would go into Communist bondage along with us. The lamp of freedom would finally have been extinguished on this earth. And if Khrushchev should drink himself to death celebrating, it would be no help to us.

We might, therefore, in our Captive Nations Week observances find a place for emphasis on how not to become a captive nation—a review of our global blunders, say from Tehran to the U-2 and some suggestions for reform at this 11th hour. They may readily be found in BARRY GOLDWATER'S "Conscience of a Conservative."

Such emphasis might be of practical value in stiffening some political spines—in and out of Congress—especially as the week is more or less concurrent with the rising of the presidential campaign curtain in the drama (or tragedy) of the political titans searching for lollypop issues and policies that they hope we will all grab at.

[From the Arkansas Herald, July 18, 1960]

CAPTIVE NATIONS

We Americans, luxuriating in the lap of freedom, are now preoccupied with the business of choosing our national leaders. We nominate and vote for whomever we choose.

Whoever we elect will not control our lives. Our leaders are restricted to administrating laws enacted under representative government.

Some 225 million people behind the Iron Curtain are not so fortunate. They are captives of a Communist hierarchy that has absolute power, enforced by police, to proscribe their every freedom.

To help these hapless fellow beings is the purpose of Captive Nations Week which began Sunday by joint resolution of the U.S. House and Senate.

By whatever means we can, each of us should do our bit to let these submerged nations know we are pulling for them. This is not only our moral obligation, but it serves our national interest.

Dissatisfaction of captive peoples constitutes a ball and chain on the Red masters. They are not free to do as they choose so long as a spark of revolt burns. Keeping the Communist leaders preoccupied with internal difficulties is one of the strongest deterrents to war.

At very least, each of us can pray this week for the well-being and ultimate delivery of our silent allies for freedom who are suffering at the hands of tyrants.

[From the Dallas News, July 17, 1960]

DALLAS MAYOR SETS CAPTIVE NATIONS WEEK

Captive Nations Week in Dallas will be observed starting July 17, Mayor R. L. Thornton proclaimed Friday.

The week, commemorating the struggle for freedom by nations under Soviet domination, was approved by Congress on July 17, 1959.

"The third week in July will be designated with a similar proclamation until such time as freedom and independence shall have been achieved for all the captive nations of the world," said Mayor Thornton.

The proclamation pledges the "support of the Government and people of the United States for the many nations throughout the world made captive by the imperialistic and aggressive policies of Soviet communism."

[From the St. Paul (Minn.) Wanderer, July 28, 1960]

CAPTIVE NATIONS WEEK

When, in accordance with a law enacted by Congress, President Eisenhower last year proclaimed a Captive Nations Week, his action provoked a storm of Soviet denunciation. What? Captive nations? Ridiculous. Nowhere, the world was told by Moscow, do the bells of freedom peal more loudly than in happy Hungary, the joyously self-governing Baltic States, lighthearted Poland, Czechoslovakia, Bulgaria, Rumania, and Albania—all, of course, with a little friendly watchfulness on the part of the actual, or potential, presence of the Soviet Army.

President Eisenhower has again proclaimed a Captive Nations Week, again in accordance with a law of Congress and again inviting a torrent of abuse from Moscow.

Speeches and editorials attacking President Eisenhower were published simultaneously with glowing accounts of how the people of the Soviet Baltic Republics were celebrating in festive mood the 20th anniversary of the establishment of Soviet power.

The official newspapers of the Communist Party and the Soviet Government published greetings from the Kremlin leaders to the Communists chiefs in Latvia, Lithuania, and Estonia.

All through the past week huge rallies have been organized to "voice the joy over the liberation of these people from the bourgeois Fascist boot" so that they are now "free to march forward in the building of communism," it was declared.

The scathing sarcasm in which public utterances on the subject of the proclamation of Captive Nations Week was expressed was a clear sign of the indignation with which the Soviet leaders view such action.

The most vehement denunciation was an editorial in the Communist Party paper Pravda. It termed the action "just another insolent and stupid international provocation, spiced, moreover, with unpardonable lies."

Despite the Red anger, it is appropriate, and essential, that the West continues to assure these imprisoned people behind the Iron Curtain that they have not been forgotten. It is not its purpose to employ force to reestablish their independence. If independence is ever to be achieved it must be achieved by peaceful means. But we do not intend to forget the wrongs done to these small nations by an overpowering neighbor nor to abandon hope that the day will come when they will once more live in freedom.

[From the Catholic News, July 23, 1960]

MASS FOR CAPTIVE NATIONS OFFERED AT ST. PATRICK'S—HIS EMINENCE MEETS REPRESENTATIVES OF 23 COMMUNIST-DOMINATED COUNTRIES AFTER MASS

Representatives of 23 Communist-dominated European and Asian countries, many in colorful national costumes, attended mass at St. Patrick's Cathedral on Sunday, July 17, to mark the opening of Captive Nations Week. Over 2,500 persons were in the congregation to mark the second year of such an observance, many recalling the resentment voiced over the institution of such a week by Premier Khrushchev last year when he complained bitterly to Vice President NIXON over the publicity given the inaugural meeting.

His eminence Francis Cardinal Spellman presided at the mass. The assistant priest to his eminence was the Right Reverend Monsignor Bela Varga, noted leader of the

Hungarians in exile and last president of the free Hungarian Parliament. Deacons of honor to his eminence were the Very Reverend Monsignor Jonas Balkunas, chairman of the Conference of Americans of Central-East European Descent and pastor of Transfiguration Church, Maspeth, and the Right Reverend Monsignor Stephen R. Krasula, pastor of St. John Nepomucene in Manhattan. The Right Reverend Monsignor Terence J. Cooke, vice chancellor of the archdiocese, was master of ceremonies to his eminence. The celebrant of the mass was the Very Reverend John A. Flynn, C.M., president of St. John's University.

The preacher of the occasion was the Right Reverend Monsignor John J. Dougherty, president of Seton Hall University, South Orange, N.J. The text of Monsignor Dougherty's sermon was as follows:

"We have come together in this sacred place for a very serious purpose. We have come to this great cathedral not to be injected with 'the opium of the masses,' but to be inspired and strengthened by the mystery of the Mass. We have come to kneel in the majestic silence of this House of God to look with compassion on the suffering of our fellow man. Who are we? We are little men and women confronting history's largest and darkest hour. You are sons and daughters of many nations. Once free, now enslaved. We, who are Americans, join you, lest we forget the monstrous tyranny that has devoured your countries like a rampant bear. We have come to remember those that are enslaved, the captive nations, who sit 'in darkness and the shadow of death.' We have come to call upon God to remember them. We are here to pray in Christ's name and through His holy Mass, recalling His words of hope, 'You shall know the truth and the truth shall make you free.' We are here to examine our souls, to call to mind the responsibilities of free men, to weigh the cost of liberty.

"We begin today the observance of Captive Nations Week. This solemn religious service demonstrates the church's compassion for the enslaved peoples of the world, and manifests her longing that they be free. The church marshals the ranks of her children, arms them with the moral weapon of her most precious and powerful prayer, the holy Mass, and at the head of her spiritual forces pleads with God and men for the liberation of the captive nations. By this solemn service, and others like it, she proclaims to the world that she is the champion of the enslaved peoples and the eternal foe of the Communist ideology of their tyrannical masters. The church is confident that this unnatural ideology, so opposed to the nature of man and the God of nature, cannot endure. Her essential mission is to bring to man the blessings of personal spiritual and moral freedom through God's grace. She recognizes, however, man's elemental need for political, economic, civil, and religious freedom. She puts the weight of her spiritual authority and venerable dignity behind man's struggle for these freedoms.

"In this cathedral on this morning, her cry is once more hurled against the tyrant, 'let my people go.' The church has extended centuries of sympathy to the oppressed, since the day that her founder, standing in the synagogue at Nazareth, described His mission in the lines of the prophet Isaias; among them were these words: 'To proclaim to the captives release.' The faith of the church is the hope of the captives, and the hope of the church is that their faith will support them till their freedoms come. Faith's freedom is a life that no tyrant can destroy, no secret police can root out, no concentration camp can starve out. By such freedom must captives live until their other freedoms are restored, and God will in His good time see to that.

"Captive Nation's Week is the challenge of this Nation flung at the tyrant's feet. The resolution inaugurating it was passed by the Congress of the United States on July 9, 1959, and is now public law. It is a cry of protest against Communist tyranny that shall not be silenced 'until such time as freedom and independence shall have been achieved by all the captive nations of the world.' Since 1918 Russian communism has subjugated by direct and indirect aggression about 1 billion people, has deprived of national independence Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, the mainland of China, Armenia, North Korea, Albania, North Vietnam, Tibet, and other nations. It has founded its empire upon atheism, genocide, torture, slave labor, and Communist terror.

"That is why there is a Captive Nations Week.

"There is a Captive Nations Week because in the words of President Eisenhower's proclamation, 'Soviet-dominated nations have been deprived of their national independence and their individual liberties.' Because 'it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations of freedom and national independence,' because 'the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent.' There is a Captive Nations Week because in the words of the resolution of the Congress of the United States, 'the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples.'

"This undying cry of protest will reach the ears of the captive nations and kindle the ashes of their hope. It will reach the ears of the Kremlin masters and fill them with fury. Men who live by the lie are infuriated by the truth. But the cry must go on, until it becomes the shout heard around the world. Too long have we been silent, too long have we spoken with a soft voice. The captive nations are a fearful reminder that the alternative to nuclear war is not coexistence, but slavery.

"We are the hope of the captive nations, they look to us as the citadel of freedom. This is the destiny committed to us by history, and we must be worthy of it. This is our birthright and our glorious heritage. In the words of Woodrow Wilson:

" 'We in America have stood from the day of our birth for the emancipation of people throughout the world who were living unwillingly under governments which were not of their choice. The thing which we have held more sacred than any other is that all just government rests upon the consent of the governed.'

"It was this philosophy that begot the Revolution of 1776, the Constitution and the Bill of Rights.

"It is not the philosophy that perpetrated the Bolshevik revolution of 1917. Today, we sons and heirs of the American Revolution, sons of Washington and Jefferson, confront the heirs of the Communist Revolution, the sons of Marx and Lenin, the Children of Cain. These two powers face each other like colossi that bestride the globe, two irreconcilable philosophies, the ideology of freedom and the ideology of slavery.

"Behind the Iron Curtain of one camp, the captive nations sit and wait. Weapons they have none save the explosive force of ideas, the concept of human rights and social justice, the ideas for which our forefathers fought at Concord and Valley Forge, ideas which many of their children have forgotten or ignored. This is the force that Communist imperialism fears, love of freedom, love of country, love of God. As long as these survive in the hearts of men, she cannot conquer all. This is the resistance that she fears; it is for her the shadow of death. It is this spirit, this resistance, that we must help keep alive by our moral and spiritual weapons, by the unceasing cry of protest, the anger of free men beholding tyranny. More than this is needed. Our Government should add strong political and diplomatic measures to supplement the cry.

"If the plight of the captive nations is not powerful enough to motivate us to action, our own plight should do so, for the inescapable fact is that the free world has come to the pass where it must now defend its own self-determination and independence. Will it or not, our fate is tied up with the fate of the captive nations, our freedom is bound up with theirs. As Lincoln said: 'The house of humanity divided against itself cannot endure permanently half slave and half free.' We know our course. We choose freedom for ourselves and all mankind with all the risks this choice demands, because for men who believe in God no other choice is possible. And may the Lord, God of Hosts defend us."

[From the Washington Star, July 17, 1960]

MR. K.'S CAPTIVES

Today begins what is known as Captive Nations Week. It is a week designed to keep us and the rest of the world from forgetting one of the ugliest and most tragic stories in modern history of mankind. The story is that of pitiless Soviet imperialism and what it has done to freedom in nearly a dozen once-independent lands.

These lands, in alphabetical order, are Albania, Bulgaria, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, Poland, and Rumania. The list, which included Yugoslavia until Marshal Tito declared his independence of the Kremlin some years ago, could be justifiably broadened to embrace such other countries as the Ukraine, which has long since been absorbed by the U.S.S.R. But the prime purpose of Captive Nations Week is to focus attention on the imperialistic crimes committed by the Kremlin since the beginning of the Second World War.

The Baltic countries—Estonia, Latvia, and Lithuania—have been gobbled up completely. As for the other victims, they are permitted, under puppet Communist regimes rigidly controlled by Moscow, to maintain some semblance of separateness from the Soviet Union. But this separateness is cruelly limited, and woe betide those who would dare attempt to expand it into genuine independence. The most frightful case in point is what happened to the Hungarian people in 1956 when they staged their heroic uprising for freedom and when Nikita Khrushchev and his colleagues answered them with naked armed force and a literal butchery of all their hopes and dreams.

This is one of the grim facts that will be stressed this week, as it ought to be stressed, by all friends of the once-free peoples now held in captivity behind the Iron Curtain. Certainly, as Ambassador Lodge once put it to the United Nations, "So long as independence remains unachieved, so long as the Soviet Union continues to intervene in the affairs of these countries, we cannot and we will not remain silent and unprotesting." On the contrary, "We will do what we can * * * to show these hapless victims that they are not forgotten, that they are not lost," and we "will continue to supply these people with the truth about our world and the truth about their world. At every opportunity we will assure them that * * * the old ties of kinship and friendship have not been broken."

These words constitute a good text for Captive Nations Week. Free men everywhere, together with their governments,

ought to give the most sober thought to the terrible nature of the crimes committed against the victimized lands. And those crimes, in turn, should serve as a measure of the stunning mendacity and monumental hypocrisy of Nikita Khrushchev's current propaganda assault on the West's American-led "imperialists" and "aggressors." What we face here is something that is at once as dangerous as it is contemptible.

[From the Pittsburgh Press, July 18, 1960]

RUSSIA TOLD SLAVES WILL REBEL IN WAR

Russia was warned here today that if it ever started a war against the free world it would be quickly overrun and overwhelmed by rebellion within its own slave empire.

Justice Michael A. Musmanno, of the State supreme court, told a Captive Nations Week rally at the Roosevelt Hotel that it is a big mistake to regard Russia as an invincible giant.

"Russia itself contains a population of only 96 million people," he said. "The non-Russians within the Soviet Union number 114 million * * * (in) 15 so-called Soviet Socialist Republics which at one time were free and independent nations."

"Along with the puppet nations of Eastern Europe, these republics constitute an ever-present threat to the power of the Kremlin," Justice Musmanno said.

"These nations * * * are moral and spiritual allies of the Western World and should receive our friendship and encouragement," he declared.

The justice said Khrushchev forces the United States to look to our security through never-relaxing vigilance and never-decreasing defensive strength.

"One of the most vital weapons in that defensive strength is the friendship and respect of the captive nations now languishing in chains behind the Iron Curtain," he said.

Col. J. J. Sustar, TV newscaster and former Czechoslovak war hero and diplomat, also spoke at the luncheon rally. William J. Tepsic acted as master of ceremonies and Michael Komichak was chairman of the event.

[From the Clarion, Catholic Parish of Glenview, Ill., July 10, 1960]

CAPTIVE NATIONS WEEK, JULY 17 TO 23

Lev E. Dobriansky, one of the originators and authors of the resolution which became Public Law 80-90 to establish this national observance, has now formed the National Committee on Captive Nations Week Observance. This national committee must have support. Contribute whatever you can for the work of promoting this observance on a huge scale. In this way let its voice be heard even in the Kremlin. Contributions to Captive Nations Week Observance, in care of Georgetown University, Washington 7, D.C.

Last year when Captive Nations Week became an official observance in this country, it so touched the nerve center of communism that Khrushchev was obviously shaken. The danger now is that some of our leaders may be happy to let the first anniversary slip by with less ceremony than National Pretzel Week.

* * * * *

The sufferings of the captive nations are beyond belief. Albania, Azerbaijan, Bohemia, Bulgaria, Byelorussia, Caucasus, China, Cossackia, Croatia, East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, Macedonia, North Vietnam, Poland, Rumania, Slovakia, Slovenia, Tibet, Turkestan, and White Ruthenia are the peoples being ground under the iron heel of the Reds. It is not just, it is not Christian, it is not human to negotiate on other matters without first insisting on freedom and free elections for these enslaved, for whose enslavement some of our most respected American leaders are directly to blame before God. In conscience we cannot write off millions who look to us for help. By negotiating we invite further Red aggression and become slowly reconciled to surrender by default.

[From the Wilkes-Barre (Pa.) Times-Leader, the Evening News, July 20, 1960]

CAPTIVE NATIONS WEEK PROCLAIMED

Mayor Frank P. Slattery has proclaimed the current week, July 17-23, as Captive Nations Week in Wilkes-Barre. The local observance is in conjunction with national Captive Nations Week which was approved by a resolution of Congress and proclaimed by President Eisenhower in recognition of the nations which are still under Communist domination.

Attorney Peter Paul Olszewski, city solicitor, and Stephen J. Tkach, president of Pennsylvania Slovak Catholic Union, are the local members of the national Captive Nations Committee. Congressman DANIEL J. F. FLOOD was one of the cosponsors of the House of Representatives resolution setting aside this week for the observance.

Some 22 nations with a total population of 800 million people are still under the heel of international communism, both Soviet and Chinese varieties, the Captive Nations Committee reports.

Rev. Andrew P. Maloney, administrator of St. Mary's Church, 533 North Main Street, Pittston, is also a member of the national committee and Congressman FLOOD is an honorary member of the body.

[From the Scranton Tribune, July 21, 1960]

CAPTIVE NATIONS WEEK

President Eisenhower's proclamation setting aside this week for the observance of Captive Nations Week has particular significance here in Scranton and northeastern Pennsylvania.

For here we have family bonds with most of the nations subdued and tyrannized by the Communist captors who have deprived millions of people of their liberties, their freedoms, and the right to govern themselves.

From before the turn of the century and up to fairly recent times our population in this area has been enhanced by men and women from European nations which have since been overrun by the ruthless Soviet despots. And most of these people have relatives and friends still held captive behind the Kremlin-erected Iron Curtain.

So it is particularly significant to us to "manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their aspirations for freedom and national independence," as urged by the President in his proclamation.

And we are in full accord, too, with the desire expressed by Mr. Eisenhower that U.S. Presidents continue to issue proclamations each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

[From the New York Times, July 18, 1960]

TWO FAITHS SUPPORT CAPTIVE NATIONS—HEEDING OF THEIR CAUSE IS STRESSED AT ST. PATRICK'S AND ST. JOHN THE DIVINE

Special services were held yesterday in St. Patrick's Cathedral and the Cathedral Church of St. John the Divine to mark the opening of Captive Nations Week.

Twenty-three nations under Communist domination were represented at St. Patrick's by expatriates in native costume.

Cardinal Spellman presided at the 10 a.m. solemn mass. The Very Reverend John A. Flynn, president of St. John's University, was the celebrant, and Msgr. John J. Dougherty, president of Seton Hall University, preached the sermon.

USE OF SPIRITUAL FORCES

In the sermon Monsignor Dougherty called prayer and the mass the most powerful weapons of the Roman Catholic Church in its efforts to lift the yoke of Communist tyranny from the enslaved peoples of the world.

"The spiritual authority and dignity of the church are forces behind man's struggle for political, economic, civil, and religious freedom," he said.

"The United States is the hope of the captive nations because they look upon us as the citadel of freedom. This is the destiny committed to us by history, and we must be worthy of it."

Asserting that the Communist ideology "is so opposed to the nature of man and the God of nature that it cannot endure," he added:

"Captive Nations Week is a cry of protest against Communist tyranny that shall not be silenced until such time as freedom and independence shall have been achieved."

At the Protestant Episcopal Cathedral Church of St. John the Divine the Reverend Canon John W. Pyle asked Christians "to strike a blow for Christ" by supporting the oppressed countries behind the Iron Curtain.

"We must make commitments, even though the risk is great," he said. "Unless we take chances, we can never know the true Christian ideal.

"It is entirely right for us to launch out against oppression. As Christians we ought to have identification with those who run a great risk to exercise their faith. The very essence of a belief in the right thing involves risk.

"The most dangerous thing we could do now would be to seek security and safety and forget about those in need."

[From the New York World-Telegram and Sun, July 20, 1960]

ESSAY WRITERS WIN PRIZES—CAPTIVE NATIONS THEME OF PROJECT

Gold and silver medallions were presented to the winners of the American Education Association's essay contest at ceremonies held yesterday in city hall in observance of Captive Nations Week.

The three winners—two New York City high school students and a Hunter College graduate student—were presented with the awards by City Council President Abe Stark. The theme of the essays was "Captive Nations' Contributions to American Society."

The contest was supervised by Mrs. Cathryn L. K. Dorney, editor of the AEA magazine, the Educational Signpost.

The winning students are:

Doris Lynne Garter, a junior at Martin Van Buren High School, gold medallion.

Kevin O'Brien, senior at Archbishop Molloy High School, silver medallion.

Pvt. Paul Benischek, graduate student at Hunter College, now on a 6-month tour of duty with the Army at Fort Dix, N.J., gold medallion.

The contest winners will appear at a mass rally sponsored by the New York State Committee for Captive Nations Sunday at 2 p.m. in Manhattan Center.

[From the Buffalo Courier-Express, July 19, 1960]

WEEK OF SOLICITUDE FOR WORLD'S OPPRESSED

The significance of Captive Nations Week, proclaimed by President Eisenhower for countrywide observance, is that—in an undetermined number of years hence—captive nations could refer to all nations if Soviet plans for world conquest are permitted to materialize. At present it refers to Asian and European lands which communism already has brought to heel, and all too soon could refer to lands in the Western Hemisphere which it menaces with its standard plan of action: Infiltration, subversion, and domination.

America would not be America—a sanctuary for seekers of freedom from many lands—if it forgot its traditional ties with

nations now held in the grasp of Red enslavement. These humbled people are in many ways the same as we Americans who cherish a way of life we have chosen for ourselves, but of which they—who once tasted freedom—only can dream despondently while they languish under Red tyranny. We would be strange Americans indeed if we felt no sympathy for them who have suffered every human indignity and outrage at the hands of their conquerors, and yet must endure ruthless subjugation that cries to heaven for vengeance.

They are our friends, believing in us and trusting us not to let them down with a cynical regard of their plight. We owe them the moral support of encouraging them in their hope of divinely vouchsafed deliverance and restoration to a free human estate. We need to grid them to ourselves, as it were with hoops of steel, for even now they are allied with us in spirit and fellow believers in freedom's cause, if not potential recruits in a showdown with aggressive dictatorship.

This week, in our commemoration of the tragic wrongs inflicted upon them, in our responsibility as free men to challenge and condemn their enslavement and in our prayers for their eventual liberation, we shall bring to captive nations comfort, solace and cheer, renewing their faith in things for which to live and in their ultimate realization.

[From the Park Cities North Dallas News, July 14, 1960]

CAPTIVE NATIONS WEEK OBSERVED JULY 17–23

It is fitting that during July, the month of freedom, we observe Captive Nations Week, scheduled this year for the week of July 17–23.

By special programs, sermons on freedom, display of the American flag, civic organization luncheon talks, radio and newspaper coverage, film presentations, and essay contest award announcements, it is hoped that the free peoples of the world may continue to be informed and concerned about the captive nations, and offer hope to enslaved millions.

The Presidential proclamation about captive nations stated that "such proclamation should be made each year until such time as freedom and independence shall have been achieved for all the captive nations of the world." His statement brings to mind the serious dilemma confronting the free world: Shall the captive nations enslaved by communism be written off to the Communists, or shall the free world take an active interest in them, and, what is to be gained or lost through such action.

Khrushchev and his clique, realizing that brute force cannot surpress indefinitely the drive for freedom and independence, has refined his methods with his policy of coexistence. This is the permissible philosophy of one step back under communism, until the propitious moment comes to shoot two steps forward.

It should be called to mind that when Mr. Khrushchev speaks of peaceful coexistence, he means nothing less that American acquiescence to the permanent security of his empire. His purpose is to gain time for the consolidation of his imperialistic empire which would come easy with the broken wills and hopes of the captive nations.

Sometimes reticent in taking a positive step, the free world should now make its position determinately clear to the Communists regarding the captive nations of any nation seeking freedom or self-determination. In a world in which the constant struggle for independence is on the daily newspage, it would certainly lessen the moral standard of the United States to refuse recognition to these facts. Many of today's nationalist movements found their inspiration in American history. It would be ironic, if the United States should ever find itself cast in the role of opposing independence movements seeking recognition of the kind of principles which established our own country.

Over 225 million people held captive by the Communists (besides the 700 million Chinese) represent a potent force who can become the free world's most reliable allies. It is also important to note that the stronger the hope and urge of the captives for their freedom and independence, the weaker the threatening position of the Soviets and, consequently the more secure is the status of the free world.

Our course of conduct in foreign relations should be tested by the standards we have pursued in our past. If it advances the cause of freedom, let us pursue it: if it injures the cause of freedom, let us reject it most vehemently. Only then can we hope to maintain our security and peace and at the same time, help others secure their God-given principles of freedom and self-determination. Our ultimate weapon is the inherent desire of all peoples for freedom. This is the peaceful policy of liberation in action. We must be alert to any cracks in the Soviet empire, and encourage and exploit any weakening bonds that tie the satellites to Moscow. In this meaning the idea behind the Captive Nations Week observance had a true and worthy purpose, and should find acceptance among all the free peoples of the world.

[From the New York Times, July 25, 1960]

ARTISTS STAGE PROTEST—CAPTIVE NATIONS WEEK MARKED BY DANCES AND MUSIC HERE

Artists representing captive nations staged a colorful demonstration of the spirited music, song, and dance of their homelands before 750 at the Manhattan Center on 34th Street yesterday.

White Russians, Tartars, Cossacks, Latvians, Ukrainians, Hungarians, and Slovaks, all in bright-colored native costumes, performed during the 2-hour program in observance of Captive Nations Week.

Jay Lovestone, assistant head of the international division of the American Federation of Labor-Congress of Industrial Organizations, said more and more Americans saw the fraud of Moscow's coexistence propaganda line. The AFL-CIO supports self-determination everywhere, he said.

[From the Washington Star, July 23, 1960]

CAPTIVE NATIONS WEEK

While in Austria, Khrushchev announced that he hoped to see in his lifetime the symbol of communism—their red flag—flying over the whole world. This has been said before by every other Communist leader. Unfortunately, people seem to ignore it. During the Captive Nations Week we should try to impress upon everyone that Communists are Communists, and not comparable to any well-meaning people, and that they even dare to openly declare their goals. We should understand that they use the word "peace" just to reach their goals, and the greatest "piece" they want to get is the United States of America, and they are deterred right now only by the fear of an upheaval of the captive nations, the spirit of which they are trying to break.

To destroy Khrushchev's plan we should start in the Captive Nations Week a concrete action: we should declare that we want to reach in our lifetime a situation where the symbol of slavery—the red flag—be obliterated and that communism would remain in people's minds only as a nightmare, and that everywhere there would be government of the people, by the people, for the people.

ALFRED S. BERG.

[From the Pittsburgh Press, July 17, 1960]

THE AGE OF SLAVERY

Captive Nations Week begins today on a grim note: Never in all the world's history have so many millions of people lived under oppression and tyranny. For this is not only the dawning space age—it is the age of slavery for 900 million human beings.

Captive Nations Week will not be celebrated—it is being observed solemnly. Justice Michael A. Musmanno of the Pennsylvania Supreme Court, who is chairman of the observance in the Pittsburgh district, has urged all "who are attached by family ties to any of the 22 enslaved nations" to display all week the American flag and "the flag of the country of their forebearers."

"I respectfully ask that the people of this area offer up prayers for the liberation of the 900 million people held in cruel Soviet bondage," Justice Musmanno declared. "We must not let them lose hope for their ultimate liberation. Let them know that the American people, who are the amalgamation of all the peoples of the world, believe in their just aspirations."

Perhaps the greatest tragedy of this age, however, is that many millions of these people do not even have such aspirations. Like creatures born in captivity, they have never known freedom and do not resist the stifling regimentation which robs them of their humanity.

THE WEEK AND THE RESOLUTION FOR A HOUSE COMMITTEE ON CAPTIVE NATIONS

These reports are only a sample of the coverages given the observance of Captive Nations Week. In every major State and city the activities of the local committees were reported almost daily. In each of these areas and in numerous towns throughout the country, authorities issued their proclamations and resolutions on the Week. As an example, I include here the Resolution issued in the city of Philadelphia:

RESOLUTION 65

Resolution requesting the mayor to proclaim Captive Nations Week, July 17–23, 1960, and calling for public observance of this occasion

Whereas the Senate of the United States of America and the House of Representatives of the United States of America have by resolution requested and authorized the President of the United States to designate the week of July 17–23, 1960, as Captive Nations Week; and

Whereas the President of the United States has by such proclamation invited the people of the United States to observe such week with appropriate ceremonies and activities; and

Whereas many people have been made captive by the tyrannous policies of Soviet communism; and

Whereas there are many good citizens of Philadelphia, whose national origins are associated with the victims of communistic oppression: Therefore

Resolved by the Council of the City of Philadelphia, That his honor, the mayor of the city of Philadelphia, be requested to proclaim Captive Nations Week, July 17–23, 1960; and

Resolved, That the citizens of Philadelphia, in accordance with such proclamation, be requested to cooperate in observance of this celebration, in churches, synagogues, civic and patriotic clubs, educational institutions, and wherever such observance should be appropriate.

By the request of the National Captive Nations Committee, the President issued from the summer White House in Newport, R.I., his proclamation of the

1960 Captive Nations Week. The contents of this proclamation are important to my proposal for a House Committee on the Captive Nations. I include it at this point in the RECORD:

CAPTIVE NATIONS WEEK, 1960

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism; and

Whereas the peoples of the Soviet-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent; and

Whereas it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence; and

Whereas by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as "Captive Nations Week," and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world:

Now, therefore, I, Dwight D. Eisenhower, President of the United States of America, do hereby designate the week beginning July 17, 1960, as Captive Nations Week.

I invite the people of the United States of America to observe such week with appropriate ceremonies and activities, and I urge them to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the peoples of those captive nations.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 18th day of July in the year of our Lord 1960, and of the Independence of the United States of America the 185th.

DWIGHT D. EISENHOWER.

By the President:

CHRISTIAN A. HERTER,

Secretary of State.

It is noteworthy, Mr. Speaker, that as in the case of last year's proclamation—in fact, more so—the Red totalitarians in Moscow reacted sharply and vehemently denounced this recent proclamation by the President and also the observance of the week by our private citizens. On this, the New York Times report on a brief analysis of the 1960 results of Captive Nations Week, as it appears in the August issue of Freedom's Facts, suffice to give us an appreciation of the deep-rooted fear Moscow has of the Captive Nations Week resolution. I incorporate here both the report and the analysis:

[From the New York Times, July 23, 1960]

RUSSIANS DENOUNCE EISENHOWER FOR U.S. CAPTIVE NATIONS WEEK—LEADERS AND PAPERS REACT WITH ANGER—DECLARE THAT BALTIC PEOPLES REJOICE ON ANNIVERSARY OF "LIBERATION"

(By Osgood Caruthers)

Moscow, July 22.—Soviet leaders and newspapers reacted angrily today to the proclamation in the United States of Captive Nations Week.

Speeches and editorials attacking President Eisenhower (who last Monday proclaimed the second annual observance of the week) were published simultaneously with glowing accounts of how the people of the Soviet Baltic republics were celebrating "in festive mood" the 20th anniversary of the establishment of Soviet power.

The official newspapers of the Communist Party and the Soviet Government published greetings from the Kremlin leaders to the Communist chiefs in Latvia, Lithuania and Estonia.

HUGE RALLIES ORGANIZED

All through this week huge rallies have been organized to "voice the joy over the liberation of these people from the bourgeois Fascist boot" so that they are now "free to march forward in the building of communism," it was declared.

The scathing sarcasm in which public utterances on the subject of the proclamation of Captive Nations Week was expressed was a clear sign of the indignation with which the Soviet leaders view such action.

They protest with extraordinary vigor that the people of the Baltic States were never before as well off as they are now under Soviet rule.

Setting the keynote on this theme was Mikhail A. Suslov, the Soviet Union's chief Communist theoretician and right-hand man to Premier Khrushchev.

Mr. Suslov attended anniversary festivities in Vilna, the capital of Lithuania, and spoke there last night of how "the American imperialists and their servants are displaying silly efforts to spoil the relations of the peoples of our countries."

"They hope that the remnants of bourgeois nationalism in the Soviet Baltic Republics will survive," he declared, "but all of these hostile machinations are doomed to failure.

"One must lose his senses to propose that the really free peoples of the Soviet take on the chains of imperialist slavery."

NIXON'S VISIT RECALLED

It was recalled here that exactly a year ago today Vice President NIXON arrived in Moscow and was almost instantly confronted by Mr. Khrushchev with an angry denunciation of Washington's endorsement of the congressional proclamation of Captive Nations Week. The subject was raised incessantly by Mr. Khrushchev during Mr. NIXON's visit.

The most vehement denunciation of this year's renewal of the proclamation by the White House was an editorial writer in the Communist Party paper Pravda.

He termed the action "just another insolent and stupid international provocation, spiced, moreover, with unpardonable lies."

"If the U.S. President was indeed concerned for the lot of captive nations, he need not have to go far," the writer continued. "Suffice it for him to take a look at what is going on right in his own house to find out whether many are free in America itself. * * *"

Similarly, these were expounded by Kremlin leaders in the Baltic capitals during the current celebration.

In Tallinn, the capital of Estonia, Otto V. Kuusinen, Finnish-born member of the ruling Presidium of the Soviet Communist Party, told the inhabitants that Soviet power had brought them benefits. In the Latvian capital of Riga the speaker was Nikolai M. Shvernik, former titular chief of state and also a Presidium member.

[From Freedom Facts, August 1960]

CAPTIVE NATIONS WEEK—1960 RESULTS

Millions of Americans took part in Captive Nations Week observances on July 17 to 23. There were special services in synagogues and churches. There were hundreds of special meetings, observances and rallies.

Through all of these events in many key cities Americans expressed their support for the hopes of captive peoples for freedom and national independence. They pledged themselves to struggle by every peaceful means to obtain self-determination and freedom for all captive peoples.

At the rally in Washington, D.C., the Honorable George W. Abbott, Solicitor of the Department of the Interior, declared that "as long as any nation is unfree, no nation can be completely free." A former Cuban businessman and lay religious leader, Miguel Kohly, said 90 percent of his countrymen were dedicated to freedom, but the remaining 10 percent were leading the "boldest piracy in history." His Excellency Il Kwon Chung, Ambassador of Korea, declared that there is no place for compromise or neutrality in the fight against communism, and added that freedom has never burned brighter in the bosoms of Koreans.

A HUNGARIAN FREEDOM FIGHTER SPEAKS

At the same rally an anonymous Hungarian freedom fighter made an eloquent plea. Speaking for peoples of the captive nations he declared, "We, members of the captive East European nations, turn to you, representatives of the free countries. We turn to you from the worst kind of slavery, pleading with you to deliver us from this hell on earth. We plead with you first of all in the name of the Creator, who blessed you with all the beauties, wealth and liberty, leaving us the sorrow, suffering and captivity. Sorrow and suffering are easier to bear, but it is captivity against which we rebel and beg you to aid us in casting off our yoke.

"If things go on the way they have during the immediate past, the tactics of the Communists will conquer every country, one by one. If you, the strongest, are afraid, what can you expect of the really weak? With determination and courage you could save the oppressed and, automatically, save yourselves. The price of your freedom is our freedom."

Senator KENNETH KEATING, Republican, New York, in a statement on the occasion of Captive Nations Week declared, "Their cause is our cause, their sorrow must be our sorrow, for freedom is a brotherhood or it is nothing. God made us to be free, and under God we must pledge to one another, across the oceans, across the curtains of iron, that freedom is not a separate destiny, but a common destiny * * * no free man can have ease of mind while his neighbors are shackled by the brutal chains of the sworn enemy of freedom."

THE IMPACT ON COMMUNISTS

What impact did statements like these have upon the Communists in Moscow and in other Communist-ruled capitals? Radio Moscow attacked Captive Nations Week even more bitterly this year than last. Claimed Commentator Orlov on July 19, the Americans cannot "stomach the fraternal relations of equal cooperation and mutual assistance within the Socialist system, for all this is in sharp contrast to their own relations with smaller or weaker countries, a clearcut instance of which are the recent imperialist intrigues, conspiracies, and interventions against Cuba and the Republic of Congo."

Communist propagandists in Bulgaria, Czechoslovakia, Hungary, Estonia, Albania, and other nations attacked Captive Nations Week as "a lying campaign," as a "slanderous campaign," and as "a provocative act," which could only "make the world public laugh."

The widespread and bitter Communist attack against Captive Nations Week by itself indicates that the truths proclaimed by the week's activities have hit a sensitive spot in the Communist armor. The Communist-propagated fiction that captive nations are free and equal partners in the Communist bloc is exploded by the groveling subservience of Communist rulers of the captive nations to every order and whim of the top Russian Communist.

PLAN FOR THE FUTURE

Captive peoples are not free to select their own government, make their own laws, run their economy, or decide for themselves the kind of lives they want to lead. All decisions are made by the state and the party and both are run from Moscow.

Captive Nations Week exposed the truth of Communist tyranny to the world, and Communists were hurt. They admit the truth of the charge when they deny the captive people the right to self-determination by a free and secret vote. They know that if captive peoples have the chance, they will throw the Russian Communists and their minions out of power.

By voicing this truth with strength and with conviction, Captive Nations Week puts the Communist masters on the defensive before their own people and before the world. The effectiveness of Captive Nations Week suggests that the struggle needs to be increased through participation of more millions of peoples of the free world. The struggle must continue until all captive peoples can say to the Reds: "Stop running our country and our lives. Go home. We don't want you here."

DR. DOBRIANSKY'S TELEGRAM TO PRESIDENT EISENHOWER

The President's reply to this new and harsher denunciation took the form of a challenge to Moscow to accept under U.N. auspices the conduct of free elections in all the captive nations and elsewhere in the world. The importance of such challenges and their follow-up should not be underestimated in the prime area of creational conflict and skillful propaganda they can have lasting results of benefit to the cause of world freedom. This is what the chairman of the National Captive Nations Committee had in mind when he dispatched a telegram to the President, congratulating him for this challenge. As reported in the Chicago Tribune and other national papers, the telegram was as follows:

President DWIGHT D. EISENHOWER,
Chicago, Ill.

We strongly congratulate you and heartily applaud the challenge of free elections you offered Khrushchev last night in your stir-Convention.

We and countless Americans urge that you and our United Nations Ambassador press ring address at the Republican National this challenge by every means in the forums of world opinion.

I am particularly happy over this development because in a letter addressed to you on September 12, 1959, and in subsequent communications I urged that this kind of challenge be made to Khrushchev in connection with his statements on Captive Nations Week in his foreign affairs article released last August.

Americans throughout the land cannot thank you enough for your Captive Nations Week proclamation last week. Once again Moscow has been rocked by this. It demonstrates again their fear of our Captive Nations Week resolution. We earnestly hope and urge that you will implement the resolution by honoring our proposal to create a Government Agency on Self-Determination of Captive and Occupied Nations which would place Moscow on a perpetual defensive in the cold war. This can be a further and very practical challenge.

Sincerely,

Dr. LEV E. DOBRIANSKY,
Chairman, National Committee on Captive Nations Week Observance.

In deriding this challenge Radio Moscow lied in this way:

The tendency of this process is quite evident. Almost half of all mankind has voted in favor of socialism (July 28).

In reply to this lie, we should have recited again and again for all the world to hear, the dates of Russian Communist conquest of all the captive nations listed in the Captive Nations Week resolution.

Mr. Speaker, it is because of our failure to follow up such opportunities as presented to us that I propose the necessary establishment of a House Committee on the Captive Nations. But this is only one reason justifying the creation of this committee. If the Members would read carefully the clauses preceding my resolution, they would recognize immediately the many pressing reasons for such desirable action.

For one, the two Presidential proclamations on Captive Nations Week—last year's and the recent one—call upon the American people to study these nations. A committee of this type would insure continuous studies and inquiries into all the captive nations. It would prove to be a constant source of knowledge and information about the captive nations. Its very existence would serve the purposes set forth and stressed in the Presidential proclamation.

Second, an active committee of this nature would by its studies, inquiries, and investigation, open for us new vistas of conception and understanding about the Soviet Union and the entire Red totalitarian empire. These new dimensions of thought would in turn contribute to the development of new, imaginative, and dynamic ideas and approaches by which we could successfully throw the ideological aggressors upon a perpetual defensive and into eventual defeat in the cold war. With the Powers' trial in Moscow, it would do well for us to bear in mind that almost the entire territory flown over by the U-2 plane is captive non-Russian country. A knowledgeable use of this basic fact at the time of the summit would have kept the Moscow totalitarians talking and thinking about this to present date.

The third additional reason for a House Committee on the Captive Nations is that the products of its systematic and continuous and concentrated work would go a long way to offset and negate Moscow's propaganda and infiltrative efforts in free Asia, the Middle East, Africa and Latin America. For example the focus of our serious attention upon the 35 million Moslems subjugated within the Soviet Union could not have the most salutary effects upon the entire Moslem world. Moreover, the contributions of the committee would bolster and vastly improve our posture and position in the paramount arena of contesting ideas and argument in the cold war.

Fourth, the Congress could display in no better way the pride it has in having legislated the Captive Nations Week resolution than by beginning to implement it with the formation of a permanent committee on the captive nations. As the data I provided here will show, the American people responded vigorously to the resolution in their observance of Captive Nations Week. Responding also to the President's call for the study of these nations, they have articulated the need for such a committee in their recent observances. Mr. Speaker, the resolution I am proposing here is a response to this popular demand, and I feel sure that every Member, after having read the samples of evidence given here, will share this feeling.

It is not enough to express from time to time our sympathy with the captive nations in Europe and Asia. The time has come for us to understand the basic ideology of all the captive nations. Reason, not sentiment is determinative here. The captive nations in the aggregate are perhaps even more important to our national security and that of the nontotalitarian free world than space conquests, missile superiority, and a host of other things. They are our great and formidable deterrent against the outbreak of a hot global war. So long as colonial and imperialist Moscow remains permanently insecure with regard to its captive masses, it will certainly venture into no hot war. Quite emphatically, it could scarcely afford one, for the captive nationals within the armed forces of the Soviet Union itself would be a constant threat and then an eruptive force in the empire. The captive nations in the aggregate are both an insurance for continued peace and a weapon for the advance of world freedom. They represent a tremendous strategic value for the forces of freedom.

This strategic value more than justifies the need for establishing a House Committee on the Captive Nations. Because of this value to our national security, we have rightly and appropriately formed specialized committees in the areas of space, atomic energy, and economics. The strategic value of all the captive nations, which means also those in the Soviet Union, is in itself a compelling and urgent reason for us to establish a House Committee on the Captive Nations.

Mr. Speaker, it is for this fundamental reason and all that it implies that I offer and submit for action in this session the following resolution to establish a House Committee on the Captive Nations:

Whereas two Presidential proclamations designating Captive Nations Week summon the American people to study the plight of the Soviet-dominated nations and to recommit themselves to the support of the just aspirations of the people of those captive nations; and

Whereas the nationwide observance in the first anniversary of Captive Nations Week clearly demonstrated the enthusiastic response of major sections of our society to this Presidential call; and

Whereas, following the passage of the Captive Nations Week resolution in 1959 by the Congress of the United States and again during the observance of Captive Nations Week in 1960, Moscow displayed to the world its profound fear of growing free world knowledge of and interest in all of the captive nations, particularly the occupied non-Russian colonies within the Soviet Union; and

Whereas the indispensable advancement of such basic knowledge and interest alone can serve to explode current myths on Soviet unity, Soviet national economy and

monolithic military prowess and openly to expose the depths of imperialist totalitarianism and economic colonialism throughout the Red Russian empire, especially inside the so-called Union of Soviet Socialist Republics; and

Whereas, for example, it was not generally recognized, and thus not advantageously made use of, that in point of geography, history, and demography the now famous U-2 plane flew mostly over captive non-Russian territories in the Soviet Union; and

Whereas, in the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom, we commence to win the psychopolitical cold war by assembling and forthrightly utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and other subjugated nations; and

Whereas the enlightening forces generated by such knowledge and understanding of the fate of these occupied and captive non-Russian nations would also give encouragement to latent liberal elements in the Russian Soviet Federative Socialist Republic and would help bring to the oppressed Russian people their overdue independence from centuries-long authoritarian rule and tyranny; and

Whereas these weapons of truth, fact, and ideas would counter effectively and overwhelm and defeat Moscow's worldwide propaganda campaign in Asia, Africa, the Middle East, Latin America, and specifically among the newly independent and underdeveloped nations; and

Whereas it is incumbent upon us as free citizens to appreciatively recognize that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a prime positive means for the advance of world freedom in a struggle which in totalistic form is psychopolitical; and

Whereas in pursuit of a diplomacy of truth we cannot for long avoid bringing into question Moscow's legalistic pretensions of noninterference in the internal affairs of states and other contrivances which are acutely subject to examination under the light of morally founded legal principles and political, economic, and historical evidence; and

Whereas in the implementing spirit of our own congressional Captive Nations Week resolution and the two Presidential proclamations it is in our own strategic interest and that of the nontotalitarian free world to undertake a continuous and unremitting study of all the captive nations for the purpose of developing new approaches and fresh ideas for victory in the psychopolitical cold war: Now, therefore, be it

Resolved, That there is hereby established a committee which shall be known as the Special Committee on the Captive Nations. The committee shall be composed of ten Members of the House, of whom not more than six shall be members of the same political party and of whom five shall be members of the Committee on Foreign Affairs, to be appointed by the Speaker of the House of Representatives.

SEC. 2. (a) Vacancies in the membership of the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as in the case of the original selection.

(b) The committee shall select a chairman and a vice chairman from among its members. In the absence of the chairman, the vice chairman shall act as chairman.

(c) A majority of the committee shall constitute a quorum except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of administering oaths and taking sworn testimony.

SEC. 3. (a) The committee shall conduct an inquiry into and a study of all the captive non-Russian nations, which include those in the Soviet Union and Asia, and also of the Russian people, with particular reference to the moral and legal status of Red totalitarian control over them, facts concerning conditions existing in these nations, and means by which the United States can assist them by peaceful processes in their present plight and in their aspiration to regain their national and individual freedoms.

(b) The committee shall make such interim reports to the House of Representatives as it deems proper, and shall make its first comprehensive report of the results of its inquiry and study, together with its recommendations, not later than January 31, 1962.

SEC. 4. The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times within or outside the United States to hold such hearings, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony as it deems advisable.

SEC. 5. The committee may employ and fix the compensation of such experts, consultants, and other employees as it deems necessary in the performance of its duties.

Mr. Speaker, the heart of the matter is that we are helping ourselves when we look to the interests of the captive nations. They are a strong factor in deterring the Kremlin from outright aggression that would provoke a nuclear war. Khrushchev knows he presides over a very uneasy empire. He realizes full well that the so-called Soviet Union is largely a political fiction, a forced alliance of peoples with past histories of independence, glorious cultures, and their own folkways. The Soviet rulers know better than anyone else the repressive measures they are required to use to keep the peoples of the captive nations prisoners. And, above all, the Soviet ruling clique is totally aware that the nations held in captivity dream of freedom and independence and a return to their once proud sovereignty. In such a situation, a strong third force would be on the side of the free world in the event of hostilities. Imagine the havoc such a force could inflict on Communist military installations, transportation, food supplies. Yes; the captive nations are a deterrent to war, and are at the same time strong, natural allies of the free world.

Mr. Speaker, history informs us that tyranny bears the seeds of its own ruin. Down through the ages it has been thus, one tyrant after another met his ruin in the blood baths of his own instigation. Many of us here today remember Hitler boasting that the Reich of his own violent creation would continue in glory down for a thousand years. We all remember, too, how this madman perished by his own plan of destruction, cornered literally like a rat, in a Berlin bunker—this bloodstained edifice pulled down round his own villainous head.

Yes, Mr. Speaker, we serve our Republic and the free world well when we look to cause of freedom for all mankind. Freedom is America's business—it has always been so and, pray God, it will always be so.

Let us now send out word and keep sending it out to the peoples of the captive nations that they are not forgotten in America—that their plight is our concern, that we shall never be reconciled to their sorry condition, that we shall continue to use every peaceful means at our command to bring about their release, their restoration to freedom.

What I propose here today is the development of another effective instrument to bring about that happy day of independence for these millions gripped in the vise of Red tyranny.

In all solemnity, Mr. Speaker, I say: Let us tend the lamps of freedom—the hour is late and the night is dark—but the dawn will be ours when all men may walk upright in freedom, and Red tyranny has been crushed.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I commend and congratulate our colleague, the gentleman from Pennsylvania [Mr. FLOOD], for the excellent presentation he is making here today. I know few men who are as fully qualified to know the real meaning of the threat of communism as does Mr. FLOOD. In 1952, the gentleman from Pennsylvania was a member of the Select Committee of the House of Representatives that investigated the Katyn Forest massacre, and the gentleman, indeed, played one of the key roles in writing the indictment—the first indictment against the Soviet Union for committing this monstrous atrocity against some 15,000 Polish Army officers who were our gallant allies in World War II. I think the gentleman's analysis of the importance of this captive nation's resolution which the Congress adopted last year is, indeed, very penetrating and the gentleman would be happy to know that only this year in the city of Chicago in pursuance of the captive nations' resolution, we held a great service and ceremony on Captive Nations Day. Some 5,000 people attended. I would like to stress the importance of this point that the gentleman has brought up. This ceremony was arranged by Mayor Daly. It was a magnificent sight to see the representatives of the 14 captive nations, that the gentleman from Pennsylvania just mentioned, standing there with their national banners and flags raised high and their voices and their hopes high that some day these captive nations would join the family of free nations of the world. I congratulate the gentleman for the outstanding presentation he is making today.

Mr. FLOOD. I thank my distinguished friend and colleague, the gentleman from Illinois. He is very kind. I am especially glad to see him here because he very graciously referred, Mr. Speaker, to my connection with the famous Katyn massacre investigation.

That massacre investigation would not have got anyplace at all if it had not been for the fact that this brilliant young man, now a Member of this distinguished body, was at that time my chief clerk and my chief interpreter. He was my right arm all through the months of this investigation. Since that time, I think largely because of his great service, the people of his great district in rural Illinois saw fit to send him here to join us so we could have the benefit of his experience as a colleague.

I yield to the gentleman from South Carolina.

Mr. DORN of South Carolina. Mr. Speaker, I wish to congratulate my distinguished colleague, the gentleman from Pennsylvania [Mr. FLOOD], for continuing to bring to the attention of this body and the country the grave danger we are in. I think the gentleman's plan could put the Soviet Union on the defensive in 5 minutes if we would adopt this plan and appeal to the captive peoples behind the Iron Curtain, as well as outside of the Iron Curtain.

For years we have been on the defensive. This plan could put the Soviet Union on the defensive instantly. I congratulate the gentleman.

Mr. FLOOD. I am glad my friend from South Carolina has taken this time. He has been with me for 10 years here when we both have been making this kind of speech, and I am glad to have his South Carolina dignity and accent added to this. Our southern colleagues are renowned for their patriotism and their opposition to communism and all it stands for. He speaks well for the South. I was born and raised in the South. I am not a "damyankee," I am just a "Yankee." I am glad he is here today to say those words.

Mr. HALPERN. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from New York.

Mr. HALPERN. Mr. Speaker, I would like to compliment the distinguished gentleman from Pennsylvania [Mr. FLOOD] for his introduction of this resolution to create a House Committee on Captive Nations. I would like to associate myself with his remarks, Mr. Speaker, as a cosponsor of the resolution, expressing the sense of Congress that the subject of captive nations should be included at the summit conference.

I am particularly pleased to support this measure. It is especially significant, Mr. Speaker, at this time, in view of the tragic scuttling of the summit conference by the Communists.

I ask unanimous consent to include my remarks on this subject at the conclusion of the speech by the gentleman from Pennsylvania.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FLOOD. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. TOLL].

Mr. TOLL. Mr. Speaker, I want to take this opportunity to commend the distinguished gentleman from Pennsylvania, one of the most valiant fighters against communism in the entire country. I compliment him for his splendid remarks on the subject of captive nations. I have a great number of people in my district who have relatives in these captive nations, Polish, Hungarian, Rumanian. I believe the people in these countries eventually will gain their freedom.

I wish to associate myself with every sentiment the gentleman from Pennsylvania has expressed.

Mr. FLOOD. I am very pleased with these expressions of support. I know the great city my friend comes from. Upon occasion I feel called upon to recognize him not as the gentleman from Pennsylvania, but the gentleman from Philadelphia.

Mr. MACHROWICZ. Mr. Speaker, will the gentleman yield?

Mr. FLOOD. I yield.

Mr. MACHROWICZ. I also wish to join the gentleman from Pennsylvania in his remarks and would just like to point out that at the time this Katyn Massacre Committee was appointed there was a great deal of doubt in the minds of some Members of Congress as to whether or not it could serve any useful purpose. However, history has told us that that Committee has served a tremendously useful purpose. It has been my privilege to have been back of the Iron Curtain twice since then.

I know that everyone behind the Iron Curtain knows the great work done by that committee, and I think the committee proposed now can do a great service for our Nation and for the cause of freedom everywhere.

One of the weaknesses of our policy is that we have frequently indicated our sympathy with people behind the Iron Curtain, but we have never yet developed the right kind of policy with regard to those people. A committee of the kind the gentleman is suggesting could do a great service for this Nation and for the cause of freedom throughout the world.

Mr. FLOOD. May I say to the gentleman from Michigan, Mr. Speaker, he served with me invaluably upon the committee making the Katyn massacre investigation, and may I remind you, Mr. Speaker, his name is MACHROWICZ. He has the honor and served bravely and nobly with the Polish armed forces before our country was in the war, and fought communism with his blood and his strong right arm with the armed forces of the motherland from which his people came. So he yields to no one in his awareness of the dangers and evils of atheistic communism and in patriotism and love of our country.

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that, the gentleman from New Jersey [Mr. RODINO] 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. RODINO. Mr. Speaker, I am pleased to join with the Congressman from Pennsylvania in sponsoring a resolution to establish a House Committee on Captive Nations.

As cosponsor of the recent captive nations resolution which was approved by the House last spring, I believe that this is a most appropriate followup to demonstrate to the Soviet Union and to the world our continuing and persistent concern with the fate of the captive peoples.

The captive nations, as has been pointed out on the floor today, constitute a powerful and effective third force in our fight against Communist tyranny.

The establishment of a House committee to deal exclusively with the problems of the captive nations will give new heart and courage to these oppressed peoples and will reassure them that we shall continue to use every peaceful means to restore them to independence and freedom.

Mr. HALPERN. Mr. Speaker, I would like to compliment the distinguished gentleman from Pennsylvania [Mr. FLOOD] on his introduction of the resolution to create a House Committee on Captive Nations, and I would like to associate myself with his remarks. As a cosponsor of the resolution expressing the sense of Congress that the subject of the captive nations be discussed at the summit conference, I am particularly pleased to support this measure. It is especially significant at this time in view of the tragic scuttling of the summit conference by the Communists.

Among the most glaring contradictions to the claims of the Communists that theirs is the flower-strewn road to the future is the existence of the captive nations which adorn the periphery of the Soviet State. In not one of these countries did communism assume control of the government with the consent of the majority. In not one of these countries was the path to power of the Communists marked by anything but human misery, privation, and death. The very existence of the captive nations gives the lie to the pretensions of the Communists about the benefits of their brutal system. Stripped of their treasure and forced to bow to military and economic tyranny, the captive nations present a tragic exhibit of what the rest of the world can expect from Communist domination.

Their story is a grim warning to the free nations but it is also a challenge. We cannot let others become captives of the Communists and we must offer every hope to the already enslaved to encourage their adherence to freedom, that they will eventually regain their independence. Just as we undertake to plan strategy to counter Communist efforts here at home and to prevent its expansion abroad, so must we likewise consider how we can best assist the captive nations in their deep-seated desire to reachieve their freedom. The investigation and study that the proposed committee can make in this field can be of immeasurable benefit to future policy formulation. In addition, its activities can provide all of us with a deeper knowledge of the problems and conditions with which the peoples of these nations must cope.

Mr. Speaker, I want to endorse the proposal by our colleague and I hope that the House will see fit to adopt his resolution in the time that yet remains before we adjourn.

COMMITTEE ON FOREIGN AFFAIRS

Mr. MORGAN. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may sit this afternoon during special orders.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RETIREMENT OF PETER J. CAHILL, SECRETARY-TREASURER, NATIONAL ASSOCIATION OF LETTER CARRIERS

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, one of the most able leaders of Federal employee groups, and one who has honored me with his friendship, has reached the mandatory retirement age of 65. This week, at the Cincinnati convention of the National Association of Letter Carriers, Secretary-Treasurer Peter J. Cahill will round out a career that began 47 years ago when he went to work for the Post Office Department in Boston.

From personal experience he learned that the lot of a letter carrier was not an easy one, and he determined to do something about it. He joined the NALC where his intelligence, his initiative, and his courage singled him out as a natural representative for his fellow workers.

He gave his heart and soul to the unrelenting efforts of improving the working conditions and wages of the letter carriers. This loyalty and devotion to their best interests won increasing recognition, finally resulting in his election as national secretary. It is significant that, in 1956, when the offices of secretary and treasurer were consolidated, Peter Cahill was the first man chosen to shoulder that dual responsibility.

It is no mere coincidence that the NALC has made such progress, both in its organizational growth, and in the promotion of its programs during the time that he was a national officer. For he never spared himself. His energy and his sincerity impressed everyone he met, and lifted the esprit de corps of the NALC to an alltime high.

I was a frequent companion of his on many plane trips between Boston and Washington, and so I came to know his personal interest in the letter carriers who were his second family, and of his earnest desire to help them in every possible way.

The greatest satisfaction that he takes with him into retirement is that he succeeded far beyond his, and their, expectations.

For he fought the good fight that not only benefited the letter carriers, but provided the leadership that indirectly strengthened the prestige and raised the living standards of every Federal employee.

We congratulate Pete Cahill on his long and constructive career and his many accomplishments in behalf of every letter carrier in the Nation.

We know that the many years of retirement that stretch ahead will be blessed with every happiness and fulfillment for Peter Cahill, in return for his faith and pride in his fellow human beings.

BOYD LEEDOM

Mr. THOMPSON of New Jersey. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, it has recently come to my attention that Boyd Leedom, Chairman of the National Labor Relations Board, is actively engaging in partisan politics. To my mind his conduct raises grave questions of propriety, which I should like to outline to the House.

As the Members of the House are of course aware, the National Labor Relations Board is an independent agency having important semi-judicial functions. It administers the National Labor Relations Act, that is, the Wagner Act as amended by the Taft-Hartley and Landrum-Griffin Acts. That is a highly controversial piece of legislation, and the labor disputes which come before the Board for adjudication are often of such a nature that they arouse intense partisanship. I doubt that anyone will question that the Board should be comprised of fair-minded members who are not themselves partisans of either labor or management.

Indeed the Board itself has always been most insistent on its neutral, judicial role. Successive Chairmen of the Board have, for example, declined on this ground to express to the Congress any views on substantive amendments to the National Labor Relations Act. When Mr. Leedom appeared before the Senate Subcommittee on Labor last year, he started out like this:

> As you know from my previous appearances here we are not proponents of any legislation particularly. In fact, we, as quasi-judicial officers, prefer to stay out of the policy area of legislation.

However, Boyd Leedom is not merely Chairman of the National Labor Relations Board. He is also general chairman of a Mundt for Senate committee. In this latter capacity he has circulated a letter which I would like to read to the House:

> DISTRICT OF COLUMBIA SOUTH DAKOTANS
> MUNDT FOR SENATE COMMITTEE,
> *Washington, D.C., June 7, 1960.*
>
> DEAR FELLOW AMERICAN: One of the most important Senate races this year will take place in South Dakota where Congressman MCGOVERN, a protege of Senator HUBERT HUMPHREY and the ADA, is trying to unseat Senator KARL MUNDT.
>
> I know that it is not necessary to list for you the many accomplishments of Senator KARL MUNDT. All of us know of the grand fight which he has made for economy and sanity in Government over the last 12 years in the Senate and for 10 years before that in the House of Representatives. He has become a recognized leader in the battle against the encroachments of socialistic schemes in America. South Dakota and the Nation cannot afford to lose from its Senate ranks this true defender of constitutional government.
>
> Senator MUNDT has an especially tough campaign since certain labor leaders have announced that he is on their purge list. These labor leaders are making many thousands of dollars available to his opponent. KARL cannot hope to match these labor dollars with his own and is doing his best with the limited funds he has available to carry on a successful campaign in South Dakota.
>
> We South Dakotans who live in the District and the distinguished Members of the House and the Senate who comprise an honorary committee are sponsoring a recognition luncheon for Senator MUNDT at the Plaza Room of the Continental Hotel at 12:30 noon on June 27, 1960. Your generous assistance to make this testimonial to Senator MUNDT a success is needed.
>
> Please return your contribution of $50 or more in the enclosed envelope and indicate on the enclosed card whether or not you will be in attendance at the luncheon so that the committee can make the necessary reservations. For each $50 contribution a luncheon reservation will be made if you so desire.
>
> Sincerely yours,
>
> BOYD LEEDOM,
> *General Chairman.*
> ROWLAND JONES,
> *Chairman, Men's Division.*
> VIVIAN ANDERSON,
> *Chairman, Women's Division.*

This activity of Mr. Leedom raises to my mind two important questions.

In the first place it suggests the possibility that the Hatch Act may be in need of clarification as to whether it bars partisan political activity by persons occupying positions such as that held by Mr. Leedom. The Hatch Act provides that—

> No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. * * *

It goes on, however, to exempt from this prohibition four classes of office holders including:

> (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the nationwide administration of Federal laws.

I do not know whether or not members of quasi-judicial agencies are regarded as coming within this excepted category. The language of the statute looks as if it is only meant to exempt from the Hatch Act presidential appointees having major policyforming roles, rather than members of independent quasi-judicial agencies who carry out policies enacted by the Congress in legislation.

Whatever the proper construction of the present law, it seems to me that it

is highly debatable whether members of independent quasi-judicial agencies should be permitted to engage in partisan political activity. It is my impression that appointees to Federal boards and commissions have in general refrained from such activities. I cannot recall any fund-raising activities comparable to Mr. Leedom's being undertaken by members of the Civil Aeronautics Board, or the Federal Trade Commission, or even the Federal Communications Commission. As far as I can learn Mr. Leedom's predecessors on the Labor Board have without exception refrained from actively engaging in politics while members of the Board.

I tend to think that they were well advised. The laws which these agencies administer are themselves products of the political process, and it is difficult to see how a person administering these laws can actively participate in partisan politics without casting doubt on his own impartiality in administering the law.

That brings me to the second issue raised by Chairman Leedom's activities. Mr. Leedom's letter, which I have read to the House, indicates to me that he is antiunion. Mr. Leedom's letter declares that Senator MUNDT is a leader in the battle against "the encroachments of socialistic schemes in America," and it goes on to say that Senator MUNDT has an especially tough campaign "since certain labor leaders have announced that he is on their purge list." Leedom's letter then states, on what authority I do not know, that these unidentified labor leaders are making many thousands of dollars available to Senator MUNDT's opponent.

This is antiunion propaganda, pure and simple. Mr. Leedom has a perfect right to hold antiunion views, and to express them, but is he qualified to head a quasi-judicial agency which adjudicates disputes between unions and employers? If I were a union man I would not want Mr. Leedom as my judge. He has openly proclaimed his antiunion bias.

It is also pertinent to consider the identity of Leedom's associate in this political fundraising drive. As I stated, Mr. Leedom signed these fund-soliciting letters as "General Chairman of a MUNDT for Senate Committee." They are also signed by Rowland Jones as "Chairman, Men's Division."

Who is this Rowland Jones? I should suppose that there are very few Members of this House who do not know who Mr. Jones is. He is the president of the American Retail Federation. He has been very active for many years as an employer lobbyist on labor legislation. The Landrum-Griffin Act passed last years testifies to his effectiveness.

Just what sort of man is Boyd Leedom that he sees no impropriety in engaging in a political fundraising venture in partnership with a lobbyist for an employer association? Let me ask this: How would employers feel if the Chairman of the National Labor Relations Board engaged in fundraising activities on behalf of a Senator notably friendly to unions and in conjunction with a union official? I can tell you: They would scream to the high heaven. I would not blame them.

I frankly cannot understand how anyone can condone or excuse Leedom's conduct in this matter. It seems to me that even Mr. Leedom should have enough discretion and sense of propriety to resign. If he does not do so voluntarily, the President should call for his resignation.

However, it is apparent that discretion is not Leedom's forte, and the Congress, too, has a responsibility in this matter. For that reason I am today introducing a resolution directing and authorizing the House Labor Committee to look into the matter of partisan political activity by the Chairman of the National Labor Relations Board.

NINETEEN HUNDRED AND FIFTY-NINE CROP PRICE SUPPORT COMMODITY LOANS

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. AVERY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. AVERY. Mr. Speaker, in view of the many statements made by responsible persons in the Democratic Party over their concern for the small farmer, it is difficult for me to understand why this Congress had deliberately refused to extend a limitation on Commodity Credit Corporation loans for the 1961 crops. The Banking and Currency Committee has refused to even hold hearings on H.R. 9303 and the Agriculture Subcommittee of the Appropriations Committee repelled my effort to extend the limitation place on the appropriation bill for fiscal 1960 to the appropriation for the Department of Agriculture for fiscal 1961. The end result, of course, will be that the large corporation farmers that are listed below or other borrowers of comparable amounts will again exploit the resources of the Commodity Credit Corporation for the 1961 crop and this exploitation will be charged to the Department of Agriculture. There will follow the usual demand next year for further relief for the average size midwestern frontier. Here is one opportunity we have missed.

The failure to take action by the 86th Congress is in direct conflict with the announced aims and objectives of the Democratic Party for agriculture and I think this is an appropriate and effective means to so advise the farmers of America.

Further, Mr. Speaker, at the time of the debate on the floor of the House in 1959 on imposing this $50,000 limitation, several Members insisted most of these loans were repaid and, therefore, no loss was sustained by the Commodity Credit Corporation. The table below and others on file in my office clearly indicate that the large loans are only rarely, if ever, repaid and thereby a great loss is imposed on the taxpayer and again charged to the Department of Agriculture.

Mr. Speaker, although only the loans in excess of $50,000 are indicated on the tables below, I have on file in my office and in the Department of Agriculture, a list of loans over $25,000 and also an indication whether or not they have been repaid.

U.S. DEPARTMENT OF AGRICULTURE, COMMODITY CREDIT CORPORATION

1959 crop corn price support loans made of $25,000 or more and amount repaid by producer

Producer	Address	Bushels pledged	Amount loaned	Amount repaid
	CALIFORNIA			
M. E. & Frank Silva Co.	Isleton	42,858	$54,001.08	
	ILLINOIS			
Cote Farms, Inc., care of L. D. Corkins, president.	St. Anne	161,936	182,987.68	
James Yontz	San Jose	53,760	61,286.40	
	INDIANA			
Creighton Bros.	Warsaw	51,830	58,567.90	
Overmyer Farms, Inc.	Wolcott	46,100	52,093.00	
	MINNESOTA			
Harold & Dale Duncanson	Mapleton	60,466	62,884.64	
	MISSOURI			
Myers Farms	Brunswick	63,000	$73,710.00	
Alber Painton Co., Inc.	Painton	49,869	57,848.04	
	NEBRASKA			
Morrison & Quirk	Harvard	80,000	88,000.00	
J. R. Brown	Clarks	79,106	84,643.42	
Ned Tyson	Herman	71,508	77,228.64	
Bob Hawthorne and Dr. O. A. Kostal.	Giltner	47,455	50,776.85	
Ernest and Robert E. Hundahl	Tekamah	46,894	50,176.58	

1959 crop cotton, purchases exceeding $25,000

Producer	Address	Bales purchased	Amount
	ALABAMA		
Mauldin, E. F	Town Creek	600	$103,102.69
A. Fleming & Sons	Huntsville	363	62,378.86
Rice, Joe, Jr	North Port	309	52,879.76
	ARIZONA		
Goodyear Farms	Litchfield Park	2,229	387,272.04
Arizona Farming Co	Eloy	1,309	212,287.73
Farmers Investment Co	Tucson	1,194	201,513.08
L. V. L. Ranches, Inc	Palo Verde	916	161,491.81
Kai, John	Marana	787	147,242.13
Rancho Tierra Prietta	Eloy	815	145,558.97
Shawver Farms	Phoenix	762	134,925.95
Pretzer, Alex and Norman	Eloy	765	133,383.00
Robertson, Peter J	Coolidge	731	131,068.16
Rogers, J. L., B. L., and Darwin	Eloy	756	130,166.43
Wong Enterprises	Marana	678	129,671.46
Aura Plantation	do	678	129,441.61
Roberts, J. A	Casa Grande	711	123,333.11
Wong, Bing K	Marana	666	121,820.20
Lane & Lane	Casa Grande	697	113,882.91
Coury Bros	Mesa	628	101,954.49
M. B. M. Farms	Phoenix	524	90,461.38
Barkley, J. F	Somerton	488	85,224.35
Waddell Ranch Co	Waddell	469	81,672.79
Lewis, Woodrow	Chandler	426	76,432.48
Pima Community Farms	Scaton	477	76,226.48
Avra Land & Cattle Co	Tucson	418	73,010.72
Urrea, Charles & Son	Mesa	412	71,820.54
Price, Arthur E	Chandler	388	68,106.38
Robinett, John D	Eloy	404	68,067.03
Anderson Bros	Casa Grande	379	64,635.82
Finley Bros	Gilbert	369	61,567.67
Youngkes Farms	Buckeye	352	60,245.63
Singh, John D	Casa Grande	353	59,702.43
Wuertz, H	Coolidge	364	59,247.23
Neely, W. R	Chandler	336	58,080.62
Holland, Howard	Coolidge	327	57,830.33
Palmer, Dan	do	346	56,206.28
Ulmer, I. D	Marana	283	52,865.34
Church, Bruce	Yuma	277	50,700.57
Estvella Land & Cattle Co	Glendale	301	50,608.00
	ARKANSAS		
Lee Wilson & Co	Wilson	3,500	580,050.71
Chapin, S. C	Trumann	1,320	234,421.98
Lephiew, W. E	Dermott	1,111	197,279.14
Miller Lumber Co	Marianna	520	88,048.77
Kuhn, R. T., Mrs	Marion	430	71,097.89
Haraway, Al	Helena	366	65,213.16
	CALIFORNIA		
Bennett, Hugh	Firebaugh	2,487	416,176.79
Wilco Produce Co	Blythe	1,898	347,688.61
South Lake Farms	Fresno	1,765	300,605.83
Bryant, D. M., Jr	Pond	1,758	295,364.49
Pilibos Bros, Inc	Fresno	1,559	275,586.15
Delta Farming Co	Corcoran	1,508	262,283.27
Giumarra Vineyard Corp	Bakersfield	1,300	225,532.25
McCarthy & Hildebrand	do	1,288	219,560.05
Raymond Thomas, Inc	Five Points	1,275	212,838.20
Milham Farms	Bakersfield	1,105	188,228.30
Murry Land Co	Hanford	1,042	176,505.04
M. & R. Sheep Co	Offdate	954	171,828.44
Metzler, Alex	Helm	951	161,120.84
Stamoules, S. & Co	Mendota	866	152,707.24
Shwartz Farms, Inc	Stratford	833	147,283.50
Scott & Knappenberger	Blythe	790	137,252.64
McCarthy, F. J. & Sons	Tulare	750	134,010.86
Triple J Farms	Bakersfield	648	110,461.40
Nelson, H. O	Madera	587	102,990.54
Kenworthy, W. K	Blythe	554	102,018.27
Conn, John C	Coalinga	543	93,932.83
Jones Farms	Stratford	524	91,678.50
Kirschenmann, Arnold	Bakersfield	547	90,704.00
Carlucci Bros	Dos Palos	526	90,196.63
Mitchellinda Ranch, Inc	Alpaugh	523	89,059.07
Glotz, William E	Tranquillity	461	81,119.77
Fratis, Kenneth E	Tulare	467	80,332.48
Piekgrass Bros	Visalia	453	77,655.63
Favier Bros	Merced	427	73,318.91
Lovelace, Joe	Coalinga	410	72,446.67
Suckut, Albert L	Bakersfield	421	71,722.95
Airway Farms, Inc	Fresno	393	65,353.88
Matheson, O. F. & C. H	Five Points	383	65,340.43
Freeborn Bros	Buttonwillow	375	64,407.72
Burhans & Trew, Inc	Wasco	346	61,479.20
Baker Bros	Earlimart	338	57,931.01
Deer Creek Cattle Co	Corcoran	349	57,207.77
Zozaya & Municha	Firebaugh	328	56,791.29
Turnbow, G. D	Bakersfield	332	55,963.62
Eastside Farms	Stratford	306	54,391.51
Marietta Farms, et al	Mendota	322	53,480.31
Chaffin, Roy & Sons	Calipatria	312	53,276.36
Ludy Bros	Pond	306	52,079.88
Hansen, Philip	Corcoran	293	51,293.96
Murray, Wayne	do	284	50,984.89
Hildebrand, W. E	Burrel	293	50,648.79
Freeman, D. E	Firebaugh	284	50,222.84
	LOUISIANA		
Frierson, C. N	Shreveport	1,000	$162,739.42
Robinson Co	do	923	159,544.03
Clements Bros	Ida	703	122,277.04
Barham, Inc	Oak Ridge	686	110,200.02
Dominick, A. C	Mira	537	88,960.99
Hutchinson, W. J. & Sons	Caspiana	475	77,802.00
Dominick, Paul W	Mira	445	74,489.35
Frierson, L. S., Jr	Shreveport	415	69,397.14
Ellerbe, Cecelia L	do	381	60,453.64
Elm Grove Plantation, Inc	McDade	397	60,306.57
Hutchinson, C. M. & Son	Shreveport	358	59,927.94
Lynn Estate	Gilliam	340	58,960.35
Viola, R. J	Benton	347	58,755.23
Moore, Tom P., Jr	Vivian	330	54,795.54
Rosedale Plantation	Benton	321	53,870.00
Stinson, R. T	Bossier City	314	52,897.95
Panola Co., Ltd	Newellton	318	52,167.35
	MISSISSIPPI		
Seligman, D	Shaw	2,471	448,477.55
Kyle, S. W. & Dorothy W	Clarksdale	1,933	335,977.30
Duncan, Wm	Inverness	1,529	262,620.77
Yandell Bros	Vance	1,495	259,561.13
Harbert, A., Messrs. B. F	Robinsonville	1,274	241,088.12
Owen, C. P	do	1,290	212,206.65
Rayner, E. D	Merigold	957	171,991.73
Scruggs, W. P	Doddsville	980	170,318.29
Billups Plantation, Inc	Greenwood	962	170,292.86
Flowers, Roy	Mattson	889	155,595.18
Owen, R. W	Tunica	890	146,531.12
Kline Planting Co	Alligator	822	145,945.14
McKee, F. B	Friars Point	745	137,280.33
Brooks Farming Co	Drew	665	123,774.52
Erwin, W. F. & L. M	Duncan	656	119,926.06
Highland Plantation	Greenville	665	112,713.04
M. S. Knowlton Co	Perthshire	666	109,693.80
McKee, J. & M	Friars Point	585	107,128.49
McKee, W. L., Jr	do	600	104,866.62
W. C. Skates & Son	Avon	602	103,927.95
Home Place	Benton	574	100,192.27
Kay Planting Co	Indianola	604	98,679.17
Owens, S. W	Tunica	556	94,037.16
McKee, John B	Friars Point	500	91,157.83
Green Hill Plantation	Midnight	524	88,883.45
Seward & Son	Louise	498	87,451.77
Arnold, S. A., Jr	Tunica	511	87,089.18
Bramlett, Leon B	Clarksdale	530	86,896.78
Allen Gray Estate	Benoit	469	83,365.79
Howarth, J. A., Jr	Cleveland	501	82,067.06
Carr Planting Co., Inc	Clarksdale	416	75,433.41
Maynard Bros. Messrs	do	431	73,297.58
Race Track Plantation	Greenwood	421	67,983.30
Bryan, J. N	Belzoni	356	65,966.28
Husbandville Plantation	Hollyridge	370	64,336.81
St. Rest Plantation	do	368	63,878.50
Brown, Norman	Ducan	366	63,612.74
Seward, Byron	Midnight	362	63,403.23
Hayward, A. M	Greenwood	354	63,358.10
Smith, J. R	Merigold	357	62,566.21
Pemble, T. E	do	336	60,453.94
Hayward & Jacks	Greenwood	332	59,158.28
Harris, R. B	Midnight	344	57,412.88
Haney, H. M	Jonestown	317	54,764.84
Bridgforth, Allen	Yazoo City	301	54,288.93
McClellan, Mrs. W. E	Philip	288	54,187.50
Ganier, E. J	Percy	304	52,145.42
Rich, M. H., & Son	Chatham	317	51,832.42
	NEW MEXICO		
Wamel, R. H	Animas	367	68,536.95
	NEVADA		
Williams, W. J	Pahrump	598	115,504.55
	TENNESSEE		
Pacific Place	Memphis	913	147,423.92
C. B. Box Co	do	458	72,888.19
	TEXAS		
Smith, Rolla D	Raymondville	1,093	189,192.70
Valley Land Co	El Paso	825	166,436.35
Worsham Bros., partners	Pecos	762	137,556.66
Clark & Roberts	do	576	111,868.10
Ballenger & Ballenger	Sebastian	544	93,323.61
La Casita Farms	Rio Grande City	379	71,186.94
Mayfield, Oscar	Taft	422	70,605.66
Fraley, Coy	Pecos	372	68,593.13
Kilgore, Loy	do	370	67,186.80
Perry Bros	Shallowater	458	67,168.49
Middleton, R. M	O'Donnell	427	60,590.88
Kiker Bawden Seed Farms	Plainview	423	57,313.24
Imperial Farms	El Paso	278	55,436.40
McMurry, W. J	Seminole	324	53,159.07
Johnston, Bentley	DeKalb	333	50,983.41

NINETEEN HUNDRED AND SIXTY BEING AN ELECTION YEAR, TENDS TO DIVERT ATTENTION FROM THE FACT THAT IT IS ALSO THE YEAR FOR THE SIXTH TARIFF-CUTTING CONFERENCE AT GENEVA OF THE GENERAL AGREEMENTS ON TARIFFS AND TRADE, AN ORGANIZATION OF OVER 40 NATIONS COMMONLY REFERRED TO AS GATT

Mr. MOORE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, the eyes and ears of all adult Americans have seen and heard the intraparty debates throughout the spring of 1960. Then during the summer months our attention was focused upon the tactics and strategy of preconvention activities and finally upon the respective conventions themselves in Los Angeles and Chicago.

As the two political nominees prepare for the final contest during the autumn months, November 8 looms in the public's gaze.

While all this is in keeping with our splendid American political traditions it disturbs me that the public's attention should be diverted at such a high pitch and at such length from other significant events during 1960.

For example, 1960 and 1961 is GAAT year—General Agreements on Tariffs and Trade—the year when delegates from over 40 nations deliberate at Geneva over further penetration of America's commercial market. This is the sixth tariff-cutting conference of the member nations of GATT, an organization which our State Department cosponsored and fostered without authorization from the Congress and the people.

The assemblage of the international delegates from every corner of the globe unfortunately comes at an untimely moment; namely, the American election year, because I fear few will note its passing though many will feel its effects.

On Friday, May 27, 1960, the State Department released its long GATT list, commonly known as the offer list of American-made products to be subject to further tariff cuts this year. The list contains over 2,000 items and will represent the sixth market giveaway program since 1947.

The U.S. offer list represents possible losses of billions of dollars in domestic sales and the jobs which backstop them. Our new offerings will be dutifully dropped into the bottomless pit of international relations without so much as a by-your-leave to American industry, agriculture, and labor.

Here, for instance, are a few of the American-made products whose markets will be offered to our foreign competitors:

Alloy and tool steel, antifriction bearings, airplanes, abrasives, agricultural implements, alcoholic beverages, automotive equipment, apparel, brass and copper, bicycles, batteries, brushes, buttons, bottles, chemicals, cordage, cutlery, cattle, clocks, candy, carpets, dairy products, explosives, electrical equipment, fur, furniture, fish, glassware, hats, handtools, iron and steel products, linen, leather, lace, mirrors, machinery, meat, manmade fibers, meters, metal products, musical instruments, motorboats, nuts, optical goods, pharmaceuticals, paper, paint, pens and pencils, phonographs, padlocks, photographic equipment, playing cards, rubber goods, razors, scissors, shears, scientific instruments, sugar, soap, shoes, textile machinery, textiles, toys, vegetable oil, vegetables, valves, wool products.

It is understood from excellent authority that the State Department's list was to be revealed to the public and particularly our producing community, whose markets are at stake, at least by the first of March. Then, we were told it would be by April, and later early May.

Time, of course, was all important. Our domestic industries had to review the highly complex technical offer list to determine if their product was slated for GATT's autumn auction; they had to prepare detailed briefs and statements and file them no later than June 27, 1960.

Considering the long holiday weekend at the end of the month of May this gave our side, the American side, less than a month's notice to carry out their investigations and preparations from beginning to end.

Some companies, trade associations, and other organizations were barely able to file more than a note of protest on the inclusion of their product on the GATT list. For others time ran out before the chief executive of the organization could poll his board of directors for the necessary authorization to make a policy statement.

The Department of State, which has woven the web of free trade, free of tariff, around our industry now prepares to draw it even tighter this year and next at Geneva, Switzerland.

Mr. Speaker, last year's imports were valued at $15 billion. This was the foreign, not the U.S. value of these imports. Our Government is to my knowledge the only nation in the world which so evaluates its imports. Furthermore, it should be noted, in 1959 an additional $15 billion appeared on the debit side of our balance-of-payments ledger for a total of almost $30 billion.

Foreign affairs can be a rather expensive luxury for the taxpayer already heavily burdened domestically to maintain the home front.

The offer list has an indirect but substantial implication, too, for our Secretary of Treasury, Mr. Robert Anderson. For purposes of demonstration only, let me say that $15 billion of foreign imports in 1959 in terms of domestic production, would represent a revenue take by the Treasury of about $3 billion in taxes. And I hastily add, before the free trade colony accuses me of being anti-foreign-trade or anticoffee, or antirubber, et cetera, that I sincerely advocate trade among nations and to the maximum extent that may be profitable for us. However, even though all our coffee is imported and it all comes free of duty, may I say that one can speak out on behalf of foreign trade and yet speak against the Foreign Trade Act without the least contradiction. I also include GATT in this context because that instrument is the method by which the trade agreement program manifests itself.

While much of last year's imported goods and merchandise was without question absolutely essential for our domestic needs, partially recognized by the fact that nearly half of our imports are duty free, it should be quite clear to everyone that there is real fire behind the smoke of growing pleas from American industry and labor and agriculture for a fair trade program particularly in the areas of competing finished goods imports.

For example, imports of finished consumer goods have risen over 40 percent since 1958 and 60 percent since 1957. They have doubled since 1956. Similarly, finished capital goods jumped 25 percent from 1958 to 1959.

Let us assume that in certain areas of manufacture, the United States, by means of fair and reasonable tariff regulation, could recapture a fair share of her own import market. Just what would this mean to us?

According to a recent study to this effect released by the Nationwide Committee on Import-Export Policy it would mean, quote:

POSITIVE PROTECTIONISM A HYPOTHESIS BASED IN FACT

In 1959, $15 billion of foreign imports flooded U.S. ports. For purposes of demonstration, assume that American producers had manufactured and supplied one-half of that value of imported goods. That would have provided $7.5 billion of American production and, at the average rate of 20 percent, would have produced about $1.5 billion of Federal tax revenue.

Here is what the American people might have received in the public and private sectors for those taxes:

1. In the area of defense it would purchase 300 additional ICBM Atlas missiles; or 100 of the newest B-58 bombers; or 13 new submarines of the Polaris type; or a fleet of 750 F106 all-weather fighter planes.

2. In educational facilities it would have provided: 3,000 new schools, containing 50,000 classrooms with a seating capacity for 1,500,000 boys and girls—more than enough to absorb our current nationwide requirements for 1.3 million new students; or

3. In the construction industry it would have: put our carpenters and bricklayers to work making 100,000 new homes valued at $15,000 each for almost one-half million Americans; or laid down 1,500 miles of superhighway, enough to cross the entire country from our Canadian to Mexican borders.

This is what the U.S. citizen might have had on the tax incidence alone had domestic producers shared the domestic import market on a 50-50 basis with the foreign manufacturers.

In addition, and of far more significance, is what $7.5 billion in hypothetical domestic production would have meant in terms of employment, sales, investment, research or growth. In terms of annual wages, jobs and man-hours alone it would approximate over $5 billion received by over 1 million workers gainfully occupied for 2½ billion man-hours in 1959.

Modern, 1960 protectionism can bring to the American people some of these things. This is positive protectionism. This is morally honest protectionism. This is economically sound protectionism.

The American people have been led to believe by the Government as well as the metropolitan press with a hefty assist from a few well-known private organizations that trade and the Trade Act are one, indivisibly and inseparably woven. They go together like ham and eggs. No act, no trade. Millions of people we are told, will be unemployed without the trade program. But behind this superficial concern we must come to realize that it is not the program per se which employs the workers, but trade itself; and trade predated the act.

Actually the facts seem to support the conclusion that the trade we have had we enjoyed in spite of the act and furthermore because of the existence of this outdated legislation our balance-of-payments ledger is ending up in the red—the debit side, year after year. Note the rapid rise in imports during the past several years and compare them with our decreasing exports, the figures for which are readily obtainable from the Census Bureau of the Department of Commerce.

Since 1948 foreign imports of goods alone have totaled almost $130 billion—foreign value only.

Simultaneously, the American people through the instrument of foreign aid have been called upon to support 70 foreign nations including those of our foreign competitors since the inauguration of the Marshall plan in 1948. This amounted to approximately $85 billion.

It appears, too, that plans are well along for another Marshall plan—one for South America. And of course by the time that one is completed we shall, if there is anything left over in the Treasury, need one for the multination continent of Africa. By then we may even need one for the United States.

In other words American business which provides about 25 percent of the United States budget revenue not only directly contributes to its own competition abroad in the form of financial aid and all that that entails—for example, productivity training, merchandising methods, plants, and machinery—but is called upon now dutifully and obediently to offer its markets, too.

To give away the golden eggs is one thing, but to give up the goose that lays them is quite another and that is just what we have been and are doing with our offer lists whenever GATT delegates gather.

We are offering the goose itself—our markets, the very blood and substance of our jobs and sales.

Take these away from us and the industrial heartland of this Nation will undergo an economic coronary which will shake us—and the foreign aid program and the free world to their foundation.

If this is what we want, the State Department could not have devised a more suitable instrument than GATT to bring it about.

Caught up in its own Machiavellian, water-on-both-shoulders policy of promising other GATT trading nations an unlimited domestic market here for the overflow of their booming industry on the one hand and then promising domestic industry and labor on the other that they are going to be tough at Geneva this year reminds me of a statement of Hawthorne's:

> No man for any considerable period can wear one face to himself and another to the multitude, without finally getting bewildered as to which may be true.

The State Department's idea of getting tough will indeed be something to behold.

Will we be tough at Geneva by granting the foreign manufacturers tangible tariff reductions and further markets here in exchange for such specious concession by their diplomats as the mere suspension of additional tariff increases there? This we have done in the past.

While our tariff reductions at other GATT meetings were true dollars-and-cents concessions which created real sales here for the foreign producer, their meaningless concessions to us did not produce reciprocal or equivalent gains abroad for our steel, autos, or machinery.

They simply bluffed our GATT delegates at these international poker games by the simple ruse of promising the U.S. representatives that they would not further restrict those markets which we already held in their respective countries. This is what has come to be known as reciprocal trade—a negative commitment from them not to do for a positive commitment to do from us.

Accordingly they gave us the foreign markets which we already had in return for domestic markets and jobs which we had no right to give. Little wonder that the American producer shudders at the advent of a new GATT convention.

If ever this Congress and the American people become isolationists, God forbid, it would be caused more by the action and policies of the State Department than by those of our foreign friends who can be charged with nothing more than driving a hard bargain in the field of foreign trade. Would that our delegates were as skillful or as concerned for the interest and welfare of their own nationals as the foreign delegate is for his.

Let us get down to cases. Three such instances come to mind—meat, shoes, and brass products.

First. Foreign footwear imports skyrocketed 2,000 percent from 1949 to 1959. During this decade, imported footwear of all types—rubber and nonrubber—jumped from 3.6 million pairs to 80.5 million, while exports of American-made shoes dropped 35 percent over the same period, from 5.7 million pairs to less than 3.7 million. Since 1954 imports are estimated to have increased from 1 percent to over 10 percent of domestic production.

Nonrubber footwear imports last year increased 18 percent over 1958, or from 23 million pairs to over 28 million.

The average value per pair of men's leather shoes imported to that of our exported pair is as $4.46 is to $5.47. This clearly indicates why foreign shoe imports have stomped over us, while our products are on the decline abroad.

According to a resolution adopted last year by the United Shoe Workers of America, AFL–CIO, which urged import regulation, if the present rate of increase in imports continues another 4 years "there would be more foreign shoes imported into the United States than are manufactured within the United States itself."

Second. The brass manufacturers who also produce copper products have been doubly jeopardized by the twin imports of 95 billion pounds of brass products and 105 billion pounds of copper products in 1959. This total of 200 million pounds of copper-brass product imports compares with only 21 million pounds a decade ago.

And, as with the case of shoes or a growing list of other American products, the export markets for our copper and brass goods has shriveled from 47 billion pounds during the past 10 years to 16 million during 1959.

Mr. T. E. Veltfort, managing director of the Copper & Brass Research Association, said before the Tariff Commission recently:

> In modern times no nation has ever developed a sound and secure economy without strong basic industry in brass, steel, and aluminum. And any nation which permits its brass mills to stagnate and decline cannot expect to continue for any extended period of time as a powerful economic force in the world. (American Metal Market, June 28, 1960.)

Third. Rapidly rising imports leave untouched few American industries and few American products. Note for example, the effect on our meat industry. Beef plus live cattle imports last year amounted to an equivalent of more than 2 million head. Beef together with veal imports passed the 1-billion-pound mark in 1959 in dressed carcass weight equivalents.

Small wonder then that we are relegating our acreage to a second-class status vis-a-vis the other major trading nations of the world. Those 2 million head of cattle and beef equivalent last year displaced over 40 million domestic acres based on estimates of 20 acres of land per head.

In addition mutton and lamb imports from 1958 to 1959 increased from 17 million pounds to 44 million, and from 7 million pounds to 9 million respectively. And another one-third of a million acres were displaced here.

Parenthetically, wool imports according to estimates displaced an additional 75 million acres of rangeland. It is not so strange, therefore, that we are witnessing the modern American phenomenon known as the soil bank program which is a rather high-sounding and soothing semantical term for a shocking agricultural situation. How much more honest and accurate would it be frankly to tell the American farmer who has been brainwashed into believing that he is constantly overproducing, that foreign imports play a heavy role in this disgraceful situation.

If the State Department's callous GATT-foreign trade policies continue uncontrolled, the American farmers and ranchers should erect a huge tombstone over our vast, rich, and fertile western plains to read, as follows: "Here lies America's farm and cattle land—a silent sacrifice on the altar of free trade."

What can be done now to salvage something for industry, agriculture, and labor in the few legislative days remaining?

First. On January 21, 1960, I introduced H.R. 9841, a bill designed to adjust conditions of competition between certain domestic industries and their opposite numbers abroad with respect to the level of wages and working conditions in the production of articles imported into our domestic economy. This proposed legislation was drafted with the cooperation of Senator KENNETH B. KEATING, of New York, who introduced the bill in the Senate as S. 2882. Regrettably the House Ways and Means Committee has not seen fit to act over the past 7 months to release the necessary legislation over excessive imports contained within the proposed bill. We suggest that all concerned who have a stake in the problem of foreign competition bring their views immediately to the attention of the chairman of the Ways and Means Committee, Mr. WILBUR MILLS.

Second. We suggest a similar course of action on behalf of House Concurrent Resolution 512 in order to unfetter it from the same committee and put it to the test intended by its over 40 legislative sponsors from dozens of States. This sense-of-Congress resolution asks only that we (a) examine the effects on American industry of past imports before we (b) commit ourselves to further tariff cuts this coming winter in Geneva.

In conclusion, Mr. Speaker, I wish to include in my remarks the recent testimony of Mr. O. R. Strackbein, chairman of the Nationwide Committee on Import-Export Policy, before the Republican Party's resolution committee.

Mr. Strackbein's statement deals with the same problem, namely, the need for proper protection of American producers, manufacturers, farmers, and their workers against competition that will drive them out of business and employment:

TARIFF AND TRADE POLICY

(Statement of O. R. Strackbein, chairman, the Nationwide Committee on Import-Export Policy, before the Republican platform committee, Chicago, July 20, 1960)

The 1956 Republican platform contained the following paragraph with respect to foreign trade policy:

"Barriers which impede international trade and the flow of capital should be reduced on a gradual, selective, and reciprocal basis, with full recognition of the necessity to safeguard domestic enterprises, agriculture, and labor against unfair import competition. We proudly point out that the Republican Party was primarily responsible for initiating the escape clause and peril point provisions of law to make effective the necessary safeguards for American agriculture, labor, and business. We pledge faithful and expeditious administration of these provisions."

Since the adoption of this plank in 1956 changes of possibly far-reaching and unhappy consequences in our foreign competitive position have broken through the placid surface of our self-assurance.

This country today faces a set of competitive factors that are stubbornly different from any we have ever faced before. There is little evidence that the peril to our industry, our agriculture, and our labor is either transient or superficial.

The trade policy of the past 25 years has been made obsolete by a series of domestic and foreign developments. It is now badly out of focus with the competitive realities of the world.

1. The leading foreign industrial nations have installed tens of billions of dollars worth of advanced machinery and equipment. They have adopted modern mass-production methods. They are improving their technology and are gravitating toward mass markets.

2. Their wages continue very low in relation to ours while the productivity gap between them and this country has narrowed visibly.

This combination of rapidly rising foreign productivity hand-in-hand with lagging wages has confronted us with loss of export markets and with the need of manufacturing abroad. At the same time it has exposed us to an increased flow of imports, particularly finished and semimanufactured items, against which there is now no effective official remedy. Industry after industry in the past 2 years has felt the rising tide of deadly import competition engulfing the market. The imports of manufactured products have doubled since 1956.

Because of the rising prosperity of the past year, the high consumer income and liberal consumer spending, distress has been kept from the factory door in many cases; and the fear in such instances is for the future rather than the present. In other instances there is present distress, attributed directly to import competition.

The remedy then would seem to be perpetual prosperity, assured by constant expansion and full employment. High wages would furnish the necessary consumer income as it has in the postwar years.

This formula would continue to work as it has in the past were the past conditions to continue. Unfortunately for the formula the conditions have changed. We are challenged from without, not (except in the Russian threat), as a matter of hostility but as a natural consequence of postwar rehabilitation, foreign aid, etc. This external factor is a new element in our economy. Unless we insulate ourselves against it in some reasonable degree we cannot hope to operate our domestic economy on the same basis as in the past 15 years.

Assuming no military outbreak, all presently proposed measures to right ourselves must necessarily fail because we cannot pull away from the encroaching competitive realities. This conclusion assumes the continued vigor of labor bargaining in this country; for this will prevent the catch up of foreign wages (even in terms of relative labor productivity). Should labor oppose the necessary protection against imports it must be prepared to moderate its demands for higher wages, better fringe benefits, etc. Otherwise it will strip this country of many industries that employ tens of thousands of workers.

If we are to increase our exports we must have prices that will help sell our goods, or services or credit terms or quality of goods that offset foreign advantages. In a world of trade rivalry we cannot assume that other countries will not also bestir themselves. They too can lengthen credit terms, reduce prices and offer high quality goods; and they are out to do it. In the race of increasing productivity they have outdone us with our help. The substitution of modern machinery for relatively backward equipment means a greater leap in productivity than does the replacement of relatively modern machinery by more advanced models, as in this country.

If water is poured into a tapering glass the water rises faster with the first few ounces than with the next and the next. The broader and deeper the water becomes the less the water level rises with each equal increment. So it is with our productivity as we add more improved machinery. It has less effect in raising our level than the addition of an equal or even smaller amount in other countries.

Already over half our exports of agricultural products depend on some sort of Government assistance program or noncommercial factors. We subsidize both wheat and raw cotton some 30–35 percent in order to export the bushels and bales in large quantities. These subsidies in 1960 will cost the Treasury some $500 million. Much of the exports under Public Law 480 is at special prices, for foreign currency or no currency.

In other words, the more we export of our agricultural surplus the heavier the Treasury burden and the less our net returns from exports. Thus our subsidized agricultural exports add to the weakening position of the dollar in the world.

With respect to industrial products we are also in an unenviable position. In many lines we are as surely and as deeply outpriced as in agricultural products. This should be expected since our general price level is no exception to the level of farm prices. In point of fact farm prices have been lagging for several years and many of them are well below parity. Parity with what? The answer is parity with industrial prices. This fact indicates that if our farm prices which are below parity in this country are well above world prices, our prices on industrial products, which are well above the farm parity level, should be expected to be above world prices.

If we then seek to reduce the cost of our industrial products, how can such a reduction be accomplishd? Examine the possibilities: Automate? Other countries have the advantage over us in that field, as already explained. Moreover, automation leads to displacement of workers, in the short run. In the long run it has generally led to an increase in employment; but with foreign competitors waiting on our doorsteps this is another honored economic theory that may burst on impact with the new reality.

Increase the efficiency of labor? This is usually accomplished in any meaningful sense by the introduction of new machinery. This door is closed as a way of staying ahead of other countries, again, as already explained.

Reduce wages? Ask the leaders of American labor what their attitude would be.

Many alarms over imports have been sounded by American industrial leaders, labor organizations, and agricultural groups. They have seen the havoc worked by low-cost imports and have beaten the drums to awaken the country to the danger.

Yet too many of these complainants walk to the edge of the only remedy with fear and trepidation. After drawing the problem in compelling terms they back away and say "but tariffs are not the answer. Trade restrictions, such as tariffs and quotas, would be a step backward. Other countries would retaliate." They forget that we have run forward so far and so fast, that a few steps backward now would be better than a full retreat later.

Their fears of retaliation in any case are false and unfounded. These favorite fears have been so often voiced as a means of supporting the trade agreements program that few have stopped to consider their meaning.

Trade restrictions have been used more extensively by other countries since World War II than in any other period of history undoubtedly. Where was the retaliation? Did

we retaliate? No. We continued to reduce our tariff and we recognized the need of other countries. The diplomacy of the other countries saw to it that we understood the plight of their position. Because of or despite the restrictions adopted by them the afflicted countries have recovered and reached booming proportions in their trade.

Now we are in need of import regulation. Can we not explain that to the countries that we accommodated, in terms understandable by them? Why then should they retaliate against us?

We should make a true remedy available to each industry, including labor, that is seriously hurt by imports. This should not be in the form of a general tariff increase or import quotas applied willy-nilly; but it should be an instrumentality far superior to the useless one now on hand.

The remedy of today, consisting principally of the escape clause of the Trade Agreements Act, has, in the words of a U.S. Senator, become a "hollow sounding board." With the minor exception of the very recent typewriter ribbon cloth, not a single new case in the past 17 months has found its way to the White House in the form of a recommendation for higher duty. About a dozen cases were disposed of during this period.

This record is in sharp contrast to the numerous assurances voiced over the past 25 years by three Presidents, every Secretary of State and sundry Under Secretaries, Assistant Secretaries, and other Cabinet members that it is not the intention of the Trade Agreements Act to injure American industry; and that should such injury nevertheless occur, there is a sure and prompt remedy. These assurances have not in fact been honored administratively.

What is needed is an escape clause that cannot be nullified by unsympathetic administration. It should be invoked when injury is demonstrated and should provide relief either in the form of an increased tariff or an import quota or a combination of the two. The clause should of course not be invoked to satisfy trivial complaints.

We suggest that this year's platform recognize the changed competitive position of this country and the implications of the massive shifts among the economic factors that have moved us into an unenviable corner.

More is needed than a pledge of faithful and expeditious administration of the escape clause and the peril point provisions of the law. This has in any case not been forthcoming. A change in the law is needed, for today an industry can have but the slightest hope of gaining a favorable recommendation from the Tariff Commission, and even less hope of support from the President. This fact points to the responsibility of Congress in the case. All the fair words of the Executive in proposing extensions of the Trade Agreements Act and all the fair words of political platforms will remain meaningless and will be nullified unless a drastic change is made in the administration of the remedies provided by Congress.

Failure to face this problem squarely would represent evasion of one of the greatest issues of today and tomorrow.

WHY SCHOLARS IN POLITICS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Iowa [Mr. SCHWENGEL] is recognized for 60 minutes.

Mr. SCHWENGEL. Mr. Speaker, I have taken this time today to talk on three subjects. The first subject is entitled "Why Scholars in Politics." The second phase of that presentation will be entitled "There Is a Difference." And then I shall conclude with a statement on the public service of David Mearns of the Library of Congress.

WHY SCHOLARS IN POLITICS

One of the most persistent problems facing political man has been his age-old search for the proper relationship between the philosopher and the king; between the man of ideas and the man of power.

Plato characterized a fairly common Greek answer to this problem by saying that the ultimate solution was to be found in the uniting of the philosopher and the king in the same person.

> Unless, either philosophers become kings in their countries, or those who are now kings and rulers come to be sufficiently inspired with a genuine desire for wisdom; unless, that is to say, political power and philosophy meet together, while the many natures who now go on their several ways in the one or other direction are forcibly debarred from doing so, there can be no rest from troubles for states, nor yet for all mankind; nor can this commonwealth ever till then see the light of day and grow to its full stature.

Though Aristotle was somewhat more moderate in his views, he too insisted that the men of power seek the advice of men of ideas before proceeding with any scheme or project of great moment.

In our own rich national heritage it can be said that the ideals of both Plato and Aristotle have been served. For surely the Founding Fathers were a collection of scholars. Included in their number were professors and college presidents. And those who were not actively engaged in pedagogy were nonetheless representative of the highly educated and thoughtful leaders of their time and, therefore, could be called scholars and students of government. They had schooled themselves in political philosophy through study and experience in practical politics. In contemporary terms, they were as truly philosophers or intellectuals as they were politicians. Fortunately for the future of the Republic they saw that thinkers must be doers and doers must be thinkers.

And this tradition has been carried on ever since. The close relationship between Lincoln and the scholars of his time and since his time is well known to us all. Senator Robert La Follette called upon 55 top professors from the University of Wisconsin to aid him in the development of his "Wisconsin idea." And, in more recent times, both major parties have utilized a number of academicians in their administrations. Seymour Martin Lipsit, in his book, "Political Man," points out that more intellectuals have occupied high administrative posts in the Eisenhower administration than in any previous administration.

Because of my early experience as a teacher, I have always been keenly aware of the great possibilities and importance of using the talents and experience of educators; especially those who are in the political science, history, and social science fields.

As a member of the Iowa Legislature I counseled often with educators in the secondary, college, and university levels. They have always been very helpful and in many ways made a real contribution in helping to resolve many of the problems that confronted me at that time.

Since coming to the U.S. Congress, my experience with some 70 students, educators, and professors from the University of Iowa and from the other colleges in Iowa, who have come here to visit and work in my office as part of a program we called a "Week in Washington," has confirmed my conviction derived from my earlier experience in the Iowa Legislature.

These people were guests in our home and came to us under this program sponsored cooperatively with the citizenship clearinghouse of the University of Iowa, directed by Dr. Robert Ray.

The intimate association with these students and professors convinced me that the understanding and interest of the so-called intellectuals and scholars in our system is pretty well grounded in the theory of our Government. Though lacking experience and close association with political leaders, these people almost universally agreed that this experience was as invaluable to them as it was to me.

Thus, I have found mutual advantage in this association.

Also, my experience with professors and students who have done basic research, recommended legislation, and advised me on various subjects and issues before the Congress has been extremely helpful and rewarding.

In one instance, my research team of university students, at the University of Iowa, under the direction of Dr. Russell Ross, which had been working for 2 years on the problems of small business came up with five specific recommendations for a change in the law. They were invited to and did give testimony before the Select Committee on Small Business of the Small Business Committee of the House.

The committee and the House passed four of the five recommendations they presented.

This demonstrates that these people can, if properly challenged and encouraged, make a real and meaningful contribution.

Based on this particular experience and all the others that I have had with professors and students, I would not hesitate to recommend to every Member of Congress who has an educational institution in his district to investigate the help, counsel, and advice that may be available to him there.

I have come to the conclusion that there is a vast reservoir of specialized knowledge and experience in the 2,011 colleges and universities across the land which has barely been tapped in the pursuit of a more efficient and effective Government. Both major parties have drawn from the top of this vast reservoir, but neither has really utilized it to its greatest advantage.

In 1957, however, things began to change.

The then chairman of the Republican National Committee, Meade Alcorn, called together a number of the Nation's intellectuals from all walks of life to boldly face the awesome challenge of the fearful years ahead.

This effort was formalized in the Republican Committee on Program and Progress. Its chairman was a brilliant young business executive, Charles Percy, and its staff director, a Stanford professor, Dr. Cornelius P. Cotter.

The report which this committee issued was a refreshing and straightforward approach to the pressing political problems of our time.

For the first time since the issuing of the Federalist Papers the publishing industry found the work of a political party significant enough to issue a trade book edition.

Over 50,000 of these so-called Percy reports were published and the supply is now nearly exhausted.

The people thus made manifest their desire for a serious study of contemporary issues.

Partly in response to this venture, and partly because of the obvious need to make a systematic effort to utilize the vast talents of the academic world at a time when the Nation desperately needed these talents, Senator THRUSTON MORTON, chairman of the national committee, in collaboration with the national committee's national director, A. B. "AB" Herman, established the arts and sciences division at the Republican National Committee.

Prof. Cornelius P. Cotter, on leave from Stanford University, was selected as the first director of this division.

It was under his direction that the program of the arts and sciences first took shape.

After Professor Cotter left the national committee in June to accept an appointment as assistant staff director of the Civil Rights Commission, Prof. Arthur L. Peterson, formerly of Wisconsin State and newly appointed director of the Institute of Practical Politics at Ohio Wesleyan University, became the director of the division.

Under his leadership the division has expanded its operation, and has become an integral part of the 1960 campaign operation.

Now what actually has the arts and sciences division attempted to do? It must be stated at the outset that, when this division was instituted, it was partially an exploratory and an experimental thing.

But the response has been extraordinarily good. From 645 colleges and universities the names of 4,200 friendly faculty members have poured in.

Both Republican- and Democratic-oriented college presidents have responded by stating that they are deeply impressed with what the Republican National Committee is doing with this program to stimulate interest in government and politics.

As newspapermen analyze the several score of academic people who are active in the Kennedy campaign, it is interesting to note by way of contrast, that over 4,000 academic leaders stand ready and waiting for their marching orders to contribute their specialized knowledge, experience, and skills to the Republican campaign at the State, congressional, and national levels.

Already hundreds have asked for specific assignments and hundreds are actively engaged in campaigns across the country.

A number of these intellectuals have contributed to a book-length series of papers on national defense; still others played vital roles as staff assistants to the platform committee at the national convention.

But, that is not all. Every day, cards, letters, telephone calls, and telegrams continue to deluge the arts and sciences division as well as the scholars for Nixon-Lodge headquarters.

Administrators and faculty members from colleges and universities continue to applaud the national committee's efforts to encourage and involve them in the politics of this campaign.

Two points should be noted: First, buried once and for all is the old erroneous theory that college campuses are the domain of the Democratic Party.

Second, a new era of life and growth is in store for the Republican Party and for its service to the Republic.

Since it is true that our Government is more important to more people in our country than ever before in the history of our Nation and because of our position in the world, it is important that we understand all of the basic philosophies thoroughly and harness the best talent we have to the task before us.

I want to commend the trend extant in both political parties which has encouraged discussion and participation in all our educational institutions whose principal purpose is, I am sure, to present America with an active, interested, and understanding citizen dedicated to the great purpose and ideal of freedom and a people who will do their all to achieve a more perfect union.

In this we will recognize the truth of what Edmund Burke reminded us when he said, "That government is best which teaches its people to govern themselves."

One final thought. The goal of the Republican National Committee's arts and sciences division is greater involvement of the Nation's intellectuals in practical politics.

But the goal goes far beyond partisan politics.

What is envisaged here is a nation utilizing every ounce of its intellectual as well as its material resources in the building of a better life for its people and in the life and death struggle with world communism.

I have tried and want to emphasize the importance of this great movement and the attention we are giving American intellectuals who participate in the active rolls of the Republican Party.

It has an immediate significance as well as a long-range importance and value to my party and, through my party, to our country and the great goals it has for all the people.

So that the people of our country may further discuss and better understand the difference between the kind of leadership and promise offered by the two parties, I would like now to turn my attention to this question and suggest that "there is a difference."

THERE IS A DIFFERENCE

What government does or does not do within a free society is a direct reflection of the plenitude or lack of reasoned public discussion of the great issues of our times. It is my humble hope that with this discussion on the theme of "There Is a Difference" I can stimulate some thinking on some problems and issues that are basic to our understanding of the political challenges.

I should like to begin by saying that one of the great political myths is the claim that there are no differences between the Republican Party and the Democratic Party.

Such an understanding simply does not square with political reality. Worse still, it seems to me that too often such an approach is the conscience satisfying escape with which the uninformed and the indifferent eligible voters console themselves in order to avoid the trouble of making a thorough study of the candidates and the issue or even going to the polls to vote.

It is, in fact, the unprepared minds' out from all further political bother, discussion, study, and controversy.

Once the fellow who has no opinion about anything and does not want to be annoyed convinces himself that there is no difference between the two parties, he has given himself the excuse-extraordinary for any further involvement in the politics of his country and the issues that plague it.

There is no use anyway, he says, since whether you vote this way, or whether you vote that way, it all comes to the same thing.

It is for him the ideal device for not having to inform himself on politics and the problems that engulf him, his family, his neighbors, and the world.

He has now furnished himself with a pat and easy retreat from any and all tests of his responsibility as a citizen, a voter, and a member of the political community.

He has reduced himself to a political cipher.

I call this the escape-from-freedoms-responsibility school of political psychology.

I am a Republican because I believe I can best serve my country politically within the confines of the broad principles it seeks to represent.

I am intensely partisan because I have deep convictions about the effective role of active party membership.

About those who wish to escape from freedom's responsibility—a painfully numerous class of political inactives—I have no party complaints whatever since it is an affliction and/or condition that both parties must contend with.

Surely one does have sympathy for the harassed and bewildered voter confronted with the conscience-searching problem of making a decision in an age of profound and world-shaking crises.

It is human to want to slough off a burden on the mind and on the conscience, which is a voluntary burden of free citizens anyhow, and behind which there is no compulsion and for the neglect of which there is no concrete and immediate penalty.

But there is a penalty in the end that all must suffer.

So, let us not delude ourselves, because there is a guilt on those who fail to vote.

The guilt is compounded when excuses are seized upon that have no basis in truth.

Of all the excuses that I have heard—and there are many—such as "politics is a dirty business," "Who can believe what they say?" "I have my own troubles," "I just don't like politics," the most insidious is that politics, especially in 1960, makes no sense because there are no differences in the philosophies or the ideologies of the two political parties.

The guilt is blackest on the political commentators, the so-called experts and many political leaders themselves of the past and present who should know better and many of whom do know better, and who gave rise to the myth in the first place and have fed and fostered it.

To say that there are no differences between the two parties is to fail to see and understand the real makeup of our political structure.

If there is no difference, then, in terms of their publicity and public relations efforts, the two parties are guilty of the greatest hoax in the history of domestic politics.

It is my contention that the difference between the two parties is very real indeed.

The difference is indeed the difference between black and white, but it is not yet the compelling difference that exists, say, between our system and the Soviets. It is because apperceiving this difference involves some thought that the myth of the sameness is made possible. For me, as for many Americans, the difference between the parties is evident not only in the way each group thinks out the solutions to identical problems; it is evident, I maintain, even in their physical appearance as their conduct came through on the television screen from Los Angeles and then from Chicago.

It is a difference that is hard for some to define since both had the quality of prosperity, well-being, patriotic endeavor, and an impressive and wholesome Americanism. There were our people—both parties—but I think the evidence was patent that the Democratic Party performed, as has been noted in the press, in the manner of a well-heeled tourist convention out for the maximum of fun and excitement and a minimum of wrestling with the gravity of issues that threaten the happiness and the peace of mankind. The Democratic Convention was by no means devoid of a sense of purpose. But whatever sense of purpose it had, for the most part, was secondary to the principle motivation, which was that of having a riotously good time and doing a lot more cheering than thinking. They wanted some idea, some slogan, some cliche to applaud, and some personality to raise the roof off for, and sing hosannahs to. The Democratic Party Convention wanted to take the Ark of the Covenant and the gods in the temple and go out and dance in the streets with them.

The Democratic Party Convention in Los Angeles was a "Hurray—the-gang's-all-here" convention.

But the unbiased public for the most part agreed that was hardly the atmosphere characterized by the Republican Party Convention in Chicago.

Here, too, there was controversy and conflict, enthusiasm and disappointment, defeat and victory.

But the visual and demonstrable evidence to the eyes of the beholder in tens of millions of homes throughout the land made it significant that this was a convention dedicated to a program of solemn tasks.

It, too, after the American political habit of ebullience, loved to cheer and to applaud, to march and to wave flags and banners, pictures and slogans.

But the overall effect of the Republican Party Convention in Chicago was one of grave concern with the issues of our time and the selection of a leadership that would for the next decade determine directly the destiny of the United States and the free world.

Just as the Republican Convention of 100 years ago, the Republican Party Convention in Chicago this year was, as perhaps my partisan eyes insist on seeing it: an important page in world history.

The reason I emphasize these seemingly superficial and surface differences is because they reflect the substantive differences between the two parties, and because here was something made real, intimate, graphic over the television before the whole Nation.

Thus, I have nothing to back me up but what those who witnessed the two conventions in their own homes actually saw.

This distinction between the two party conventions, enthusiasm for enthusiam's sake in the opposition's camp and order and restraint, without repression in the Republican camp, is a psychological approach to the great differences that make the majority leadership of the two parties as unlike as day and night.

Behind this seemingly surface difference is a profound difference in principle and integrity, in the quest for truth and somber dedication, that lights up like a flaming revelation the present status and the past history of the Republican Party, and the current showmanship and past stunts and devices, of the opposition party.

Of course, the Democratic Party would not have the appeal and the power that it has had if it did not, sincerely, seek to overcome the massive omnipresence of the Soviet challenge.

The Democratic Party wants to win out against the Soviet plague that afflicts us, and the complex of domestic ills and inadequacies as all loyal Americans want to win out against them.

But, the opposition party, conforming to its history and the plunging errors of its past, wants to do it by a vast policy of spending treasury dollars as if they were confetti to be scattered before a strong wind to a multitude of reaching hands in complete indifference to inflation, or prudence, or the morrow, or how little the widely scattered dollars today will mean to the imminent world of tomorrow.

What is abhorrent and ugly, even dishonorable, to the mind of a Republican on the question of inflation, is merely normal and practical and routine to the mind of the great part of the Democratic Party. I do not mean that the other party has the fiduciary morals of a pickpocket. But to the thinking of the Republican Party the pensions, both private and public, of some 16 million Americans now living, is a sacred trust on the level of the relationship between say, a banker and his client, a merchant and his customer.

It is a matter of business honor and a question of delivery and performance on a solemn contract.

But if a pensioner's dollar at the hour of retirement is worth a dollar; and 5 years or a decade or so later, his pension dollar is worth only 59 cents, then the financial powers of the country have cheated him out of the difference.

It is true that the money out of which he has been cheated has not gone to enrich someone in particular, as in the case of a pickpocket who steals an unwary working girl's Saturday pay envelope.

But the pensioner surely has been deceived and taken in by the propaganda of compassion for the common man that made him the victim of this legislative con game.

He has been taught to think that the political party that initiated this pension legislation is his very particular friend, only to wake up a decade later to discover he has been and is the victim of a vicious kind of political demagoguery.

To me it seems a matter of basic honor that a pension dollar ought to be worth, throughout its lifetime, what it was worth at the hour of the individual's retirement.

Anything less than that is, as I see it, a policy of fiduciary defalcation.

The difference between the Republican and the Democratic Party is that the Democratic Party economists and apologists see this as the normal and omniscient operation of the laws of government, finance, and economics.

The Republican Party, believing in a far more difficult but ruggedly honest solution of old-age pensions, wants the dollar to remain clean, sure, uninflated, and meaningful in the life of the 16 million Americans who depend on it.

It is not a question of "Hurrah! Let's pass the legislation," but a question of making sure that the legislation does what it says it does.

In a basic sense I deny, as a statistical untruth, that there are—actually—more Democrats in our body politic than Republicans.

What the Democrats have is an artificial popularity stimulated by the immediate promise of dollars in the hand, through fabulous Government spending.

This is an irresistible voter appeal in some quarters, where more prudent policies with better promise of success in the longer run are more difficult to communicate in the pressing heat of political campaigning.

The wiser policy that builds on strong foundations is more difficult to explain.

The showmanship of eloquence is easier and more crowd pleasing if you promise to put money in everybody's

pocket right now, even if, substantively, the promise is hardly even a half truth. For quick dollars are cheap dollars and become a debased currency.

That is not only the story today but that has been the story throughout Democratic Party history.

There are those of us even now who can still remember the great campaigns and the even greater showmanship and appeal of presidential candidate William Jennings Bryan.

What was true then is true today. It is the pattern of our political history and shows up the deep roots of the differences between the two parties.

In the election of 1896, the Democrats demanded the free and unlimited coinage of silver at a ratio of 16 to 1.

But the Republican Party demanded the retention of the gold standard.

The Republican victory led to the Gold Standard Act of 1900.

If history has shown anything, it is that the Democratic Party went overboard on that issue.

Yet, presidential candidate Bryan roused the Democratic Convention in Chicago to a fever pitch, and won the plaudits of millions, with such typical Democratic oratory as this: "You shall not," he said, "press down upon the brow of labor this crown of thorns; you shall not crucify mankind upon a cross of gold."

Even though Bryan lost there is no doubt that this kind of language must have been pretty passionate stuff for the American audiences of that day.

I insist that fundamentally the picture has not changed one iota.

Whether the argument is about cheap coins or cheap solutions.

Whether it is a question of labor law, agricultural policy, foreign aid, or education.

Whether it is legislation for medical aid for the aged or civil rights.

Whether it is veterans or veterinarians.

When the Democratic Party approaches the issue, it does it with a shout and a hurrah.

They came to Washington in the thirties to do the country over, and they would have made it over, in fact did make it over in some parts that cannot now be retrieved, but for the restraining influence of a handful of Republicans who held the line like a rearguard action.

And they held it because, I am happy to acknowledge, they had the cooperation and the collaboration here and there of a courageous company of Democrats.

But they were Democrats who saw the Republican light.

They were Democrats who abandoned the Democratic philosophy.

They were the Democrats who saw in the famous hundred days more than a hundred infamous mistakes that convulsed the country in a perpetual circus of flipflops.

What differentiates the Republicans from the Democrats, as parties in recent years, is that a certain wing of the Democrats institutionally have a tradition of going overboard.

As they went overboard on silver in 1896 so they have a tendency to go overboard on soft money today.

An examination of the two platforms in 1960 indicates that there are strong differences and even a radical conflict in basic operational ideology between the two. This is not to say for a moment, however, that the goals are not the same.

The differentiations are not subtle at all. They are broad. But they are differentiations of degree, so much so, that the Democratic point of view taken in toto, can be described as extreme.

It can be described as radical. It can be described as going overboard. It is just too, too much.

I hesitate to say this but I am finally pressed to the conviction that the Democratic Party policymakers in recent years are willing to surrender their political integrity for the sake of a quick and easy, a definite and opportunistic political coup.

I say they go overboard and you say cite the cases, give us the evidence.

Well, here it is—the Democratic Party went overboard with the National Recovery Act—the NRA in 1933 which the Supreme Court declared unconstitutial in 1935.

Here was a device to make the country over. They were bent on giving us an economic totalitarian dictatorship within a political democracy and, of course, it could not work even if the Supreme Court had not declared it unconstitutional.

It was an act that went overboard because in one fell swoop it provided, under certain conditions, for the suspension of the antitrust laws.

This outlandish, anti-American, hopelessly alien NRA pushed itself into the workingman's pay envelope.

It elbowed into every marketplace in the country. The NRA fixed minimum wages which might have become maximum wages.

The NRA gave the President the power to fix blanket codes for those industries which did not voluntarily prepare their own.

The NRA established price arrangements.

The NRA strangled the American economy until at long last the Supreme Court strangled the NRA.

The Democratic Party went overboard with the AAA—the Agricultural Adjustment Act of 1933.

Here was something for the history books. It actually destroyed crops that had been planted. It applied the theory of "plow 'em under" and "kill the little pigs" as a basis for farm prosperity.

And it paid out of the Federal Treasury several hundred million dollars for a kind of legalized vandalism.

This time the Democratic Party not only went overboard but it tied a heavy weight on the feet of the American economy to hold it down.

What good it did, if any, was as artificial and as unnatural as a fish wearing horseshoes.

Everybody wanted to help the farmer and everybody wants to help him now.

But this certainly was not the plan for it and its stark and dismal failure as a policy is not of the trademarks of the Democratic Party.

The country thanked God for the Supreme Court which declared the AAA unconstitutional in 1936.

The Democratic Party went overboard, when deliberately and by careful legislative design, it abandoned the gold standard—I say unnecessarily—back in 1934 with the Gold Reserve Act.

This did permanent and vicious violence to our country's fiduciary integrity at home and abroad.

The idea was to create a rise in prices. The value of the dollar was fixed at 59.66 cents in terms of its former parity.

The intent, to be sure, was inflationary and so was the result although other Democratic fiduciary policies also helped to debase the American dollar.

Certainly, what I have said so far gives some indication of how broad and how deep are the differences between the two political parties.

The Republican Party as a party would no more advocate the AAA or the NRA or the abandonment of the gold standard than it would advocate making Khrushchev chairman of the board of the First Boston Corp.

But history is rich in evidence. And there is more.

Perhaps no act in the history of this century so far is as shocking an example of the Democratic Party's tendency to go overboard as the attempt to pack the Supreme Court.

How can that be defended?

And I do not arrogate all the sense of shame and dismay to the Democratic Party.

Not a few Democrats and—in the end—perhaps the whole Democratic Party was shocked just as much as we Republicans were.

Only since the Democratic Party perpetually goes overboard and then tries to retrieve itself it takes longer for the sense of shock to travel from the point of impact to the brain.

It must be said in justice to my, the Republican Party, that it sees before the fact only what the Democratic Party sees after the catastrophe has struck. Then the Democratic Party must be either bailed out of its bankrupt, headlong, foolhardy judgment by the Supreme Court, or by a massive public indignation, or by its own remorse and contrition.

Some of you may say, but all this is old hat and ancient history and has been chewed over again and again.

And so it has. But if we are talking about the differences between the two parties we must draw upon these dramatic examples that give us the face of the recent leadership in the Democratic Party. And it is the face of a party which seeks solutions through well-intentioned but unwise radicalism and popular extremes. On the other hand stands the Republican Party as a party which seeks solutions by sound appraisal and thoughtful, considered and effective action.

I would be the last to deny that sometimes—sometimes, after a lot of wild shooting in all directions—the Democratic Party does hit the bull's-eye, does make a 10-strike, does hit the jackpot.

I would be the last to contend that all the legislation they have sponsored and helped to enact—often with a lot of Republican Party collaboration—was just so much socialism. I would be the last to contend that all the legislation that derives from the Democratic Party leadership and Democratic Party initiative and advocacy lacked sound planning—at least after a lot of false starts and often unabashed demagoguery on the part of some.

But the basic record of the opposition party—its conventions, its legislation in toto, its campaigning, its platforms—is a record overburdened by and interlaced with political hysteria. This is not to impugn their motives, or charge that their sympathy for the so-called common man and the so-called forgotten man was all one solid piece of hypocrisy.

Much of it is deeply felt and genuine.

It is rich in concern for the special interest groups in the large metropolitan areas of the Nation.

The Democratic Party hierarchies' difficulty today is that their election techniques and their brilliant capacity to appeal with poignant skill to the heaviest mass of the voting population often outruns their essential integrity and certainly their ability to deliver what they so easily and eloquently promise.

The Republican Party by contrast treats its platforms and the language of its leadership as an honest borrower treats a promissory note.

This is a solemn contract made with the people of the United States.

Great aspirations may be indicated, but a promise is one's bounden word and a promise is a promise.

It is this rugged integrity, this austerity in the matter of promises of legislative largess by the Republican Party to this mass of voters and that group of petitioners for legislative reform that gave the Republican opposition the basis for one of their greatest political myths.

This is the myth that the Democratic Party stands for the common man and all the people, while the Republican Party has for its special darling the so-called economic royalists and the malefactors of great wealth.

When is that canard ever going to cease?

The Democratic Party election technique takes a special glee and delight in selecting the administration of William McKinley to satirize current Republican leadership for the alleged hidebound, archaic, and brutal principles of indifference to the workingman and the unfortunate poor.

They make a big platform joke of charging this or that Republican candidate with being to the "right of McKinley."

And all this becomes part of the vast general charge that the Republican Party is the friend only of the banker, the real-estate mortgagor, the manufacturer, the pawnbroker, and the exploiter.

Well, let us look at McKinley.

I hold it entirely just to consider McKinley as indeed part of the Republican Party record.

Republican Party history cannot repudiate him, and neither do I.

Well, what about McKinley? I will tell you.

When McKinley was a young lawyer, his biographers tell us, his—I quote—"most interesting case" was that of a group of Massilon miners, imprisoned for riot in 1876 during one of the periodic violent strikes in the coal-mining industry.

I quote from the recent Pulitzer prize-winning Margaret Leech biography. She writes:

> McKinley was in sympathy with the workers' grievances, and undertook a case that had aroused much prejudice in the community. He succeeded in getting all the offenders released except one.

Then comes the additional fact that McKinley—I quote "refused to accept payment from the impoverished strikers."

This was the rightist McKinley who is the Democratic Party's symbol for alleged Republican Party antipathy to the workingman.

It was McKinley when he was Governor of Ohio who, for my money, did more in his day, for enlightened labor legislation, than a whole covey of his contemporary Democratic Governors.

I read from the same biography:

> The labor laws enacted by the legislature bore unmistakable signs of McKinley's direct influence.
>
> The acts for the protection of railroad and streetcar employees from accident and exposure responded to the suggestions of his inaugural.
>
> A bill was also passed to fine employers for preventing their workers from joining unions.
>
> McKinley took an especially keen interest in a new industrial arbitration bill, which was founded on the pioneering act of Massachusetts and closely followed recommendations that he himself had made in Congress.

It is a matter of history that against the urgings of Mark Hanna, McKinley refused a Cabinet post—Postmaster General—to Henry C. Payne because Payne had been a railroad lobbyist and an enemy of labor.

Labor in McKinley's own time and during great labor crises was itself often warm and cordial to the Republican President.

This is not to deny that the Democratic Party candidate in McKinley's time had the endorsement of the great consolidating unions.

But labor bosses do not—then or today—necessarily always represent the best interest of labor.

Their endorsement of the opposition to McKinley hardly justifies categorizing McKinley as a symbol of injustice to the workingman.

There were periods of great prosperity during the McKinley era.

This made it possible to charge the President with being the friend of the moneyed interests and big business.

Yet, it was McKinley who in a strategic and important letter of acceptance wrote savagely of the great combinations of business.

I quote verbatim from his acceptance letter. He wrote:

> They are dangerous conspiracies against the public good and should be made the subject of prohibitory or penal legislation.

These are hardly the words of a presidential candidate buddying up to predatory wealth.

McKinley's successor in the White House, Theodore Roosevelt, made so compelling an impact that even the most irresponsible demagogs in the Republican opposition failed—to this day—to deprive him of his glory as a "trust-buster."

This Roosevelt was hardly a radical, and it is he who so accurately helps us recognize the role of the Republican Party in our two-party system, the role of neither being pellmell for one side or the other, but of being outstandingly for justice to the whole economy, to the whole people, to the interests of the Nation.

This means for labor when it is in the right and against big business, with judicial vigor, when it is in the wrong.

It means being for the poor only when they are right and not simply because they are poor.

It means being against the rich not because they are rich but only when and if they are in the wrong.

The Republican Party is not a party of class but a party of justice and the party of reason and the party of sound sense, even to the point of unpopularity.

On the question of the public welfare it was Theodore Roosevelt who reached boldly beyond any legislation then apparent in a Democratic administration for the sake of what has become known as the common man.

In March of 1918 Theodore Roosevelt came out fighting in his demands for a system of old-age, sickness, and unemployment insurance.

He came out for public housing.

And he came out for a whole gamut of other reforms.

May I repeat this lest I be misunderstood or fail to give it due emphasis.

I say Theodore—I repeat, Theodore Roosevelt, before the New Deal had even been heard of—in 1918—came out for policies that the New Deal later adopted.

And I emphasize with neon lights, if I may, that the difference between the Republican Party and the Democratic Party is powerfully manifest in precisely the handling by the two parties of these same issues.

The difference, I submit, is the difference between black and white.

It is all the difference between horsesense and hysteria.

Theodore Roosevelt, a decade, two decades before his famous namesake, did not present his welfare program in the ugly spirit of a class war.

Theodore Roosevelt did not present his welfare program with a great roar and shout of "making the country over."

There was no such business as rewriting, downgrading, or undermining constitutional principles that happened not to conform to the excitement of the moment.

There was no such thing as debilitating and adulterating the Supreme Court of the United States so that the Executive could have his way in spite of the Constitution.

The program that Theodore Roosevelt espoused—Roosevelt the Republican—was the program that found plenty of room to operate within our constitutional system and without dredging up the notions of a disenfranchised and exploited and enslaved American "proletariat."

Thus, I repeat, there are differences and this is one of them.

I have named McKinley whom the Democratic Party speech writers have traduced, and I have named Theodore Roosevelt whom they mostly ignore.

Let us add Charles Evans Hughes to point up the glaring and wholly vicious unkindness of perpetually presenting the Republican Party in the image of a creature of big business and an enemy of the plain people and the working man.

It is a statistic of history that before the end of Charles Evans Hughes' second term of Governor of New York the Hughes name was on no less than 56 statutes for the benefit of labor.

A publication called Legislative News, a union labor organ in New York appraised the Hughes contribution to the laboring man's happiness and security.

This publication wrote that the Hughes labor reforms included "many of the best labor laws ever enacted in this or any other State." The publication added:

> Now, that Governor Hughes has retired from politics the fact can be acknowledged, without hurting anybody's political corns, that he was the greatest friend of labor laws that ever occupied the Governor's chair at Albany.

Charles Evans Hughes was certainly one of the four or five greatest Republican Party leaders in the history of party politics in the United States.

It was Governor Hughes who stopped public power give-away attempts in New York and made private companies pay for what they got.

But what Hughes did for labor, what Theodore Roosevelt did for the people in his curtailing of the power of the trusts, what McKinley even before them did for the "common man" before the phrase had even been dreamed up, was never presented to the American people in the politically honkytonk display style with which the more radical wings of the Democratic Party present the New Deal.

It was unaccompanied by shouting and hurrahs.

It was valid legislation for a valid cause and it is legislation that remains unchanged on the statute books.

Republican legislation did not go overboard.

The Wagner Labor Relations Act is in its essence no doubt a good act.

But the difference between the Republican Party and the Democratic Party is that if the Wagner Labor Relations Act had been authored by the Republican Party, which also believed and believes in prolabor reform, it would have stood the test of time.

If the Wagner Labor Relations Act of 1935 had been fathered by my party, the Republican Party, the modifications and the alterations of the Taft-Hartley Act of 1947 would have been obviated.

It would have been right in the first place. And it would not then have been necessary in 1959 to enact the even more drastic Labor-Management Reporting and Disclosure Act—or the Landrum-Griffin Act, as it is called.

I think Republican leadership would have foreseen corruption and prevented it.

This is just a speculation and I may not be absolutely right in it.

But, I submit, as a difference between the two parties, that when the Republican leaders draft a bill they mean it to operate and to work effectively and successfully from the beginning.

They do not mean the bill to answer full blown any immediately pressing current of hot and emotional opinion that needs later to be modified when passions have calmed.

Republican legislation is legislation that avoids going overboard.

This is my thesis for the explanation of the differences between the two parties.

What matters now in the presidential campaign and for this hour is a judgment as to which of the two philosophies of government better fit the crisis we are in.

The choice is as much if not more as between the two parties—Republican and Democratic—as between personalities who represent the parties and who will project that thinking upon the policies of the United States in the next 4 years.

In the past, the overboard, shotgun method of approach was applied by the Democratic Party and its leadership, to almost exclusively domestic issues.

There were some startling adventures in the foreign field that did not invariably end for the good of America and the free world.

What we see today is a premonition of the back of the world being broken over the massive world cleavage between the Communist slave concept and the concept of a free world for free men.

We could, in the past, afford mistakes like the NRA and the AAA and the abandonment of the gold standard and even the horrors of inflation.

We could even put up with the attack on the integrity of the Supreme Court since in the end all these mistakes were either nipped-in-the-bud or modified or exposed and swept into nothingness.

But this is the age of the atom and today the shotgun and overboard method of seeking solutions—the method of trying everything and seeing which works and which does not—is outmoded.

It is not only outmoded; it is catastrophically perilous.

We cannot afford errors that may sweep the world into an atomic war.

We cannot afford errors that may vitiate, or enfeeble, the American dollar.

We cannot take chances with the American economy by probably brilliantly conceived but hopelessly impractical schemes dreamed out of some textbooks by some of the more extreme liberals of our college professors and political advisers who think they know all about theory but little about the facts of life.

We cannot take chances with a theory of government by propaganda wherein the extreme liberals of the Democratic Party critics charge alleged missile gaps and then willy-nilly propose the all-American solution of spending a lot more billions of dollars to close a gap that never existed.

Is there a problem in education? Spend more money.

Is there a problem in agricultural surpluses? Spend more money.

Is there a problem in medical aid? Spend more money.

Is there a problem in defense? Spend more money.

The Republican Party—if you will pardon my partisan point of view—has come upon the world stage with a new and fresh and dynamic brace of leadership.

It is not just youth and vigor, but youth and vigor with a background of experience, ability, and temperament.

It is a leadership that is reaching out to all interested Americans who believe we have not failed to see or tried to meet the challenge of this age and to discover what it needs to do to set up a vast complex of goals about all of which it seems to feel painfully—and youthfully—uncertain.

It is a leadership that has already been tried and tested and made good.

It is a leadership that has informed itself on the very combat front of world politics—in the United Nations—in the executive department and in the Senate of the United States.

This is not to say that the Democratic leadership may not work out to the good—but who knows?

Here I have before me the solid evidence of current history that the proposed Republican leadership is moving in a path with which it is practically and by experience familiar.

Republican leadership knows what it is doing and it knows where it wants to go.

Republican leadership is not harassed into a state of hysteria about defense when, as we have just seen, in no more than a single day this administration made five significant and historic advances in space progress—five.

It can be stated like a postulate in simple arithmetic that the United States now leads the Soviet Union 25 to 7 in successful space shots.

They are ahead of us in the exploration of space around the moon. They are ahead of us in the matter of shooting sheer weight into the heavens.

But the sum total reveals the United States in a position the Soviet scientists have yet to match and the overall picture leaves them behind us.

The United States discovered two radiation belts around the earth.

The United States gaged the effect of solar explosions on the earth's magnetic field.

The United States beamed a recorded voice from space.

The United States photographed the earth from space.

The United States used solar energy to power satellite radios.

The United States established the shape of the earth.

The United States tape recorded satellite information for delayed delivery on ground command.

The United States shut off and restarted a satellite launcher in space.

The United States recovered an object from orbit.

The United States has launched the first weather, navigation, and communication satellites.

The United States holds the record for long-distance communication—22½ million miles.

Add to that the recent achievements in putting a great silver balloon in orbit and the recovery of a missile returned to earth from outer space.

Why do I give this in such detail?

It is because criticism of our missile program is the material the opposition employed—in its overboard approach to crusading reforms—to impugn the competence and the motives of the Eisenhower administration.

The Eisenhower administration, they said ad nauseum, is more concerned with the budget dollar than with defense.

And their answer was to demand a pouring out of more and more billions as if all that was needed to get more missiles to go farther was to open the vaults of the U.S. Treasury.

It was like arguing that all one needed to furnish the National Aeronautics and Space Administration with a dozen or so Einsteins was a larger appropriation.

The principle of leaving it to money to do the job may help—here and there—to advance one's political ambitions.

But it is not a process for establishing leadership for a world in transition and in chaos.

What the United States wants and desperately needs at the helm of its affairs is men—precisely NIXON and Lodge—who have met the men of the Kremlin and know how they think and act and fight beause they faced and fought them.

They, too, as I made clear in my introduction, will seek guidance from the academic world and from experts in a variety of fields.

But their decisions will be predicated upon an amalgam of practice and theory, about knowledge and experience.

They will have behind them the philosophy of a party—the Republican Party—that thinks of its convention platform not as a fine and noble set of ideals that may be achieved in another millenium if at all.

They think of their convention platform as men of responsibility and prudence think of a contract with specifications that must be fulfilled as a matter of honor and integrity.

Almost as I speak today we have had still another and revealing index to the difference in character between the two parties.

The Congress of the United States is in a kind of postponed extraordinary session confronted with a massive order of business.

If the Democratic Party really means what it says so volubly and forcefully in its platform, here and now is the opportunity of opportunities.

The Republican President of the United States, instead of obstructing the highly touted Democratic Party aims which might be politically expected of a lesser occupant of the White House, has come out actually as their champion.

The President says in about so many words to a Democratically controlled Congress: "Go ahead, I am all for you, and here are my words proving it." He said in essence: "Give me a good middle-of-the-road program that makes sense."

But how does the Democratic Party, at the very seat of power, react to this golden opportunity to do what it is always saying it wants to do?

Do they really want a world food bank plan that does the job?

Do they indeed favor new economic aid to Latin America that is realistic?

Are they in truth for medical assistance to the aged that is not inflationary?

Do they want a higher minimum wage or do they just want to talk about it?

Will they dish out new funds for an airborne alert?

They say they are for more generous school construction Federal aid and for higher teachers' salaries. Are they?

Of course they want to give money to the depressed areas. Well, where is it?

The answer of the Democratic Party is as compelling an insight as I know to the political differences between them and the Republican Party.

Their answer is that in the face of this magnificent moment for the Democratic Party to do what it says it believes in, the Chamber of the House of Representatives in the Congress of the United States is empty, I repeat, empty, of Democrats.

They have a two-thirds majority in both Houses.

On August 16, and for the second successive day, the Democratic Party was unable, in the House, to so much as muster a quorum and adjourned after only 5 minutes.

The record shows that no more than 60 of the 432 Members were on hand.

Among the absentees was the Democratic majority leadership.

Is this performance as promised?

Is this political integrity?

There is indeed a difference—a profound difference—between the Republican Party and the Democratic Party.

That difference is reflected in the leadership that came out of the Los Angeles and the Chicago conventions.

A nation seeking the leadership of responsibility, of prudence, of the experienced hand and the astute mind, a nation that wants to continue to feel optimistically and happily about the future will know how to cast its votes in November.

It will vote the way it will vote precisely because there is a difference between the two parties and because the difference is so great.

Upon the choice the American people make may very well hang the survival of mankind.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Does the gentleman take the position there was more thinking at the Republican National Convention than there was at the Democratic National Convention?

Mr. SCHWENGEL. Let me say this to the distinguished majority leader——

Mr. McCORMACK. I am just curious.

Mr. SCHWENGEL. I have some observations, and I dwell on that point later in my talk.

Mr. McCORMACK. The gentleman made two statements, and I was simply curious if the gentleman takes the position there was more thinking at the Republican National Convention than there was at the Democratic National Convention.

Mr. SCHWENGEL. May I say that I recognize the gentleman as a great public servant, and a great leader in his party. I want to say that I do not want to make any accusations that cannot be supported, but I have this feeling, in answer to your question, that there was more thinking that went into what we did at that convention than what went into the Democratic convention.

Mr. McCORMACK. I had an idea that whatever thinking there was at the Republican National Convention suddenly ceased when Vice President NIXON took his pilgrimage to New York to confer with Governor Rockefeller and to capitulate to Governor Rockefeller. Then the thinking at the Republican National Convention ceased.

Mr. SCHWENGEL. You know, I am very glad that the gentleman brought up that point, because this was an attitude that was not expressed by myself, but it was expressed by people at our convention, by some of our leaders. But, let me remind the gentleman that another great statesman went to McClellan. His name was Lincoln. Now, in that he demonstrated humility.

Mr. McCORMACK. I am talking about 1960. Of course, if you are going to talk about Lincoln, he would be a Democrat today if he were alive.

Mr. SCHWENGEL. Well, that is your opinion.

Mr. McCORMACK. Well, now, the fact is that Lincoln was not reelected as a Republican. He was elected on the Union ticket, not on the Republican ticket.

Mr. SCHWENGEL. Just let me remind you that he never denied being a Republican.

Mr. McCORMACK. I am delighted at my friend's speech. I am putting some color in it.

Mr. SCHWENGEL. I am glad to have the gentleman's comment, but I am not one to admit that if Lincoln were alive today, he would be a Democrat.

Mr. McCORMACK. He was a progressive.

Mr. SCHWENGEL. Lincoln was a great moderate.

Mr. McCORMACK. A great what?

Mr. SCHWENGEL. A man that believed in going down the middle of the road politically and on the great issues of his time.

Mr. McCORMACK. No; he was a great progressive.

Mr. SCHWENGEL. Well, that is your opinion.

Mr. McCORMACK. Do you deny that he was?

Mr. SCHWENGEL. I do not think he was a great progressive.

Mr. McCORMACK. You do not?

Mr. SCHWENGEL. I think he was a great realist. He knew what was right or wrong. I would like to make a speech sometime on this question of liberalism and on Lincoln's moderate attitude.

Mr. McCORMACK. I did not say "liberalism." I said "progressive."

Mr. SCHWENGEL. Well, you can describe him as that, and you have the right to. There were books written about the fact that he was a progressive and there were books written that he was a great moderate and there were books written about the fact that he was a great conservative. In fact, some of our great conservatives are quoting Lincoln all the time, so you do not prove anything.

Mr. McCORMACK. You said he was a great realist.

Mr. SCHWENGEL. Yes.

Mr. McCORMACK. Well, I had an idea that Lincoln had a great moral outlook on life, too.

Mr. SCHWENGEL. Yes. Sure. He stood for rights, too.

Mr. McCORMACK. Realism is something different than what the gentleman is now saying. I am trying to get the gentleman correct in his statement as to the position of Lincoln. To say that I am a realist means that I am a man who responds to expediency, in part, and I would not want the gentleman to leave the RECORD to appear that he thinks he, Abraham Lincoln, was a man who responded to expediency.

Mr. SCHWENGEL. Oh, you read the life of Lincoln.

Mr. McCORMACK. I am defending him.

Mr. SCHWENGEL. Sure. And I defend him, too, and I defend his realism.

Mr. McCORMACK. You said he was a realist. Now, he was something plus that, was he not?

Mr. SCHWENGEL. Well, he was a great American. He was the greatest American, and he was a Republican.

Mr. McCORMACK. I thought NIXON was the greatest American since Washington when he was nominated.

Mr. SCHWENGEL. Well, he is the greatest living American. I admit that.

Mr. McCORMACK. You say he is the greatest living American since Washington. That means he is greater than Eisenhower, according to what you say. But, you have not answered my question. Let us come back to that. You were insinuating that there was more byplay at the Democratic National Convention than there was at the Republican National Convention. You have admitted that finally they got to NIXON and Rockefeller and then the old domination came in, did they not? You will admit that.

Mr. SCHWENGEL. You started bringing Lincoln in, and we got off on that subject.

Mr. McCORMACK. I did not bring Lincoln in. You did.

Mr. SCHWENGEL. And I do not apologize for that, either.

Mr. McCORMACK. I defended Lincoln.

Mr. SCHWENGEL. I will defend him, too, and I believe I have read more books on Lincoln than you have.

Mr. McCORMACK. Will you not admit, as far as the Republican convention is concerned, as far as the platform is concerned, that as far as the action of the platform committee is concerned, it became a dominated convention? Will you not agree to that?

Mr. SCHWENGEL. No.

Mr. McCORMACK. Well, then, probably you are in bad shape again.

Mr. SCHWENGEL. I most certainly am not. NIXON's going to Mr. Rockefeller was a demonstration of humility.

Mr. McCORMACK. Humility?

Mr. SCHWENGEL. Yes.

Mr. McCORMACK. There was realism. What I call expediency.

Mr. SCHWENGEL. Well, you can put any interpretation on it that you want. I think it was a great move. It was the mark of a great statesman.

Mr. McCORMACK. A great statesman?

Mr. SCHWENGEL. Yes. And I do not apologize for it.

Mr. McCORMACK. It is one man going to another, capitulating and leaving the party; is it not?

Mr. SCHWENGEL. He did not capitulate. He might have convinced Rockefeller of a lot of things.

Mr. McCORMACK. He convinced Rockefeller?

Mr. SCHWENGEL. Yes.

Mr. McCORMACK. Rockefeller was the dominating thinker as between those two.

Mr. SCHWENGEL. That is your opinion.

Mr. McCORMACK. At least he is a progressive. He could not get two members from his side the other day and vote for his view on the medical aid bill.

Mr. SCHWENGEL. Now, since you talked about that, I do not think that you should talk about it, because your record is not very good.

Mr. McCORMACK. My record?

Mr. SCHWENGEL. I am talking about the Democratic Party.

Mr. McCORMACK. On what?

Mr. SCHWENGEL. On almost any issue that has been before the other body and this body since we have been back.

Mr. McCORMACK. Oh, I will say to my dear friend, that he is a man ordinarily of intellectual honesty. But now he has put himself in a very partisan position, has taken a byroad from that general broad pathway of intellectual honesty that he ordinarily pursues. And I am complimenting him, but he does not realize it.

Mr. SCHWENGEL. I thank the gentleman.

Mr. McCORMACK. It may be backhanded.

Mr. SCHWENGEL. It is rather backhanded, I would say. I know the gentleman from Massachusetts does not want the RECORD to show that he is not partisan. He is one of the most partisan men in the House. I admire him for it; he is a great leader.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. McCORMACK. I am a great believer in the two-party political system; but I believe that it is in the best interests of the people of the country and of their States to have the Democratic Party in control.

Mr. SCHWENGEL. That is the gentleman's belief; I just do not agree with him.

Mr. McCORMACK. That is how partisan I am. Of course I am partisan. I fight for my party and my party is invariably always right. And I admire the gentleman for fighting for his party. Let us not have any disagreement about that.

Mr. SCHWENGEL. I thank the gentleman. I want to say to the gentleman from Massachusetts that my party may not always be right, but I will say to him that it is right more often than it is wrong, and it is more often right than is the Democratic Party, in my opinion.

Mr. McCORMACK. Of course, the gentleman's opinion in that respect would have very little probative weight amongst a group of objectively minded people trying an issue and making a decision, because the progressive party, the party of the people, is the Democratic Party. The gentleman's party is in the control of the Old Guard.

Mr. SCHWENGEL. That is something you can say, but it is another thing to prove it.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. SCHWENGEL. I yield.

Mr. JOHNSON of Colorado. I have the Republican platform here. Just to be bipartisan here this afternoon, I find that the Democratic Party on pages 20 and 21 of its platform made a statement against inflation. Can the gentleman call my attention to a similar passage in the Republican platform?

Mr. SCHWENGEL. I am not prepared to do that. Yes, I think I could find it if I had my own copy of the platform here. I have it pretty well marked up. I have a copy of it in my office. If I had that I could tell the gentleman a lot of good things about that platform.

Mr. JOHNSON of Colorado. Let us have the RECORD show that the Democratic Party was concerned about that point. As a member of the platform committee at Los Angeles, I can assure the gentleman that was a very prominent point.

Mr. SCHWENGEL. I hold that you cannot guarantee any balancing of the budget with that proposition, with all you seek to do.

Mr. JOHNSON of Colorado. I will take time in the next hour. I hope the gentleman will stay around to join the debate.

Mr. SCHWENGEL. I will stay and listen.

Mr. JOHNSON of Colorado. Before the gentleman proceeds will he yield further?

Mr. SCHWENGEL. I do not have too much time left.

Mr. JOHNSON of Colorado. I was wondering which Roosevelt used the phrase "Malfactors of great wealth."

Mr. SCHWENGEL. Well, that is a very small point, and I know what the gentleman is talking about. And, I am glad to say that it was Theodore Roosevelt.

THE PUBLIC SERVICE OF DAVID CHAMBERS MEARNS

Mr. SCHWENGEL. Mr. Speaker, from reading biographies, studying the lives of great men, and from association with important people of our own time, we come to know that now and then, over the centuries, the human race gives us men and women of transcendent genius who, in serving their own time, display a quality of timeliness that gives to them, to their deeds, to people they associate with and to their words, productive meaning for generations to come.

Today, I would like at this time to pay tribute to a man whom I consider one of those great men and who has earned this title by being a very distinguished public servant, one whose career of more than 40 years in the Library of Congress has lent much luster to the Government and to the service it renders to the people. In placing before you the record of David Chambers Mearns, Chief of the Manuscript Division of the Library, I would like to point with pride not only to the great services that the Library as a whole performs to this Congress, to the Government, and to the people of the United States, but also to the individual services that such a person as Mr. Mearns, through the everyday conduct of his duties, is constantly rendering—and all too often with complete modesty and utter anonymity. Based on my experience, I have noted that the people who use the services of the Government tend to take our Government personnel too much for granted. Too often we accept as a matter of course the services we require to carry on the necessary business of Government and all too often we who have the privilege to serve as representatives of the people forget that our own accomplishments are only made possible by the hard labor of many others. There is a tendency, moreover, to note and stress the shortcomings of public service rather than the virtues, to single out defects at the expense of really excellent qualities. By and large, I think, our Government personnel have an exceptional record of devotion to duty, integrity, and a keen sense of the values for things that are in the public interest.

Because David Mearns embodies these qualities in high degree I am glad to have this opportunity to point out how his lifetime contribution has greatly benefited not only the thousands of people the Library every day serves, but the entire world of scholarship.

Let me first acknowledge my own personal indebtedness to Mr. Mearns, who is one of our country's foremost experts on the life and times of Abraham Lincoln. It was to him that I went—before going to anyone else—when it struck me as appropriate that the Congress of the United States should observe and properly commemorate last year the sesquicentennial of Lincoln's birth. It was he who, at my suggestion, wrote House Joint Resolution 648, calling for a joint session of the two Houses of Congress, which many people believe became one of the central events, if not the central event, of the Lincoln sesquicentennial commemoration. The joint committee of the House and Senate that named me chairman of the joint committee on arrangements and, at my suggestion, named Mr. Mearns its secretary. He was thus an active participant in all the measures that, using such superlative and diverse talents as those of Carl Sandburg and Fredric March, contributed so largely to the national success of the ceremonies. His expert judgment and wise counsel were of enormous advantage in this recreation of a great American tradition, enacted with the Congress as the backdrop and the Senators, Representatives, Government officials, and diplomatic corps as the persons of the drama. Looking back on it, it seems to me that as fortunate as any decision I made for the anniversary was the one to enlist the help of David Mearns for me and for the committee.

As president of the Lincoln Group in the District of Columbia that sponsored the Lincoln Banquet on the eve of the 150th anniversary of Lincoln's birth, I can testify to the fact that his counsel, advice, patient and dedicated help and direction in making the Lincoln Banquet program the success that it was, was invaluable. This outstanding program featured President Dwight D. Eisenhower; Bishop S. M. Emrich, of the Episcopalian diocese of Michigan; and Fredric March, and was honored by the presence of Vice President Richard Nixon and hundreds of citizens, students, distinguished Americans and members of the diplomatic corps.

Mr. Mearns' progress to his present position of eminence was steady, and was foreordained by the sterling qualities he brought to the performance of his duties. His entire life has been spent in the service of the Library of Congress, and he has been a career man in the best sense of that term. Born in the District of Columbia on the last day of 1899, he was educated here at St. Albans School and at George Washington University, then at the University of Virginia. At the age of 18 he joined the Library's staff—at the princely starting salary of $360 a year—expecting, as he now recalls, merely "to remain through the Christmas holidays." Such was not to be, and today, after more than 40 years with that institution, he is fond of reminiscing on what he genially terms his "inexplicable survival and the Library's extraordinary endurance." After 2 years as a reference assistant in the Order Division, he transferred to the reading rooms, where he served successively as a stack inspector, special assistant, and chief assistant. In 1939 this phase of his career culminated with his appointment as superintendent of the reading rooms. Two years later he became Chief Reference Librarian, and from 1943 to 1949 he served as director of the reference department. In 1949 he became Assistant Librarian, and in 1951 he assumed his present post as Chief of the Manuscript Division, in addition to which he carries on the duties of Assistant Librarian for the American Collections and of incumbent of the Library's Chair of American History.

As Chief of the Manuscript Division, Mr. Mearns has had and has challenging responsibilities. He is the custodian of more than 17 million papers that are of inestimable value to students of the American past. This priceless storehouse of original sources includes the originals of Thomas Jefferson's rough draft of the Declaration of Independence; George Washington's commission as commander in chief of the Continental Army; James Madison's notes on the proceedings of the Convention that framed the Constitution of the United States; the first and second drafts of Lincoln's Gettysburg Address; the personal papers of 23 Presidents of the United States; many papers of their outstanding contemporaries, from Benjamin Franklin and Alexander Hamilton to Charles Evans Hughes and Cordell Hull; and the papers of distinguished scientists, jurists, military and naval figures, explorers, authors, architects, artists, editors, diplomats, clergymen, teachers, actors, doctors, industrialists, financiers, and philanthropists—in sum, the papers of those men and women who, in the long history of our Nation, have exerted a profound and lasting influence on the lives and destinies of their countrymen. In addition, the Manuscript Division administered by Mr. Mearns houses millions of transcripts and reproductions of material important for the study of American history that have been gathered over the course of many years from the archives of Great Britain, France, Spain, Mexico, and Canada. This invaluable collection is one of our national treasures, and is a basic key for understanding and interpreting our past and present. To it, every year, thousands of scholars come from all over the country to carry on fundamental research for books and studies that contribute to the truth of history.

During Mr. Mearns' tenure as chief of the division, some 5 million papers have been added to the collections in his care, and the Library's resources for service to the American people have increased correspondingly. But, Mr. Mearns is not just a custodian and a gatherer of manuscripts; he is a distinguished historian in his own right, amply qualified and experienced to develop and interpret the precious documents, writings, memorabilia, and instruments of freedom that are in his charge. By some people, in fact, he has been called a historian's historian. With this observation I agree wholeheartedly.

A writer of distinguished style, sparkling wit, and great charm, with a deep respect for fact and a passionate devotion to truth, he is the author of works that have made distinct contributions to the understanding of our past and present. I shall not attempt to enumerate them all, for the list is a long one, but a glance at some of the subjects will

suffice to indicate their range and variety. They include a thoroughgoing study, in 1933, of Elias Boudinot Caldwell, an important figure in the early history of the Supreme Court; a description of the travels of the Constitution of the United States, in 1937; a study of the Lincoln Cathedral copy of that great document of English liberties, the Magna Carta, in 1939; a definitive history of the Library of Congress, published under the title "The Story Up to Now," in 1947; a history of the Declaration of Independence as a document, in 1950; and a beautifully executed memorial tribute, in 1955, to Herbert Putnam, Librarian of Congress from 1899 to 1939, under whom Mr. Mearns served his apprenticeship. One of the most interesting aspects of his writings is that he has produced very few that fall into the category of technical library literature. Mr. Mearns is fundamentally a historian, and he has dedicated most of his literary effort to producing works that will have lasting value to scholar and layman alike.

To this group belong Mr. Mearns' numerous writings on Abraham Lincoln, upon which I should like to dwell a bit, both because of my personal interest in our greatest American statesman and because they have brought their author well-earned praises from the scholarly world. In addition to studies on such subjects as books that Lincoln read, on a letter of sympathy written by Queen Victoria to Mary Todd Lincoln after the President's assassination, and on myths that have grown up about Lincoln, Mr. Mearns is the author of a two-volume work entitled "The Lincoln Papers," published in 1948. For this publication he sifted through the entire body of Lincoln manuscripts that had been bequeathed to the Library of Congress by the will of Robert Todd Lincoln, Abraham Lincoln's elder son, and that were opened to public view for the very first time at midnight on July 26, 1947. These papers had been waiting for informed scrutiny for many years, during which, following Robert Todd Lincoln's wishes, they had been kept secret in order to spare the feelings of those who had been participants in the events of his father's administration and who might—in his view—have been embarrassed by disclosures in them. In editing the material which he selected from some 18,560 documents in the Lincoln papers, Mr. Mearns presented pertinent data that had never before been made known, and demonstrated—to my satisfaction, at least—that Robert Todd Lincoln had not destroyed any great masses of his father's papers. Thus he laid to rest a popular myth for which there had been some apparent evidence. Actually much better evidence—which he brought forth—proves it to be extremely unlikely. The Lincoln papers may, by his informed demonstration, be said to be intact, with some minor exceptions, and his two-volume selection from them ranks as a very real and distinctive contribution to Lincoln literature.

That this is not merely my own opinion, but is shared by others, may be seen from comments that have been made about the volumes by those best qualified to criticize them. In his introduction to "The Lincoln Papers," for example, Carl Sandburg wrote that, I quote:

> We have herein the most complete study thus far made of the actions of Robert T. Lincoln and his personality, with relation to the collection of papers.

Another distinguished historian, the late Charles A. Beard, wrote that, I quote:

> Besides telling an exciting story of the Lincoln documents * * * Mr. Mearns presents an impressive collection of the papers—mainly letters and memoranda to Lincoln—which will help immeasurably in reconstructing the world in which he lived and worked.

Archibald MacLeish, poet and former Librarian of Congress, made this observation:

> A few of us who have read the deft, urbane, and salty prose of David Mearns have long realized that he is one of the pleasantest authors of our time to read. Readers of "The Lincoln Papers" have that discovery before them as well as the infinite treasures of the book itself.

And Carl Carmer, another writer of rank, commented in the following words:

> These letters and memoranda are more revealing * * * than any historian's writings could possibly be. They build up by indirection the noble and tragic (in the Greek sense) figure of the President until he looms * * * like a giant seated on a mountain above the clouds.

Above all I should like to read to you a paragraph—but only a paragraph—of an appreciation by Mr. Mearns himself of Abraham Lincoln, which will at the same time demonstrate his felicitous style and the complete understanding he is able to convey of the noble figure who is his ever-engrossing theme:

> Abraham Lincoln stands alone in history largely because in life he stood among the people. Only through them, the inhabitants of a wide, broken, angry land, is it possible to find him. Their responses to him and his to them, their anguish and his sympathies, their aspirations and his endeavors, their reaching out and his upholding of them are the strong roots from which his towering spirit grows.

There are many other significant and meaningful accomplishments of Mr. Mearns' on which I might dwell in some detail, but it may be best, on this occasion, merely to make only a brief reference to them. His cumulative endeavors over the course of his more than 40 years with the Library of Congress have engaged him in such tasks as achieving the permanent sealing and preservation in helium of the Declaration of Independence and the Constitution of the United States, assembling in order in the White House the library of Calvin Coolidge, and arranging for cataloging and transfer to the Library of Congress of the superb collection of books gathered by the late Justice Oliver Wendell Holmes. Professionally, too, his accomplishments have been impressive. Among the offices he has held are the presidency of the District of Columbia Library Association and the vice-presidency and presidency of the Manuscript Society, and in addition to honorary membership in the Lincoln Sesquicentennial Commission and service on its advisory committee, he has been a member of the National Historical Publications Commission and of the Civil War Centennial Commission. In recognition of his contributions to scholarship, he was given the honorary degree of doctor of letters by Lincoln University on May 29, last.

Finally, a word might be said about the impress Mr. Mearns has made on his colleagues, both through the aid he has given them in line of duty as Chief of the Manuscript Division and incumbent of the Chair of American History at the Library, and through the scholarly writings he has produced in such abundance. I have garnered a few items from the Library's archives to support this record. A woman journalist on a great newspaper found it possible, she reported, to write a book on top of her full-time job because of the assistance Mr. Mearns rendered her. The late Benjamin P. Thomas, author of a definitive one-volume life of Lincoln, addressed his thanks to Mr. Mearns for what he had done "for the Lincoln story and for me." Dr. Julian P. Boyd, in the first volume of his authoritative edition of "The Writings of Thomas Jefferson," acknowledged his debt to Mr. Mearns "for all he has done to make this work possible." The English scholar F. J. Hudleston, in his treatise entitled "Gentleman Johnny Burgoyne," declared that without Mr. Mearns' help "this book would have been but a bald and unconvincing narrative." The late J. G. Randall, a very distinguished biographer of Lincoln, paid tribute to Mr. Mearns' writings in his book "Lincoln the President: Midstream" for "full information and unusual literary charm." And finally Paul M. Angle, also a noted Lincolnian, referred to one of Mr. Mearns' writings in these terms:

> When one has at hand a work so comprehensive, so well-informed, so gracefully written, an independent investigation is simply a waste of time.

It is, of course, known that Mr. Mearns' wise counsel often proved invaluable in the determination of policies at the Library of Congress. All who worked with him and under him have relished his genial wisdom. It is known, too, that the men and women at the Library of Congress cherish his friendship and have nothing but the highest regard for his solid contributions to the magnificent library which belongs both to the Congress and to the Nation.

I should like to give one more quotation, an excerpt that seems to me to epitomize the spirit one likes to think of as embodied in the Library of Congress. The passage was written by James Truslow Adams in his "The Epic of America," published almost 30 years ago:

> The Library of Congress * * * has come straight from the heart of democracy * * * and I here use it as a symbol of what democracy can accomplish on its own behalf * * *. As one looks down on the general reading room, which alone contains 10,000 volumes which may be read without even the asking, one sees the seats filled with silent readers, old and young, rich and poor, black and white, the executive and the laborer, the general and the private, the noted scholar and the

schoolboy, all reading at their own library provided by their own democracy. It has always seemed to me to be a perfect working out in a concrete example of the American dream—the means provided by the accumulated resources of the people themselves, a public intelligent enough to use them, and men of high distinction, themselves a part of the great democracy, devoting themselves to the good of the whole.

I salute David Chambers Mearns as one of these "men of high distinction, themselves a part of the great democracy, devoting themselves to the good of the whole." He is a living example and proves the truth of a theme recognized in most great, unselfish, public servants. It is, that whenever you do something for someone else that will stimulate his knowledge, enrich his experiences, and improve his position in life, without any thought of reward or recognition, you make life easier, more interesting and rewarding for the recipient of those favors and through him you are doing a service to humanity that will add to the heritage of your community, State and Nation and your own reward to giver of these virtues derives from the great satisfaction that you have done what is right.

Mr. Speaker, I treasure this man's friendship, I covet his attitude and ability and say, Thank God for great souls and great Americans like David Chambers Mearns.

THE ADMINISTRATION CONTINUES TO MISMANAGE THE NATIONAL DEBT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS] is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, it would be tempting to argue the question just presented by my friend, the gentleman from Iowa [Mr. SCHWENGEL], whether or not the late William McKinley really was in fact a red-hot liberal, but I should prefer to address myself to some of the economic problems of the 1960's, rather than to those of the last century. One of the most important economic issues before this Congress is the administration's money policies, or lack of them.

Those who disagree with the administration's money policies, like myself, contend that they are designed mainly to produce higher and higher interest rates. The effects of higher and higher interest rates are undoubtedly pleasing to lenders in general, and to commercial banks in particular.

But a high interest rate schedule is a poor way to achieve the goals of maximum employment, production and purchasing power set forth by the Employment Act of 1946, and a poor way of managing the $290 billion national debt.

Very largely because of the tight money policies of the administration, our growth rate in recent years has averaged scarcely one-half that of the countries of Western Europe, and scarcely one-third that of the Soviet Union. A disquieting plateau of unemployment, of around 5 percent, continues. And every month the cost of living reaches a new alltime high.

MISSING: A COORDINATED MONEY POLICY

One of the reasons the administration's money policy seems so perverse and wrong-headed is because the administration refuses to concede that it has any duty to come forward with a money policy at all. Consistently, the President's economic reports to the Congress have talked about taxes and spending, what State and local government should do, what labor and management should do, but nothing about what should be done in the field of monetary policy. As a result, the administration, the Treasury, the Federal Reserve System, and other agencies concerned with monetary policy have each gone their own way—and oftentimes directly in the wrong direction.

H.R. 6263, sponsored by Senator JOSEPH CLARK, of Pennsylvania, and myself, endeavors to correct this by requiring the President to include in his economic reports recommendations concerning monetary policy, in the same manner as any other policy. The bill was favorably reported by the House Government Operations Committee 14 months ago, on June 6, 1959. The House Committee on Rules, unfortunately, has refused to let Members consider the bill by failing, for 14 long months, to give it a rule.

Let me give several recent examples of the administration's irresponsible money policy.

LENGTHENING THE DEBT

First, let us look at the administration's policy with respect to the issuance of U.S. bonds—those having a maturity of 5 years or more. Everyone would agree that, other things being equal, it is desirable to have the largest possible portion of the Federal debt in long-term issues. The main reason for this is that the less frequently issues come due, the less frequently is the Treasury put to the embarassment of refinancing the debt at a time when interest rates are high.

Yet all during the early years of the administration, when interest rates still retained the reasonable level which they had inherited from the previous Democratic administration, the Eisenhower administration failed to take advantage of these golden opportunities to convert the national debt to a longer term. In fact, just the opposite process ensued. The average maturity of this debt has dwindled from 5.07 years in 1953 to 4.25 years today.

Meanwhile—while foregoing the golden opportunity to issue long-term securities at reasonable interest rates—the administration embarked upon its great crusade to get interest rates as high as possible.

THE 4¼ PERCENT INTEREST CEILING

Almost the first fiscal action of this administration when it took office in 1953 was to break through the pattern of interest rates being paid on Government securities. In April 1953, the famous "Humphrey 3¼s" were issued, starting the trend of interest rates upward. With the exception of a few months in 1954, in early 1958, and today, long-term rates have been marching steadily upward ever since.

In June 1959, the President, in a special request for legislation, asked the Congress to remove the traditional statutory ceiling on rates payable on Treasury bond issues. The ceiling applied to new issues over 5 years in maturity and had been in effect for more than 40 years—since World War I. The Committee on Ways and Means listened carefully and at length to the arguments of the President and the Secretary of the Treasury for doing away with this long-standing 4¼-percent ceiling. But it found the arguments unconvincing.

Not to be discouraged by this display of judgment on the part of the Congress, the President continued to insist upon his demand for a free hand, unrestrained by the limits imposed by Congress. In the budget document presented in January 1960, he reiterated that it was imperative that the Congress lift the legal ceiling, saying that otherwise interest payments could rise even more sharply. The recommendation, repeated at every opportunity, was stressed again in the annual economic message a few days later.

Again the committees of Congress, including the Joint Economic Committee, reviewed the merits of the administration's plea for a free hand and came out confirmed in the conclusion that there was no persuasive need for the elimination of the 4¼-percent statutory ceiling, and that its removal would simply open the way for the rates to continue to rise as they had been doing. With no limit in sight, 5 percent, 6 percent, or more, seemed possible and probable, since there was obviously no will on the part of the administration to slow or stop the upward trend in rates which was not only adding to the costs of government but to the costs of doing business and buying houses and appliances.

NOW INTEREST RATES HAVE DECLINED

In the year from June 1959 to June 1960, while the administration was moving heaven and earth to get the 4¼-percent ceiling removed, interest rates were high. Had Congress removed the ceiling, the American taxpayer would have been saddled with billions of dollars of 5 or 6 percent bonds, with the interest burden payable over the next 20 or 30 years. The general interest rate structure would have been given another upward push.

In recent months, however, interest rates have declined—partly through Federal Reserve action, partly through a decline in the demand for loans generally. Today U.S. bonds with 20 years still to run are selling at 3.8 percent, well below the 4¼-percent ceiling. The average yield for 10-year bonds has fallen from 4.29 percent last February—when the President was ready to let them go skyward—to 3.76 percent early in August 1960.

Up to 2 or 3 months ago, when yields on bonds were in excess of the 4¼ percent ceiling, the administration was in a veritable frenzy to get the ceiling re-

pealed, so that it could market vast amounts of bonds at sky-high interest rates. Now that interest rates are down to more reasonable levels—around 3¾ percent—you would think that the administration would be marketing bonds like mad. After all, 3¾ percent is one-half a percentage point below the 4¼ percent ceiling, which thus becomes a dead letter.

BUT THE ADMINISTRATION FAILS TO TAKE ADVANTAGE OF THE DECLINE

But suddenly, as interest rates have become more reasonable, the administration's zeal to issue bonds has become halfhearted. Almost $150 billion of marketable debt comes due within 5 years. What has the administration done to lengthen the debt? $370 million of 4¼-percent bonds were issued in April. A June offering of 3⅞-percent 7-year-11-month bonds totaled $320 million. Early in August 1960, 3⅞-percent bonds due May 15, 1968, were sold in the amount of $1 billion, although subscriptions in five times this amount were received. Together, these three issues aggregate less than $1.8 billion, compared with the almost $150 billion of marketable debt due within 5 years.

Mr. Speaker, I hope that the Treasury recovers from its state of shock at finding it can market bonds at well below the 4¼ percent ceiling, and proceeds to do so promptly, and in an amount many times its puny attempts of recent months.

Billions of dollars worth of securites under 1 year come due all the time. The Treasury should take steps to get some of these short-term bills into long-term bonds while the getting is good.

Unfortunately, Mr. Speaker, we have it on the Treasury's own authority that such a sensible lengthening program is precisely what it is not going to do. The August 19, 1960, Wall Street Journal quotes Under Secretary of the Treasury Julian Baird as looking with disfavor on selling "heavy amounts of any long-term bonds in an outright cash sale."

When the Treasury offers a long-term bond for cash—

Mr. Baird is quoted as saying—

it captures funds that would otherwise be available for other types of long-term securities.

WHY NOT TRY TO SELL SOME BONDS?

What kind of midsummer madness is this? Why should not the Treasury compete for funds in the marketplace? Particularily, who should not it compete at a time when loanable funds are more plentiful, as indicated by lower interest rates, rather than at a time when loanable funds are less plentiful, as indicated by higher interest rates? When the long-term interest rate goes sky-high again, it will be time to stop trying to sell bonds. For years the Treasury has been having hysterics about the great amount of short-term securities outstanding—"the equivalent of cash"—and hence dangerous. But now that the opportunity to convert these short-term securities into long-term bonds presents itself, we are apparently to pass the opportunity by.

Instead, the Treasury apparently intends to exchange all or part of the presently outstanding $28 billion 2½-percent World War II bonds maturing in 1972—12 years from now—for bonds of 20 years or longer, and carrying a coupon of 3½ percent or more.

This is a sad substitute for a serious effort to lengthen the debt. We should be delighted that we have outstanding $28 billion of bonds paying only 2½ percent, and not due for 12 years. We should cherish them, not liquidate them as if the very sight of a low-interest coupon offended us.

If the Treasury follows through on its threat, it will saddle the taxpayers with up to $280 million a year higher interest charges on this issue alone for the next 10 or 12 years.

Any private debtor who had a 2½-percent mortgage on his home—or 4½-percent mortgage for that matter—who hunted up his creditor and offered him 6 percent for the remaining 12 years of his mortgage would be deemed to be suffering from the heat. When the Treasury does it, it is called statesmanship.

THE SAVINGS-TYPE INVESTOR SHOULD BE RECOGNIZED

So let us hope that the Treasury will forget about its ill-conceived advance refund and get down to business on converting short terms into long terms. In the process, the Treasury might follow a little of the anti-inflation advice which it has so freely given out in the past. The Treasury has often pointed out—quite rightly in my opinion—that the sale of U.S. bonds to the commercial banks is potentially inflationary, and that to the largest possible extent bonds should be lodged with so-called savings-type investors, such as individuals and nonbanking corporations. But look what happened with the $1 billion offering of 8-year 3⅞ bonds of August 1960. Total subscriptions amounted to $5.2 billion. Savings-type investors had their subscriptions cut down to a mere 25 percent of the amount they had indicated they were willing to take in order to accommodate two other types of subscribers—commercial banks and all others. The commercial banks were allotted 20 percent of their subscription, all others 15 percent of their subscription.

Mr. Speaker, we need to issue as many bonds as we can—replacing short-term securities—and we need to lodge them as much as possible in noninflationary hands. The Treasury needs to do some explaining why it allotted to savings-type investors only 25 percent of the bonds for which they had subscribed, and why it cut down their allotment in order to make room for potentially inflationary purchases by commercial banks.

THE TREASURY'S ALLOTMENT PROCEDURE

Here is what the August 8, 1960, newsletter of Aubrey G. Lanston & Co., Inc., one of the 27 specialists in U.S. Government securities, has to say about the Treasury's allotment procedure, with respect to bonds and certificates:

From the point of view of the market, from the points of view of what may be described as continuing holders of short-term securities (notably nonfinancial corporations and businesses) and bona fide investors in Treasury bonds the procedures used in this recent financing leave much to be desired and warrant serious review. When Treasury offers encourage (and in some cases more or less demand) that subscriptions be padded, all market participants are obliged to engage in wild guesses as to how low the percentage allotment may or may not be swung by such padding. In addition, the prospect that many bona fide buyers may not get what they want on allotment from the Treasury inspires speculation of the less desirable types. The end results frequently are to frustrate bona fide investors, to generate gyrations on a day-to-day basis in the market and, on occasion, to leave undesirable amounts of undigestible securities in the hands of temporary holders. These temporary holders may include all varieties of speculators—those whose operations frequently are helpful to the market and those whose dealings may at times be upsetting. Perhaps we should emphasize that temporary holders of this type—speculators if you please—include many financial institutions; such holdings are not confined to and may not even consist largely of marginal holdings of individuals, security firms, and so forth. In one or another measure the procedures used in this financing encouraged such undesirable developments. * * *

This is the kind of situation that invites heavy subscription padding, with which commercial banks and some others have had long experience. Commercial banks have learned to use their large subscribing power to pad their subscriptions on the basis of an expected low percentage allotment so that they will come closer to getting what they want or will get some securities that they can sell at a profit after allotment or shortly after taking delivery. On the other hand, nonfinancial corporations, who have proved to be large continuing investors in short-term securities, are not geared to pad their subscriptions and probably would be unwise to adopt padding as a practice except in a degree that may be said to be rather modest when compared with that engaged in by commercial banks and some others.

I submit, Mr. Speaker, that the Treasury does not seem very anxious to sell bonds at reasonable interest rates, which would give the taxpayer a break for a change. And, in its timid and meager issue so far, it has shown a lamentable tendency to freeze out the savings-type investor in favor of the inflationary commercial bank investor.

"BILLS ONLY" STILL THE POLICY

And, on top of all this, the administration, through the Federal Reserve, is showing the same lamentable unconcern as before with managing the national debt economically and reducing the back-breaking annual interest charge on the national debt—now approaching $9 billion per year—as much as possible consistent with prudent anti-inflationary policy.

The Joint Economic Committee last February urged the Federal Reserve to junk its doctrinaire "bills only" policy. When the Federal Reserve increases the money supply, said the Joint Economic Committee, let it do so by a judicious

purchase of Federal securities of all maturities, including bonds, and not just bills. Nevertheless, the Federal Reserve, as reported by the August, 1960, Morgan Guarantee Bank Survey, continues to restrict itself to the purchase of bills. As a result, bond purchases are somewhat less, and bond yields somewhat higher, than would be the case were the Federal Reserve to be included on the purchasing side of the U.S. bond market. In all likelihood, yields lower than the present 3⅞ percent on bonds would be possible were the Federal Reserve to cast off the iron maiden of the "bills only" policy in which it has encased itself.

THE TAXPAYER FORGOTTEN

Another example of the Fed's cavalier attitude toward the taxpayer was given in August, when the Fed issued an order reducing the reserve requirements of member banks, thus expanding their loaning power. As has been many times pointed out, when an expansion of the money supply is indicated, the taxpayers are benefited where the Federal Reserve expands the money supply by purchasing U.S. securities, but not where it does so by lowering bank reserve requirements. This is so because the interest the Federal Reserve receives on U.S. securities inures to the benefit of the Treasury. It is clear from the legislative history of the 1959 Vault Cash Act that Congress wanted overall additions to the money supply created by purchase of U.S. securities, not by lowering bank reserve requirements. See CONGRESSIONAL RECORD, January 19, 1960, page 810.

The Federal Reserve, in doing this, has succeeded in kicking Congress in the teeth and the taxpayer in the pants all in one motion—a neat trick, even for the Federal Reserve.

LOWER STOCK MARGINS

Another recent Federal Reserve action appears to have been aimed more at keeping the stock market high than at helping the Government bond market. Earlier this month the Fed lowered margin requirements on the purchase of stock from 90 to 70 percent. This was admittedly designed to bring more loanable funds into the stock market and raise stock prices. Yet every dollar diverted into the stock market is a dollar diverted from other purposes, including the purchase of U.S. securities. The more demand for U.S. securities, the lower yields will be, and the lighter will be the burden of the national debt. It would be a wonderful thing if the Federal Reserve would show the same solicitude for the market in U.S. securities that it does for the stock market.

It may be asking for miracles, Mr. Speaker, but would it be possible for the administration to give a little thought to the views of Congress on money policy in the months to come? Cannot the Treasury make an all-out effort to lengthen the national debt by making cash bond offerings in decent volume? Cannot savings-type investors be given a break and allowed a more reasonable part of their subscription before they are elbowed aside in favor of the inflationary offers of the commercial banks? Will not the Federal Reserve do something about achieving lower interest rates on U.S. bonds by occasionally buying a bond instead of a bill? Would it not give the taxpayer a break by creating new reserves—whenever they need to be created—by purchasing U.S. securities rather than by lowering bank reserve requirements? And would the Fed not wait until a more rational relationship between bond and stock yields is restored before it increases stock market speculation by lowering margin requirements?

It would be a wonderful thing if President Eisenhower could give us the answers to these questions.

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Texas.

Mr. WRIGHT. Mr. Speaker, I should like to congratulate the gentleman from Wisconsin for having raised this point, as well as for his own unflagging effort in this important matter.

This is one of the central economic issues of our time, the matter of interest rates and the availability of credit. This year the Congress, like a horse dragged unwilling to water, refused to drink the draught prescribed by the administration of removing the long standing ceiling on long-term Government obligations. This was the first break in the ever-increasing upward spiral of interest rates.

Much has been said, and not all of it fully understood, about this deliberately contrived policy of tight money. Let us measure exactly what it is, how it works, and what effect it has upon the economy and upon the average American. There are three things that need to be said about this hard money policy.

1. DELIBERATELY PLANNED

In the first place, it did not just happen. It was deliberately planned, artificially manipulated. It has become a conscious policy of the government, sponsored and maintained by the administration. Some administration apologists, apparently embarrassed by the effects of the policy, have tried to disavow the blame by saying it was all just a matter of the interest rate, like water, seeking its own level. This is not exactly true.

Nine days after the present administration took office in January of 1953, the new Secretary of the Treasury began offering Government securities which had been yielding only 1⅞ percent for a new rate of 2¼ to 2½ percent. In that one stroke of the pen, this increased rate on that limited amount of securities automatically added more than $30 million to the taxpayers' bill for interest on the public debt.

This began a deliberate upward spiral, consisting of a series of many similar increases, and thus encouraging increases in all interest rates. In quick succession, rates were increased on private bank loans, farm price support programs, FHA loans to home buyers, GI housing loans, installment credit, municipal bonds and nearly everything involving an interest charge.

Since public debt consists of about one-third of all debts, it is easy to see how this calculated public policy of deliberately sponsoring higher interest rates has affected all interest charges. It has been a game of economic leapfrog.

These moves of our various Government agencies involving various loan programs, each trying to match and outdo the other in higher interest charges, has been like a husband and wife, lost from each other in a crowd at a country auction, bidding against each other for the same commodity. They have been bidding up the price of the commodity, which in this case is money. Moreover, they have done it knowingly and deliberately.

2. WHO GETS HURT

The second thing that needs pointing out is that everybody—or practically everybody—gets hurt when interest rates go up. The only people who benefit are those who loan and do not borrow.

Anyone who is a debtor of any type automatically gets hurt. Anyone who has bought a home since 1952 gets hurt by the hard money policy. Anyone who has bought a car and paid for it other than totally by cash has been hurt. Anyone who has borrowed money for a business, anyone who has borrowed money for a farm, anyone who has borrowed money to repair or improve his home has been hurt.

Anyone who has bought any kind of furniture or appliance or anything else on time payments, has been hurt. Since this includes most Americans, almost all have suffered to a greater or lesser degree.

Moreover, anyone who pays taxes has suffered. Taxpayers are, in fact, the biggest group of losers. In 1952, before the tight money policy, it was costing U.S. taxpayers $5.8 billion annually to pay interest on the national debt. It is estimated that next year it will cost approximately $9 billion in carrying charges an increase of more than $3 billion annually in the interest rate alone on the national debt. This is more than the entire cost of the Federal Government in any New Deal year before World War II.

Interest rates on FHA financed homes have risen several times. In 1952, a $10,000 FHA loan at 4 percent for 25 years would cost a total of $15,840 to repay. Today the same loan for the same house, now costing at least 5½ percent, will require the homeowner to shell out a total of more than $18,000 before his house is paid for. In other words, he will be paying about $2,200 more over the long pull in excess interest for which he gets nothing in return.

If you trade in the old car for a new one and owe a $2,000 balance on the purchase price to be paid over 24 months, it will cost you almost 10 percent more in nothing but interest.

Loans available from the Farmers Home Administration have been boosted from 4 to 5 percent, or an increase of one-fourth. Interest payments on an acre of real estate, according to the Department of Agriculture Index, have risen from 104 in January of 1953 to 189 at the present, a boost of four-fifths.

If your school district votes $2 million worth of bonds to build a new school, it will cost the taxpayers of that district approximately $500,000 more over the amortization period before the school is paid for.

So it ought to be clear on its face everybody gets hurt. The hard-money policy in all of these insidious ways has siphoned away at least $600 and probably more from the spendable income of the average family. This is money which could have been spent educating your children or paying for clothes or installing appliances in your home.

3. EFFECT ON THE ECONOMY

The total effect has been to soak up a total of some $12 billions in excess interest from the economy.

By siphoning off this spending power from America's families, the tight money policy has had a profound effect upon the Nation's economy. Spending power among America's families is the oil which lubricates the machinery of American business. The more money our families have to spend, the more they can purchase from the retailer and the more he can order from the wholesaler and the more things that can be profitably produced by our manufacturing enterprises which employ millions of Americans.

Thus, both by soaking up spending power from the markets and by making it harder for small business to finance growth, this deliberately contrived policy has stifled and retarded the entire economy.

Its announced purpose was to discourage borrowing and to fight inflation. As can be clearly seen, however, it most emphatically has not discouraged borrowing or buying on time. People are continuing to buy things on time. The only difference is that it costs more in the long run to pay for those things they are buying. Installment indebtedness is at an alltime high. As an anti-inflationary device it has been an abysmal failure. It has been like throwing gasoline on the fire. By adding this extra hidden layer of cost to everything we buy, it has increased the cost of living and of doing business.

The hard-money program has created an anachronism in our economy. For the first time we have had high prices on one hand and increased unemployment and recession on the other. The value of the dollar has been made to go up and up for those who lend it, while it has come down and down for those who spend it.

And this has been the real tragedy of the hard-money era. It has kept our economic plant from growing at a pace sufficient to keep up with the advances of technology and the burgeoning growth of our population.

Just stop and think for a minute upon how rapidly our population is expanding. Every day when we sit down to dinner, there are 7,200 more of us in America needing to be served. Every month there is the population equivalent of a new Austin or a new Waco in our midst. Every 2 months there is a new Fort Worth. Every 6 months there is a new Harris County.

Yet our economy as a whole has not recently been keeping pace. From 1933 to 1953, the gross national product advanced at an average annual rate of 5.4 percent. Since 1953 and the advent of this stultifying monetary policy, the economic growth rate has skidded to only 2.4 percent annually.

This is a tragedy. During the past year, due largely to the effects of this restrictive policy, the United States has shown the lowest economic growth rate of any major industrial nation in the world.

If we are to sustain the rate of progress to which our economy had become accustomed before this recent stifling, if we are to prove to a world choosing sides between our way and Russia's that the United States is not an old Nation slowing down in the autumn of its existence but still a young and virile and inspiring example of productive progress, then we must cultivate anew an economic climate conducive to growth and optimism and new enterprise.

Mr. REUSS. I thank the gentleman from Texas for his very valuable contribution. I commend him on his role in this Congress, on the one hand fighting inflation, moving toward a sense of fiscal responsibility, moving toward balanced budgets in times of prosperity, indeed, budgets yielding a surplus so that payment on the national debt can be inaugurated, and at the same time vigorously exposing the fallacy of the administration's high interest rate policy and showing that, far from fighting inflation, it causes inflation.

I think on the roll of those who deserve credit for defeating the administration's attempt to get rid of the 4¼-percent interest ceiling on long-term bonds should be placed the name of the gentleman from Texas, Mr. JIM WRIGHT. His contribution deserves the gratitude of every homeowner, every purchaser on installment credit, every school district, every local government that has to borrow money to meet its long-term needs. I think the gentleman has made a fine contribution to the health of our economy, and he has done it, I must say, with precious little help from the administration.

Mr. ULLMAN. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to my colleague.

Mr. ULLMAN. Mr. Speaker, I congratulate our colleague for taking this time today. In my opinion, this is one of the most important public issues in America today.

Mr. Speaker, those who defend this administration's tight-money, high-interest policy usually make the wild charge that the only alternative to tight money is runaway inflation. Aside from the fact that, as I have indicated earlier, the high-interest policies of recent years have themselves been an important cause of inflation, this implication that anyone who is opposed to tight money is unsound and irresponsible represents a blatant attempt to oversimplify the issue and ignores the fact that a responsible monetary policy would not rest on either extreme.

A sound monetary policy would be one which aims at healthy economic growth and stable prices. The tight-money policy of this administration has been an appalling failure on both counts. It has resulted in a lagging economic growth accompanied by continued rises in the cost of living. From a historic rate of 3.5 percent a year, our economic growth in the past 7 years has fallen to an average of only 2.4 percent a year. At the same time, the cost of living has risen by more than 10 percent. In other words, while failing utterly, as any housewife can tell you, to stop inflation as it was supposed to do, this policy of restricting our money supply and providing the moneylenders with a bonanza of ever higher interest rates has retarded our economy's expansion and will leave the next administration a heritage of unemployed human and natural resources coupled with unmet needs.

For the defenders of tight money to argue that this sorry record of slowed-down growth and increased cost is the only alternative to what they call "easy money" is eloquent testimony to the bankruptcy of ideas and policies which it offers to our people. We have proved in the past that the policy goals of the Employment Act of 1946 can be met and met adequately with a responsible monetary policy which has the general welfare of the people and the broad complex needs of our economy in view, rather than relying on a banker's approach of squeezing the money supply and making things tougher and tougher for farmers, working people, and small business while the big corporations just administer their prices upward with every upward move of interest rates. We need the sort of policies that my friend, the gentleman from Wisconsin [Mr. REUSS] has so ably outlined—policies that will not only encourage instead of choking off economic expansion, but will insure that prosperity is not confined to the few at the expense of the many, will ease instead of increasing the interest-rate burden on consumers and taxpayers, and will reduce the inflationary pressures generated by the banking system instead of adding to them. Such policies, Mr. Speaker, are the sound and responsible alternative to twins of irresponsibility: Government abdication of responsibility for achieving stable price levels on the one hand and the catastrophic application of the high interest money squeeze on the other.

Interestingly enough, the defenders of the tight-money policy do not content themselves with the argument that it is a good policy and one calculated to stem the inflationary tide, they argue at the same time—and evidently in complete ignorance of the obvious contradiction—that the sky high interest rates that they have saddled the taxpayers with relative to the Federal debt are not the result of policy at all, but due to market forces beyond the Government's control. They would have us believe the old myth that money is a commodity like any other commodity and that interest rates are just the market price for money which the Government must pay, like any other borrower. This myth, like that of tight

money as an answer to inflation, needs to be laid to rest once and for all. By now, it must be a very tired myth, worn out from its repeated use by the spokesmen of tight money.

Two points should be made in answer to this myth. The first is that if the interest rate is the price of money, it is clearly one of the most administered prices in our economy, an economy with wide experience of administered prices. This is particularly the case with respect to the interest rate on the Federal debt. It must be remembered that the Federal Government is the largest single borrower in the economy—this fact alone means not only that the interest rate on the Federal debt is not just the result of imaginary free-market forces, but that the rate the Federal Government pays tends to set the rates in the rest of the economy. It must also be remembered that the market for Federal securities is channeled through an extremely small group of dealers—17 in number—which hardly serves to provide the sort of competitive market in which one need have no fear of administered prices, which is to say administered interest rates.

The second and more basic point to be made is that those who argue that the Government is, or should be, unable to follow positive policies aimed at stabilizing interest rates at reasonable levels, are in reality arguing for an abdication by Government of a basic responsibility. Total net debt in our economy, public and private, rose to almost $850 billion last year and is probably in excess of $900 billion by now. Obviously this is a major factor in our economy and if we are to fulfill our responsibilities under the Employment Act of 1946 we can hardly ignore the effects of interest rates nor can we refuse to follow policies which are designed to deal with those effects. Again, this is particularly true with regard to the Government's own debt. That we have consistently recognized this responsibility is attested to by the long line of legislation on the subject through our Nation's history, and not least by the act establishing the Federal Reserve System as a creature of the Congress. Does anyone deny the power and duty of the Congress to regulate our banking system as a necessary exercise of our constitutional duty to regulate money? Of course not. And when the spokesmen of this administration argue that the Federal Reserve is somehow mystically "independent," and they are challenged, their reply really boils down to an endorsement of the current policies of the Federal Reserve System. This at least has the virtue of putting the argument where it belongs—in terms of which policies are the best for the Nation. The administration is, in effect, saying that they endorse the policies of the bankers on the Board of Governors of the Federal Reserve—and this is hardly surprising since their own Treasury Department consistently follows policies in line with the same philosophy.

Thus, Mr. Speaker, it is not a question of our being powerless to effect interest rates—it is a question of what sort of policies we want to follow. It is an argument between policies which have worked well in the past, stabilizing the management of the Federal debt at reasonable interest rates, thus serving to encourage healthy economic growth and prevent skyrocketing interest rates in the rest of the economy as well as the inflationary push that flows from it, and policies which have proved disastrous over the past 7 years. It is an argument between the reforms which many of us have repeatedly called for and are continuing to call for and those policies which have already cost all of us unnecessary billions in added interest charges and would have cost taxpayers still more billions over the coming years had we surrendered earlier this year to the plea for a repeal of our interest ceiling guideline.

Mr. REUSS. I thank the gentleman.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield.

Mr. JOHNSON of Colorado. This discussion brings to mind some remarks made by the Under Secretary of the Treasury at the University of Wisconsin School of Banking on the 18th of August 1960. The spokesman for the Treasury made clear there were three debt management purposes on the part of the Treasury.

The first, which sounds logical, to manage the debt in a manner that will assure the orderly growth of the economy. He says:

> To do this it should try, except in periods of recession, to place as much of the debt as possible outside of the commercial banks—apart from temporary bank underwriting. Restraint should be exercised in the amount of long-term securities issued, particularly in a recession period, in order not to preempt an undue amount of the new savings needed to support an expansion of the economy.

The second deals with a balanced maturity structure; and the third basic purpose is to borrow as cheaply as possible, which he says must be balanced against the broader consideration of the public interest.

Now, would the gentleman say, as he is a competent student of this subject, that in a period of recession there is some reason for not selling long-term Government bonds when there is no other strong demand for long-term funds?

Mr. REUSS. That is precisely the time when they should be sold. That is the time when there is the greatest amount of loanable funds on hand seeking employment. I cannot see any reason to refrain from selling bonds when interest rates are low, other than a masochistic desire on the part of certain officials to raise the interest rate on the public debt, and to saddle the taxpayers with these long-term obligations. I do not know what is so wrong with a low-interest coupon.

Mr. JOHNSON of Colorado. Would the gentleman say that the third point made by the Under Secretary, that they should borrow as cheaply as possible, would support this as the proper time to borrow in the long-term market, especially in light of the second point, which was to lengthen out and balance the maturity structure? Would it not seem reasonable to the gentleman for the Treasury to seek to place its long-term commitments at a time when these commitments could be made at the lowest possible coupon rate rather than at the time of the highest interest rates? Would not the best policy be to put them out when they could borrow as cheaply as possible?

According to the Treasury's own argument that it should borrow as cheaply as possible, it would seem to me the best argument for the course of action the gentleman from Wisconsin is proposing; namely, that the Treasury be encouraged to place more long-term debt at times of low interest rates, instead of encouraging long-term debt only at high interest rates. The Congress insisted last year that it should, during high-interest periods, settle momentarily for short-term commitments, so that the public would not be saddled with very expensive 30- or 40-year commitments at peak interest rates.

Does not the gentleman believe that is a proper fulfillment of the third criterion I have read from the Under Secretary's list of criteria?

Mr. REUSS. That third criterion of the Secretary of the Treasury that the gentleman from Colorado had just read; namely, that the Treasury ought to borrow at the lowest possible interest rates, is one unfortunately honored in the breach by this administration. They have not paid the slightest attention to that criterion and, as the gentleman from Texas has pointed out, the taxpayer is the loser by billions of dollars. I wish they would pay some attention to that third criterion but, from the Under Secretary's speech at Madison, which the gentleman is reading from, it is indicated that they are not going to pay attention to it.

Mr. JOHNSON of Colorado. It is distressing that the Treasury can make these arguments for a course of action which we on the Democratic side of the aisle could and do applaud, and then turn around and pursue a course of action which violates the case it has made. For example, from the Treasury's statement of the ownership of public securities for August 1960, one can examine the fluctuation in the placing the debt among commercial banks and other owners. During the last year there was considerable concern about the inflationary threat. I find that the commercial bank holdings in January 1959 were $68 billion. They fell during the first 9 months of 1959, and they have gone down again this year, currently the commercial banks hold $56 billion. So we have had bonds going out of the banks during periods of inflation and of recession. It seems to me that there is a hiatus between the asserted purposes and the record which has been made by the Treasury.

It seems to me also, because debt management is essentially a technical area, that the public misses the simply fantastic situation now being proposed, that we refund 2.5 percent loans not due for 8 to 12 years.

The taxpayers are asked to give up 2.5 percent bonds in order to issue what might be 3⅞-percent bonds.

Mr. REUSS. The Secretary has not stated exactly what coupons he will put out, but if he follows the good old Secretary Humphrey tradition, he will put out the highest possible coupon, which would be detrimental to the taxpayers.

Mr. JOHNSON of Colorado. A gentleman recently said he was a 200-percent American, having mortgages on both coasts. That makes me a 100-percent American; I have only one mortgage, which is back in Colorado. It was my good fortune to negotiate that mortgage at 4 percent years ago.

Mr. REUSS. I can assure the gentleman from Colorado of his 100-percent Americanism; and if he had more homes, he would have more mortgages.

Mr. JOHNSON of Colorado. There is no question about that. But not in my wildest dream would I go now to my real estate company and say, "Gentlemen, I would like to renegotiate this mortgage with you" and I will not until the interest rate for new money falls below 4 percent.

If I can go down and get a mortgage at a rate lower than 4 percent, I will refund or sign a new paper any day. But the notion that I would voluntarily go down and say "I would like to pay 5.5 or 6 percent" has never occurred to me. As a responsible Representative of my district, I am distressed to find the Treasury is not being challenged, except by the remarks made here this afternoon, to a proposal that was published in the Wall Street Journal on August 19 that we should take a major portion of outstanding debt costing us only 2.5 percent and call that in and issue a new long-term debt at a much higher rate, at heavy additional cost to the taxpayer.

This seems to me to be robbery in broad daylight. Yet I have heard no criticism, even from the press, about the Treasury having made such a proposal to saddle the taxpayers with a higher rate through refinancing at a higher rate. I am sure there would have been loud screams in protest had this been proposed by a Democratic administration. Congress is asked to levy higher taxes because the Treasury has raised the annual interest cost of the debt $3 billion. Apparently this new and costly plan will all be done without a whisper, without a single voice of complaint, except the complaint I am making and the gentleman from Wisconsin is making.

Mr. REUSS. It will be interesting if the New York Times, the Wall Street Journal, the New York Herald Tribune, the Washington Post and Times Herald, the AP, the UPI, and the other great services carry the point tomorrow that the gentleman just made—that a raid on the Treasury the likes of which has never been seen before is about to be perpetrated in broad daylight. I shall wait with interest to see whether they pick up this quarter-of-a-billion-dollar point.

The gentleman from Colorado mentioned another very important criterion of fiscal and monetary responsibility, namely, the idea that to the largest possible extent the ownership of the national debt should be kept out of the hands of the commercial banks, because to the extent that the commercial banks hold the debt, just to that extent is it inflationary. It is interesting to note in that connection that just this month, when the Treasury sold a billion dollars' worth of long-term bonds, $5 billion worth of applications appeared for those bonds. A large part of that $5 billion worth of applications was on behalf of so-called savings type investors, individuals, corporations, and so on, other than banks. And, it is interesting to note—and I think somewhat shocking—that the Treasury allotted to savings type investors a mere 25 percent of their total subscription, and thus let into the picture these same commercial banks which, in the eyes of all responsible economists, should not be holding the national debt at all. The Treasury gives no explanation of this.

Mr. JOHNSON of Colorado. The Treasury release of August 12 recites the facts the gentleman refers to, in its Release A-913. Seven thousand seven hundred and fifty million dollars of 3⅛-percent certificates of indebtedness were subscribed in the amount of $17,388 million and $1 billion of 3⅞-percent bonds due May 15, 1968, were subscribed in the amount of $5,183 million. Now, would it not seem to the gentleman that the Treasury, in light of its repeatedly professed concern that the length of the debt be extended, should have placed more of the debt into long-term securities? The Treasury might well have guessed a little better on the acceptability of the long-term bonds in the kind of a market we are now experiencing. It might well have used this opportunity to have permitted a larger portion of the bids for bonds to be honored and not have sought to place so much of the debt into the $7,750 million of certificates due on August 1, 1961, barely a year away.

It would seem to me in face of the subscriptions that were received this month—and in face of the Treasury briefing of the Committee on Banking and Currency last year on lengthening the maturity on the debt—that the Treasury has allowed practice in the past month to betray its professions of last year. And, I wonder in connection with these interest rates if the Treasury remembers that last year we were told by them that our refusal to permit them to sell more long-term Government bonds was driving interest rates way up? We said for the Treasury to pay the higher rates temporarily, for the rate will go down again.

Today the Treasury long-term bonds have lower yields. The highest current yield I see in the New York Times list published Thursday, August 25, as of yesterday's market, shows the highest to be 3.88 percent in this list on bonds; and on shorter bills the highest yield I see quoted is 2.83 percent.

It seems to me that the Treasury's old request of the President, and his request of us on Monday of this week, is very strange—strange that we should be asked again to raise the ceiling on interest rates in the face of a market condition which is known to any reader of market statistics. For the market report shows it is perfectly obvious that the Treasury is not being hamstrung by a 4¼-percent ceiling and driven into the short-term market.

We were told last year that the Treasury could not sell long-term bonds under our 4¼-percent ceiling. At this time, this year, the 4¼-percent ceiling is of no significance at all. Obviously that is so, because the Treasury reports an oversubscription of 500 percent, and not of any 4¼-percent bonds, but of 3⅞ percent.

So it would seem to me under present circumstances that the Treasury might now match its loud protestations of last year by action to place a larger portion of the debt in long-term securities. Moreover, as the gentleman suggests, in making its allotments—to use the Treasury's own phrase—subscriptions for bonds from savings-type investors and Government-invested accounts were allotted 25 percent. It would seem to me, in the face of the Treasury's professed concern to place these securities in the hands of the savings-type investors, that the Treasury might have put a much higher portion of the allotments into the hands of those who are indeed savings-type investors than their own release indicates they have been doing.

In light of the recent history, the taxpayers can be thankful that Congress did not permit the Treasury to issue billions of dollars' worth of 5-percent bonds for 20 or 30 years. Our action then at least prevented that raid on the Treasury.

Mr. BYRNES of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman.

Mr. BYRNES of Wisconsin. Addressing myself to the gentleman from Colorado, he was completely misleading everybody by trying to compare yield with interest rate. The gentleman certainly knows that there is an entirely different situation to be had there. You may have a yield of one thing and an interest rate of another. That accounts for the differences in some of the quotations which the gentleman read. I think the gentleman should at least be honest with the House in making these comparisons.

Mr. JOHNSON of Colorado. In its market effect, there might be a difference of an eighth of a point, a fraction, but that is not significant in the light of the issues with which we have been dealing.

I want to thank both gentlemen for their remarks, and to comment on just a couple of other points.

The Committee on Ways and Means brought to the House its approval of advance refunding in the past year, which is the basis on which the Treasury now proposes to move a substantial part of the 1968 or 1972 debt forward for 8 or more years at higher rates. At the time congressional approval of the advance refunding was given, I had the impression that the intent was to make it possible for the Treasury to sell new

bonds to people who now hold bonds, but a little before they got to the point of having to liquidate bonds whose term had expired. Is that the gentleman's understanding of advance refunding?

Mr. REUSS. "Advance refunding" is a very broad term. It may mean any calling in of any existing security and its exchange for a new one. I do not think Congress is opposed to "advance refunding" in principle. What it is opposed to is "advance refunding" that is as silly as this proposed advance refunding of the Treasury. If, for example, the Treasury wanted to call in an issue that had perhaps 2 more years to run, and had a 5-percent coupon on it, and issued long-term obligations at 3½ percent, I say that would be an excellent case for advance refunding.

I would applaud the efforts of the Treasury to tidy up its house in that manner. But it makes no sense whatever to take an issue that has 12 years to run, and that has a very favorable coupon on it of 2.5 percent, and say that just because the very sight of a low interest coupon disturbs the present custodian of the Treasury, therefore, the Government is going to call it in and put a high coupon on it. That, I submit, is madness, and very expensive madness, for the Federal taxpayer.

Mr. JOHNSON of Colorado. Would the gentleman not feel that if the Treasury persists in carrying forward under this power which the Congress has granted it, when its use of that power appears to be a fiscal abuse and a fiscal irresponsibility, then the Congress should be asked in the next session to reexamine the authority which it has this past year conveyed and, perhaps, either withdrawn the authority or put reasonable limits on the authority so that it does not become the occasion for a new fiscal abuse? Would that not seem a reasonable course of action?

Mr. REUSS. Yes, and better still, to try to put into the Treasury people who have an interest in helping the taxpayer for a change, and who are not forever hellbent on getting the national debt saddled with higher and higher interest coupons.

Mr. JOHNSON of Colorado. The McLaughlin Banking Corp. publishes a newsletter on economic trends and their impact on business.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks to include several paragraphs from the August 15 newsletter so that the Members may read what this newsletter has to say with respect to the developing downward trend in the American economy, and which puts their interpretation on the changing economic scene.

The SPEAKER pro tempore (Mr. PRICE). Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

ECONOMIC TRENDS AND THEIR IMPACT ON BUSINESS

(Prepared Weekly by the Staff of Business News Associates, Inc.)

MONEY TALKS

The story on second half business prospects would be told, we said here some weeks ago, by the action of the money market. Money talks, 'tis agreed, and money has indeed spoken—bearing the word that the seasonal business upturn in the fall isn't going to be anything to write home about this year.

The message has come in several ways. For one thing, rates on short term funds have been skidding for months—3-month Treasury bills recently yielded as little as 2.131 percent, lowest since August 1958, and even at last week's higher 2.215 percent, were far below the 4.5 percent level which prevailed as 1960 began. Rates on other short-term paper have dropped comparably.

Secondly, the Federal Reserve Board, the Nation's money managers, has made clear by its actions in recent weeks the belief that the economy can use a little stimulation. First they trimmed the discount rate from 4 percent to 3½ percent; this was followed by a reduction in the margin requirements on stock purchases from 90 percent to 70 percent. Most significant of all was last week's easing of bank reserve requirements, net effect of which will be to add an estimated $3.6 billion to the total funds banks can lend.

Since banks, when they have excess funds, tend to employ them in governments or other securities, if not in loans, the Fed's moves are directed at making financing cheaper to stimulate business demand. The Fed is well aware, of course, that any action to give banks more reserves "will provide more water in the horse trough with the knowledge that the horse might not be keen on drinking," as one observer put it.

And that's just what has been happening. With consumers growing more cautious in their credit purchases, homebuilding far below expectations thus trimming the need for mortgage money and businessmen trying to slow the pace of inventory accumulation, the overall demand for funds has been well below what had been looked for. Since July 1, for example, commercial and industrial loans outstanding nationally have skidded $664 million, compared to an increase of $103 million in the same period of last year.

Thus, the most the Fed's new easy-money policy is likely to do is to cut the cost of borrowing in certain areas—it can't be expected to immediatley stimulate demand for funds. But by exerting pressure for more available and lower-cost funds, the Fed is laying the groundwork for the next surge in business activity.

POLITICS AND ECONOMICS

Midsummer economic trends are giving the Nixon campaign team some concern. Some important lead indicators are showing further weakness this month, although overall business activity held its own, and the administration's advisers cling to the view that a very gradual expansion will continue through the fall.

Members of the Vice President's organization are painfully aware, however, that a downturn—already heralded by unionist Walter Reuther as the "third Eisenhower-Nixon recession"—could damage NIXON's chances of winning the November election. Some are grumbling privately at the apparent unconcern of the White House.

Actually, President Eisenhower has paved the way for stimulative action if he feels it is warranted. Moreover, many stimulative actions could be taken without waiting on Congress. Placement of military contracts could be speeded up, and the allocation of Federal aid funds could be advanced. Secretary of Commerce Mueller last month gave such a nudge to roadbuilding by allocating to the States—more than a year in advance—the full fiscal 1962 interstate highway construction funds. Whether there will be more nudges from Washington may depend on the July economic reports now beginning to emerge from the statistical mills, and to the developing mood of businessmen and consumers.

Mr. JOHNSON of Colorado. Mr. Speaker, the gentleman who preceded the gentleman from Wisconsin, that is the gentleman from Iowa, had reference to the concern which both parties feel as to the need for maintaining a stable dollar and a stable level of prices. I know the gentleman from Wisconsin is the author of a bill which he has previously referred to this afternoon, which would write into the Employment Act of 1946 language which would clarify the congressional intent for stable prices and which, furthermore, relates monetary policy to that goal. I am, myself, the author of a bill to add to goals of the Employment Act of 1946 the maintenance of stable price levels. So both of us share with others their concern for avoiding inflation.

I asked the gentleman from Iowa to refer me to any language in the Republican platform dealing with the concern of the Republican Party as to inflation. I find there are two sentences on page 9 and I call these sentences to the attention of the House.

The Republican Party favors "use of the full powers of government to prevent the scourge of depression and inflation"—and I quote again—"maintenance of a stable dollar as an indispensable means to progress."

A review of the rest of the 30 pages does not disclose any language with respect to what precisely this means. Now to quote, "use the full powers of government" means, of course, I presume, that there is nothing the Republicans would not do to fight inflation. However, in the 7½ years that they have had the opportunity to fight inflation, the only things we have seen them do for sure is to raise interest rates, to increase costs to the homeowner and to the small businessman, to the farmer, to the school districts, and to the city, State, and national taxpayers. They have raised the price of money in the name of an anti-inflation program.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. I realize the gentleman is a student of economics and has been an instructor in that field in a great college and university.

I do not pretend that I am his match, especially in discussing every detail of this very important field in our economy; however, I would like to ask the gentleman if the Congress had followed the administration recommendations as far as the budget was concerned, had not overridden vetoes on occasion to spend more money, we would have more money to pay off the debt, would not that in itself have the effect of reducing the interest rate as happened recently following the announcement of the surplus?

Mr. JOHNSON of Colorado. I would say to the gentleman that the budgetary impact during the past year upon the interest rate has been very mild. A billion-dollar surplus is far less significant than the monetary course which has been followed.

I would say to the gentleman from Iowa that the surplus to which he alludes is due not so much to Presidential vetoes as to the majority action by the Democratic members of the Appropriations Committee who worked to cut out almost a billion dollars from the President's budget and thus make the surplus possible. May I say also that another billion could have been cut out of the budget by having left the interest rates as they were in 1958. The policies that the administration followed raised the cost of the debt in the past year to the extent that we had to vote for more than a billion-dollar increase in taxes. So I would say, on the contrary, that the monetary policies which have been recommended here on the floor by the Members of the majority party would have in fact permitted a $2 billion surplus this year rather than a $1 billion surplus. Therefore, we could agree, because we would have gladly cut the debt further if you would only adopt policies which are suitably related to our concern to reduce the size of the debt.

Mr. SCHWENGEL. I realize that I am not competent to argue this question of interest rates as ably as the gentleman from Colorado, but I want to remind him again that the majority party was responsible for spending more money than the administration desired, and I would call particular attention to the public works bill which was passed over the President's veto where we added many projects that did not even meet the requirements laid down by the Congress itself.

Mr. JOHNSON of Colorado. The gentleman is now talking not about last year's budget but about his estimates with respect to some future budget.

The new starts which the Democratic Party insisted on last year were paid for in full, to the last dollar, out of reductions from other appropriations and, therefore, there was no budget impact in the 1960 budget by reason of the action of the Congress.

Mr. SCHWENGEL. The gentleman is skirting around my question, I am afraid, and not answering my question. I am pointing out this matter of passing over the President's veto that bill which had in it 67 projects which were not fiscally sound, which did not even meet the requirements Congress itself laid down. To have cut out those items would have amounted to almost $1 billion saving in itself.

Mr. JOHNSON of Colorado. The gentleman means that we should have cut out all the projects irrespective of their need. To a citizen who wrote me objecting to my action on these flood control and other items, I simply sent a copy of the proceedings and said:

> This is what I acted on. It is easy to call it pork barrel if you have never seen a flood. The cost of these projects is less than the damage caused by the floods.

He sent my letter back to me with an endorsement on it that he was for me.

It is poor economy to withhold money from projects when the cost of the project is less than the damage the floods will cause.

Mr. SCHWENGEL. The record does not support that view entirely.

Mr. PRICE. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Illinois.

Mr. PRICE. I think it might be interesting to point out, since the question has arisen as to the action of the Congress in reference to the budget requests of the President, that in the 8 years the Eisenhower administration has been in existence the Congress, particularly during 6 of the 8 years the Democratic Party was in control of the Congress, the Congress has reduced the President's budget requests in actual appropriations by somewhere between $12 and $14 billion. I think this substantial reduction perhaps had something to do with the slight surplus that occurred in the budget this year.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I ask for this time to express appreciation to the gentleman from Wisconsin, the gentleman from Colorado and others who have taken part in this discussion for highlighting for this House, and I think for the country, what could easily become one of the major campaign issues in this fall campaign of 1960. I think the spotlight which has been turned on the Treasury's current effort to replace 2.5-percent bonds, if I understand correctly the presentation of the gentlemen on the floor, with higher interest rate bonds, shows a clear and obvious attempt to raise, in the dying moments of this administration, the interest rate level on these 2.5-percent long-term bonds. I think that disclosure on this floor could become one of the principal campaign issues of the 1960 campaign, and the country owes a high debt of appreciation to the gentlemen who brought this to the attention of the Members of this House.

Mr. REUSS. I thank the gentleman, and let me say that, rather than have this a political issue, we would prefer to have it a saving for the taxpayers of the United States. Nothing would make me happier than to have the Treasury announce tomorrow that it has given up this attempt to exchange 2.5-percent U.S. securities, which come due in 1972, and instead is going to get on with the job it ought to be getting on with, of lengthening the current debt, and doing so at the lowest possible interest rate.

Mr. EDMONDSON. If this recent attempt by the Treasury Department gets the attention of the press and the public it should receive, it will arouse as much indignation in the country as Teapot Dome did when that took place. I hope it will arouse the same kind of action in November.

Mr. JOHNSON of Colorado. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Colorado.

Mr. JOHNSON of Colorado. I want to say to the gentleman that the discussion we have had on debt management should be very helpful to many citizens as well as to Members of Congress in understanding some of the fundamental issues that always face any administration in carrying forward the intent of Congress, as expressed in the Employment Act of 1946.

I would like to point out that there has been recently some indication that the administration is aware that its policies are slipping and there has been a reversal of the direction. For this we are grateful to the Federal Reserve. But I would agree with the gentleman the methods being used are wrong.

For example, what the country needs is more housing to be built. We need more houses than we are producing. Yet one of the actions taken by the Federal Reserve was to lower the margin requirements for the purchase of stock from 90 to 70 percent. Gambling in the stock market does not increase the productivity of the American economy. That same kind of money spent in expansion of our economy would yield benefits to the various communities. The gentleman will recall that last year he and I joined a few others in suggesting that with an inflationary pressure which we were then experiencing, the sharp increase which was also occurring in consumer credit justified a concern about the extent to which Americans were mortgaging their future during inflation to increase the demand for goods.

I noted, for example, both on the floor of the House and in conversations with responsible public officials of this administration, and they agreed, that it would be better to restrict consumer credit during an inflationary period in order that one could relax consumer credit in the event of an economic turndown, because expansion of consumer credit is one of the easiest ways to stimulate the economy. And, the tragedy is that we were proven right, but no action took place.

When the recession comes, the consumer response is, of course, to pay off debts. So, we are now going into a process of debt liquidation. The administration threw away, by its neglect of the case we were making a year ago, one of the best tools they might have had for facing the economic downturn that is now occurring. The chickens are coming home to roost. This may not be an easy question to explain, but it is nonetheless significant that this failure to have the courage to face the requirements at the time the inflation was going on has now made it impossible for them to face the demands that recession makes.

Mr. REUSS. The gentleman pointed to the fact that we are now in an economic trend downward. Would the gentleman agree with me that it is ironic, despite the fact that we are in a downtrend now, that the cost of living under this administration continues to go up? Right in the last half hour there has been handed to me the most recent report of the Bureau of Labor Statistics, showing that the cost of living in July went up once again to an alltime high level. I would like the gentleman's comment, if he has a comment, on the quality of the economic performance of this

administration in bringing about an all-time high in the cost of living at the same time that we have something like 5 percent unemployed in this country, and a growth rate scarcely one-third of that of Communist Russia.

Mr. JOHNSON of Colorado. The gentleman's question is one to which I confess as a person trained in economics, I am almost unable to respond. Never before in history have we associated inflation with depression so consistently. Actually, the unemployed labor force has been ranging between 5½ and 6 percent this year. We never assumed in 1946 that it would go far above 3 percent without corrective action. It makes a mockery of the Republican platform as far as maintaining the stability of our country is concerned. By contrast, the gentleman knows that the Democratic Party in its platform at Los Angeles—and the Republicans had a chance to copy from this; they copied much else—said as follows:

The Republican failure in the economic field has been virtually complete.

Their years of power have consisted of two recessions, in 1953–54 and 1957–60, separated by the most severe peacetime inflation in history.

They have shown themselves incapable of checking inflation. In their efforts to do so, they have brought on recessions that have thrown millions of Americans out of work. Yet even in these slumps, the cost of living has continued to climb, and it is now at an all-time high.

They have slowed down the rate of growth of the economy to about one-third the rate of the Soviet Union.

Over the past 7½-year period, the Republicans have failed to balance the budget or reduce the national debt. Responsible fiscal policy requires surpluses in good times to more than offset the deficits which may occur in recessions, in order to reduce the national debt over the long run. The Republican administration has produced the deficits—in fact, the greatest deficit in any peacetime year in history, in 1958–59—but only occasional and meager surpluses. Their first 7 years produced a total deficit of nearly $19 billion.

While reducing outlays for essential public services which directly benefit our people, they have raised the annual interest charge on the national debt to a level $3 billion higher than when they took office. In the 8 fiscal years of the Republican administration, these useless higher interest payments will have cost the taxpayers $9 billion.

They have mismanaged the public debt not only by increasing interest rates, but also by failing to lengthen the average maturity of Government obligations when they had a clear opportunity to do so.

ECONOMIC GROWTH

The new Democratic administration will confidently proceed to unshackle American enterprise and to free American labor, industrial leadership, and capital, to create an abundance that will outstrip any other system.

Free competitive enterprise is the most creative and productive form of economic order that the world has seen. The recent slow pace of American growth is due not to the failure of our free economy but to the failure of our national leadership.

We Democrats believe that our economy can and must grow at an average rate of 5 percent annually, almost twice as fast as our average annual rate since 1953. We pledge ourselves to policies that will achieve this goal without inflation.

Economic growth is the means whereby we improve the American standard of living and produce added tax resources for national security and essential public services.

Our economy must grow more swiftly in order to absorb two groups of workers: The much larger number of young people who will be reaching working age in the 1960's, and the workers displaced by the rapid pace of technological advances, including automation. Republican policies which have stifled growth could only mean increasingly severe unemployment, particularly of youth and older workers.

AN END TO TIGHT MONEY

As the first step in speeding economic growth, a Democratic President will put an end to the present high-interest, tight-money policy.

This policy has failed in its stated purpose—to keep prices down. It has given us two recessions within 5 years, bankrupted many of our farmers, produced a record number of business failures, and added billions of dollars in unnecessary higher interest charges to Government budgets and the cost of living.

A new Democratic administration will reject this philosophy of economic slowdown. We are committed to maximum employment, at decent wages and with fair profits, in a far more productive, expanding economy.

The Republican high-interest policy has extracted a costly toll from every American who has financed a home, an automobile, a refrigerator, or a television set.

It has foisted added burdens on taxpayers of State and local governments which must borrow for schools and other public services.

It has added to the cost of many goods and services, and hence has been itself a factor in inflation.

It has created windfalls for many financial institutions.

The $9 billion of added interest charges on the national debt would have been even higher but for the prudent insistence of the Democratic Congress that the ceiling on interest rates for long-term Government bonds be maintained.

CONTROL OF INFLATION

The American consumer has a right to fair prices. We are determined to secure that right.

Inflation has its roots in a variety of causes; its cures lies in a variety of remedies. Among those remedies are monetary and credit policies properly applied, budget surpluses in times of full employment, and action to restrain administered price increases in industries where economic power rests in the hands of a few.

A fair share of the gains from increasing productivity in many industries should be passed on to the consumer through price reductions.

* * * * *

FULL EMPLOYMENT

The Democratic Party reaffirms its support of full employment as a paramount objective of national policy.

For nearly 30 months the rate of unemployment has been between 5 and 7.5 percent of the labor force. A pool of 3 to 4 million citizens, able and willing to work but unable to find jobs, has been written off by the Republican administration as a normal readjustment of the economic system.

The policies of a Democratic administration to restore economic growth will reduce current unemployment to a minimum.

Thereafter, if recessionary trends appear, we will act promptly with countermeasures, such as public works or temporary tax cuts. We will not stand idly by and permit recessions to run their course as the Republican administration has done.

FISCAL RESPONSIBILITY

We vigorously reject the notion that America, with a half-trillion-dollar gross national product, and nearly half of the world's industrial resources, cannot afford to meet our needs at home and in our world relationships.

We believe, moreover, that except in periods of recession or national emergency, these needs can be met with a balanced budget, with no increase in present tax rates, and with some surplus for the gradual reduction of our national debt.

To assure such a balance we shall pursue a four-point program of fiscal responsibility.

First, we shall end the gross waste in Federal expenditures which needlessly raises the budgets of many Government agencies.

The most conspicuous unnecessary item is, of course, the excessive cost of interest on the national debt. Courageous action to end duplication and competition among the armed services will achieve large savings. The cost of the agricultural program can be reduced while at the same time prosperity is being restored to the Nation's farmers.

Second, we shall collect the billions in taxes which are owed to the Federal Government but not now collected.

The Internal Revenue Service is still suffering from the cuts inflicted upon its enforcement staff by the Republican administration and the Republican Congress in 1953.

The administration's own Commissioner of Internal Revenue has testified that billions of dollars in revenue are lost each year because the Service does not have sufficient agents to follow up on tax evasion.

We will add enforcement personnel, and develop new techniques of enforcement, to collect tax revenue which is now being lost through evasion.

Third, we shall close the loopholes in the tax laws by which certain privileged groups legally escape their fair share of taxation.

Among the more conspicuous loopholes are depletion allowances which are inequitable, special consideration for recipients of dividend income, and deductions for extravagant business expenses which have reached scandalous proportions.

Tax reform can raise additional revenue and at the same time increase legitimate incentives for growth, and make it possible to ease the burden on the general taxpayer who now pays an unfair share of taxes because of special favors to the few.

Fourth, we shall bring in added Federal tax revenues by expanding the economy itself. Each dollar of additional production puts an additional 18 cents in tax revenue in the National Treasury. A 5-percent growth rate, therefore, will mean that at the end of 4 years the Federal Government will have had a total of nearly $50 billion in additional tax revenues above those presently received.

By these four methods we can sharply increase the Government funds available for needed services, for correction of tax inequities, and for debt or tax reduction.

Much of the challenge of the 1960's, however, remains unforeseen and unforeseeable.

If, therefore, the unfolding demands of the new decade at home or abroad should impose clear national responsibilities that cannot be fulfilled without higher taxes, we will not allow political disadvantage to deter us from doing what is required.

And, as one who sat on the platform committee, I can assure the House that there was not the slightest coercion nor were we dictated to by any candidate or combination of candidates meeting in Washington, New York, or Chicago. Those of us who were elected to the platform committee sat down together at Los Angeles, reached an agreement, and endorsed this platform that went to the entire convention, and there was no

question on this. There was unanimity of opinion. This was due to the fact that we had asked the American people in the full public hearings we had, and we had all their suggestions summarized, and copies of those summaries were in our hands.

These hearings and these summaries made it clear that the American people do not want to fight inflation with only the jawbone. They want serious action. We have an entire program which the Democratic Party will endorse and I am confident that the Democratic administration will again have the kind of courage, in January, to face this issue.

I speak as one who served as part of the Democratic administration of Franklin Roosevelt, in the Executive Office of the President, during the years 1942 to 1944, in the fiscal division, when this was a very real problem. I have seen the Democratic administration from the inside face far more rigorous economic problems than this administration has ever faced and I have seen that administration meet them. Therefore, I am confident, not just from reading history, but from living with history, that the next Democratic administration will again discharge its responsibilities competently and wisely, conscious of its need to promote and maintain maximum employment, production and purchasing power at stable price levels. It will fight inflation effectively without stifling the economy in the process.

Mr. REUSS. I thank the gentleman.

INSURING MORE EQUITABLE TREATMENT OF SMALL BUSINESS IN GOVERNMENT PROCUREMENT CONTRACTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maine [Mr. COFFIN] is recognized for 15 minutes.

Mr. COFFIN. Mr. Speaker, I know that many Members of the Congress share my growing concern with the steady erosion of the percentage of the military dollar placed with small business.

The statistics are all too familiar to the Congress. I shall not repeat them except to say that during fiscal year 1959, for example, I am told that of $22½ billion—the net value of military prime contracts—almost 74 percent was awarded to 100 companies—20 of which received a shade over one-half of this $22½ billion. I am told that in 1954 small business received about 25 percent of military prime contract dollars, but that in fiscal year 1959, this share has decreased to an inadequate 16.6 percent. I am also informed that there is little prospect that this alarming decline will be reversed in the foreseeable future.

Time and time and time again, in legislation, in committee reports, and on the floors of the House and Senate, Congress has declared its clear desire that small business be granted a fair opportunity to participate in and contribute to our defense programs and receive a fair proportion of the military procurement dollar. Nevertheless, this mandate, if it has not been ignored, has not been carried out. Sixteen percent, in my opinion, is not a fair share. Small business is not participating equitably in our defense programs.

I am told that the decline in the small business share of the military procurement dollar is inevitable because of the necessity to utilize the so-called weapons system method of procurement, and because most, if not all, of the weapons which the military now buys are beyond the capacity of smaller firms to produce. This may be true, Mr. Speaker, but only in part. I have not seen any notable increase in the small business share of those contracts which the military say is within the small business potential. I have not seen any increase in the small business participation in the defense program at the subcontracting level. And I have not seen any evidence of sympathetic and aggressive action by the Department of Defense to increase, at any level, small business' participation in our defense programs.

The failure of the contracting agencies to carry out the congressional small business mandates is aggravated by increasing resort to the weapons system method of procurement. The laws which the Congress has enacted to implement the Federal small business policies have their greatest impact upon the Federal procurement officials. Private contractors who have received large Government contracts are free to ignore Federal small business policies in the letting of subcontracts unless they are required to conform to these policies either by the terms of their prime contracts with the Government or by statutes enacted by the Congress. We have not seen, to date, any effective implementation of small business policies below the prime contract level. Adherence to these policies is not required by law. Nor has this requirement been effectively written into Government contracts by our procurement officials. The result is that today there is no effective small business program below the prime contract level.

There is pending before this House the latest expression of the continuing desire of the Congress that small business share equitably in this country's immense defense effort. I refer to H.R. 11207 amending the Small Business Act. This legislation has been passed by the House of Representatives. An amendment in the nature of a substitute was adopted by the Senate. I urge most sincerely that section 8 be considered favorably in conference and that the House adopt the Senate amendment in the final conference report.

I would like to call to the attention of the Members of the House, section 8 of H.R. 11207, added to the bill by the Senate. This particular provision was sponsored, I understand, by Members of both sides of the aisle in the other Chamber; it was reported out unanimously by the Senate Banking and Currency Committee; and it was passed by the Senate without objection. Section 8 of H.R. 11207 amends the Small Business Act to require that the Small Business Administrator after consultation with the Administrator of General Services and the Assistant Secretary of Defense—Supply and Logistics—promulgate an effective program to enable small concerns to participate in defense contracts at the subcontracting level. This program is then to be embodied in certain prime contracts and subcontracts administered by the Government procurement agencies including the Department of Defense.

The theory behind this legislation is simple. If small business cannot participate equitably in contracts issued by the Government at the prime contract level, it then becomes increasingly important for the Congress to take steps to assure that its small business mandate will be effective at the subcontracting level. Under section 8, SBA is required to consult with the procurement agencies and in this process of consultation to formulate a small business subcontracting program which will carry out the desires of the Congress. When such a program has been devised—except for such assistance as SBA may be able to render to contractors in connection with the program—SBA's duties are completed. The requirements of the subcontracting program are incorporated in appropriate Government contracts and it is the duty of the contracting agencies, not SBA, to carry out the program. This represents no change from present practice.

I am aware, of course, that there have been objections to the provisions of section 8. I have heard that the enactment of these provisions will slow down the procurement process and delay acquisition of urgently needed military equipment. I am told that it will tend to increase procurement costs and it will cause great confusion and uncertainty in the procurement programs. I have heard a host of other accusations for which I can find no basis in the provisions of H.R. 11207.

Mr. Speaker, these protests have been made against every effort on the part of the Congress to provide legislation to increase small business participation in military procurement. Mr. Speaker, I urge this Congress to look through these objections to the substance of this legislation.

The Congress, I note, concurs in the object of this legislation. But the Congress is not alone in this desire. The Bureau of the Budget agrees that the objective of the legislation is desirable. The SBA has recommended this type of legislation. Even the Department of Defense has expressed support for the objective.

I have examined section 8 in the light of the objections made to it, including the objections of the Department of Defense and the Bureau of the Budget. The objections to the legislation are based on the form rather than the aim. It seems to me that they are predicated either on a misunderstanding of the provisions of section 8 or on an unreasonable fear that the Small Business Administration suddenly will declare its independence of the executive branch, of control by the President, the Bureau of

the Budget, and others, and against the counsel of the Department of Defense and the General Services Administration announce a radical small business subcontracting program.

This fear, of course, is not well founded. SBA, as this Congress well knows, has in the past proved amenable to the needs and desires of the Department of Defense to a degree which exceeds, perhaps, the desires of this Congress.

I think that the terms of section 8 are reasonable. I think that the fears of the opponents of section 8 are exaggerated. I see no reason why a sensible small business subcontracting program developed in consultation with the procurement agencies and administered by these procurement agencies should delay or interfere with the procurement process. I, therefore, do urge this House to give favorable consideration to the passage of H.R. 11207. I also say this—if in the view of the Members the present provisions of section 8 grant to SBA authority to establish a small business subcontracting program that is too broad—then let this authority be modified and limited by adding, in conference with the Senate, appropriate changes to section 8. Let us not miss this opportunity to enact significant legislation which will carry forward the principle with which we all agree—those of us in the Congress and the executive agencies as well—that the small business share in Government procurement shall be increased to an equitable share in Government procurement.

JUSTICE FOR THE DAIRY FARMER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 15 minutes.

Mr. CURTIN. Mr. Speaker, a goodly number of dairy farmers in our Eighth Pennsylvania District of Bucks and Lehigh Counties are currently confronted with a trying problem that, in my humble judgment, demands the study and attention of the Congress because it stands out as a disturbing example of enforcement by an administrative agency of a law in a manner that contravenes what, I believe, was the legislative will and intent of Congress.

Specifically, I refer to the difficulties into which many of our dairy farmers in eastern Pennsylvania have been projected by New York-New Jersey Federal Marketing Order No. 27 issued by the U.S. Department of Agriculture. From 1957 to date, more than $400,000 has been tied up—the sum deposited with a Federal court pending the final disposition of prolonged legal action.

For many years, the Lehigh Valley Cooperative Farmers, headquartered in Allentown, and Suncrest Farms, Inc., in our neighboring city of Bethlehem, have been selling packaged milk across the Delaware River into an area in New Jersey, which is not more than 25 miles from Allentown. Indeed, the Warren County area of New Jersey historically has always been regarded as an integral part of the metropolitan trading area of Easton, Pa., and these dairies were selling milk there long before the long arm of a Federal agency reached in to seek, by decree, an enforced change in buying habits and established practices.

Beginning August 1, 1957, this area was included by the Department of Agriculture under New York-New Jersey Federal Marketing Order No. 27 which provides that in order for the Lehigh Valley Cooperative Farmers to continue selling in that market in New Jersey, the company had to pay compensatory payments into the New York-New Jersey market pool—payments that averaged better than 5 cents a quart on all of the milk supplied from Lehigh Valley to that area. In consideration of the fact that Lehigh Valley Cooperative Farmers is and for a long time has been the largest distributor of packaged milk in Warren County, N.J.—which is all it is involved in even though the aforementioned marketing order covers all northern New Jersey counties—this is very properly regarded by the member dairy farmers as a punitive and unfair decree which forces them to pay tribute for the right to sell milk in that area. It is a particularly mean pill to swallow in light of the fact that the cooperative farmers earned the patronage of Warren County people long before this order was arbitrarily laid down. It is quite obvious that this is an effort to eventually force the cooperative farmers out of an area where their milk products have long enjoyed widespread public acceptance. To me this stands out, as it must to you, as a rather untenable example of Government by administrative decree with little or no regard for individual enterprise or the rights that properly belong to those who merit such a privilege by dint of their own labors in a free economy.

I should like to point out that the Lehigh Valley Cooperative Farmers-Suncrest case does not have the effect of invalidating all orders with a like provision, nor does it rule out compensatory payments as such. I say this because those who are seeking to uphold the application of Order No. 27 to this particular case make the claim that an adverse ruling would jeopardize some 50 such marketing orders. Permit me to observe that in the U.S. District Court, Eastern District of Pennsylvania, opinion handed down under date of April 25 this year by Judge Thomas Clary, it was pointed out that such a conclusion is unfounded. The issue at stake here is whether milk could be bought for the so-called class III price. Page 23 of the court's opinion stated:

> The Government cannot argue (nor has it attempted to argue) that the total cost to the plaintiff (Lehigh Valley Cooperative Farmers and Suncrest Farms, Inc.) of the liquid milk which they sell in northern New Jersey is equal to the costs of its competitors. There is definite evidence to show that the cost of raw milk to these dairies is, in fact, substantially higher than the order No. 27 uniform class III price classification.

These two dairies have testified that they support classification price. They do not favor cheap milk being dumped into any marketing area. They are not opposed to cut-rate milk being kept out of the market. Indeed, they offered a plan for compensatory payments which would prevent this very thing while simultaneously accomplishing uniformity of price to handlers. They have proposed that the Marketing Administrator price their milk at his price, that is order No. 27 price, and that if these dairies paid less, the order should provide that they pay into the settlement fund the difference whereas if they pay more, as they are now doing, or the same, then they would owe the settlement fund nothing. What could be fairer?

There are some orders, actually, that entail this very kind of provision which accomplishes the real purpose of the marketing order, namely, to place all on an equal footing and at the same time keep cut-rate milk out of the market.

Since this order was issued more than 3 years ago, the Lehigh Valley Cooperative Farmers has contested it through regular legal proceedings. The Department of Agriculture asked for an injunction in the U.S. district court in Philadelphia to compel the cooperative to file monthly reports to the New York-New Jersey Market Administrator, and also to make payments to the New York-New Jersey market pool each month. By virtue of a temporary decision handed down in the Federal court, the cooperative is compelled to pay the money each month to the registry of the court in Philadelphia until a final decision is rendered. This money has been withheld from each of the producers who together make up the cooperative and costs them from 6 cents to 15 cents a hundredweight each month on all of the milk they deliver to the Allentown plant. Each producer is notified each month of the amount being withheld. In such fashion has an unhappy situation developed whereby these dairy farmers now have had withheld from them a sum totaling more than $400,000.

It has now been three years since this order became effective. It is also unmistakably obvious that the legal procedures required to obtain relief from the inequities of Federal market orders are confusing, complicated, costly, and time consuming. Indeed, it is well-nigh impossible for anyone who feels that he is being unfairly dealt with by these orders to get any speedy and equitable decision on an appeal.

It is this kind of procedure that in my judgment demands the prompt attention of Congress. Certainly the time is at hand when farmers such as these dairy producers should not be penalized and regimented against by their own Government. Here is a case of Federal orders being applied in a way that is extremely harmful to the smaller cooperatives in the country, operating in limited areas and who have to compete with the large corporations in the industry in the marketing of their milk. It has been the experience of the Lehigh Valley Cooperative Farmers over the last 26 years that the Pennsylvania Milk Control Commission has done a good deal more for our Pennsylvania dairy

farmers in getting them a fairer price for milk than either the New York marketing order or the Philadelphia marketing order promulgated by the Federal Government. Here we see a self-reliant small business type of operation being burdened by the heavy hand of Federal regulation in an area of regulation already covered quite adequately by a State agency.

This Federal order is discriminatory and does not, in my opinion, carry out the declared intentions of Congress. Lehigh Valley Cooperative Farmers has been in the Phillipsburg, N.J., area more than a quarter century. It did not invade the marketing area of order No. 27. Quite the contrary, the order pushed itself into a market historically that of the Lehigh Valley Cooperative Farmers with the effect of trying to push the cooperative out of the market or compelling it to pay more, by as much as $2.50 to $3 a hundredweight, than its competitors. I remind you again that Phillipsburg is part of the Metropolitan Allentown-Bethlehem-Easton area. By no stretch of the imagination can it, nor has it ever been, part of the commercial metropolitan area of New York or northern New Jersey.

What the Department of Agriculture is trying to do is to compel a nonpool producer to pay a price higher than the class III price and then pay into the producer settlement fund the difference between class III and class 1A in the face of the undenied fact that the cooperative pays more to its producers than the class 1A price under order No. 27. This makes the provision even less justifiable.

The argument is advanced by the Department of Agriculture that if the cooperative did not sell its milk as fluid milk in the Phillipsburg area it would have to put it in class III. This has little validity because it assumes that producers shipping to pool handlers have the preempted and monopolistic right to the fluid market in the Phillipsburg area. This is an unwarranted and altogether unrealistic conclusion.

This case has a long legal history—one that has resulted in great expense to the dairy farmers located in our Lehigh Valley. It has dragged along more than 3 years. It was heard before the hearing examiner in New York in October 1957. Eight months later, in July 1958, the hearing examiner rendered a clearcut decision in favor of the cooperative and ordered the payments which the dairy had made returned to it. Furthermore, in his decision he questioned the legality of the order issued and significantly declared that the hearings with respect to the issuance of the order were illegal because of their not being instituted in accordance with regulations.

Under the law, after the hearing examiner makes his decision in a case of this nature, it must be brought before the Judicial Officer in the Department of Agriculture. It wasn't until almost 3 months after the hearing examiner had made his report that the Judicial Officer in the Department of Agriculture decided to hear this case. Not until 8 months later did the Judicial Officer finally reach a decision that reversed the hearing examiner. The effect of this long-drawn-out delay inside the Department of Agriculture was to pull the case back to the U.S. district court in Philadelphia for another hearing. In December 1959, the U.S. district court in Philadelphia called the case for hearing. But the Department of Agriculture asked for an extension of time, saying they were not ready to have the case heard. So it was postponed again until February 16 of this year at which time Judge Clary heard evidence in the U.S. district court in Philadelphia. Judge Clary subsequently handed down an opinion, dated April 25 this year, which upheld the position of Lehigh Valley Cooperative Farmers and said, among other things:

> There is real doubt as to whether it—the Government—in fact contends that Lehigh Valley should be required to make payments.

One of the inconsistencies in this whole procedure is that the Department of Agriculture is in effect sitting as both the judge and jury of its own policies. It is an amazing and almost frightening illustration of what seems to me to be regulatory powers that go far beyond the original intent of Congress. I remind you again that this is a case of a small cooperative of dairy farmers being required by the Government that is supposed to protect it to pay "tribute" for the right to do business in an area historically and properly belonging to the cooperative. Here is a case that was heard before one of the Department's own examiners. The dairy won the case. The Department then turns around and files exceptions which it places before one of its own employees who sits as a judicial officer—who, in effect, sits in judgment on his own employer's policy.

At the present time, the Department is appealing Judge Clary's decision to the United States Third Circuit Court of Appeals. Not only is the Government seeking to enforce its battle against this modest-sized cooperative, but it has been joined by the Dairymen's League and two other New York State cooperatives who have been granted permission to intervene against Judge Clary's rule that Lehigh Valley Cooperative Farmers and Suncrest Farms, Inc. are not required to make payments into the New York pool for the difference between class 1 and class 3 prices.

Small wonder that the dairy farmers of the Lehigh Valley feel they are being called upon to fight the combined strength of their own Government and a combine of giant competition as well. It is a situation that cries for redress and remedial action on the part of the Congress.

For this reason I have today offered a resolution for the consideration of the Congress calling for a study of this marketing problem. It is my hope that prompt action will be taken.

VETERANS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, when Kipling wrote:

> It's Tommy this, and Tommy that, 'an "Chuck 'im out, the brute!"
> But it's "Savior of 'is country," when The guns begin to shoot.

he might have been foreseeing the difficulties a modern veteran has in maintaining the rights he has earned by public service. While the shooting lasts, no one is so patriotic and so deserving of his country's best as the man who takes up arms in defense of liberty and righteousness. But when the danger is over, it is easy for some politicians to yield to the ignoble plea for economy when it comes to sharing in the handicaps imposed on the veteran by his service. Men are willing to spend uncounted billions while their own lives and their own property are in danger, but prefer to dole out dollar by dollar a due meed to those who have committed their all to the struggle.

Ancient wars were fought by professional soldiers. War was their trade and profession. Whatever reason they had for entering the service, they probably expected to profit from it as they would from any other occupation. Modern wars, at least in the United States, are fought by citizen soldiers. These leave their occupations and their most cherished dreams at the call of duty and respond to the needs of an imperiled nation. They are true patriots. It is foolish to say they had no choice, that a nationwide conscript system summoned them to service. The conscript system met with practically universal approval in the wars of this century. Each man said, in effect, that he dedicated his life to the particular activity most useful to his country at the moment, whether in the Armed Forces, in the workshop, or in some other form of preparation or of service. Those who were chosen for the Armed Forces responded without hesitation and without complaint.

The citizen soldier, under the most happy circumstances, was compelled to delay his entry into the civilian life to which he hoped to return. While others advanced their interests in peacetime life, he was absorbed in protecting the common interest. A delayed start in civil life was in itself a handicap. In addition, the soldier incurred risks far beyond the hazards of everyday living. Many of them, in the words of Capt. John Smith, "did all that men could do, and when they could do no more, they left their bodies in testimony of their minds." Others were broken in body or in mind, and rendered partly unfit for the fierce competition of modern industrialism. Loved ones dependent on their efficiency and usefulness are handicapped along with the veterans themselves.

It is true that a more or less grateful country has provided a number of benefits to help overcome the handicaps incurred by all returning soldiers. Provisions for education, for hospitalization, for insurance, for housing, for job training, and so on down the line, probably exceed those in any other period of history. Some of these benefits are eroded

by time and by inflation. Then the specious plea of economy is brought forward to halt the Nation's real purpose to see that those who have served well their country may find their opportunities for success equalized with those who are not handicapped. Or, quibblings about service-connected and non-service-connected handicaps confuse the issue.

As a disabled veteran of nearly 4 years service during World War II, I want to assure all those who have answered their Nation's call, their widows, orphans and dependents, that as long as I am in the Congress of the United States I will be constantly on guard to protect their interests and the interests of their loved ones. This guard must be kept until the full debt of gratitude of an appreciative Republic has been paid to the last detail.

NOISE PROBLEM FROM LOW-FLYING AIRCRAFT AT NEW YORK CITY AIRPORTS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from New York [Mr. HALPERN] is recognized for 10 minutes.

Mr. HALPERN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HALPERN. Mr. Speaker, on June 30, I spoke in this House about the increasing concern with the problem of noise from low-flying aircraft at the New York City airports. Round the clock flights roaring only a short distance above the households in Queens County, where both Idlewild and La Guardia Airports are located, are taking a constant toll of sleep and rest from the thousands upon thousands of residents in the area.

In my remarks I suggested a seven point program of administrative and legislative remedies to alleviate the hazardous condition which exists in the skies above Long Island. Although both the Federal Aviation Agency and the New York Port Authority have adopted regulations designed to ease the noise problem the effects of such action have been slight, primarily because there has been a failure to clearly delineate lines of jurisdiction between the agencies so that adequate measures can be taken and because penalties for the violation of regulations have not been severe enough nor have they been strongly enforced. As a result, the hundreds of thousands of weary, red-eyed residents—already worn out from lack of sleep—are being lobbed back and forth between the Federal and local agencies like ping-pong balls.

The worsening situation remains unchecked and the distress grows, as tired, anguished residents are nightly buffeted by the whine and shriek from the jet engines on the great commercial airliners.

This shameful situation can be corrected by vigorous action. This is what I sought when I spoke in June. This is what I seek now.

The administrative remedies which I suggested were, first, the banning of jet flights between 10 p.m. and 7 a.m.—jet flights at night are banned at the London Airport—second, a lowering of the previously set maximum ceiling of 112 perceived noise decibels—125 can cause deafness—third, the banning of jet warmups at night unless absolutely necessary, and the mandatory construction of noise abating jet warmup facilities such as walls, earthbanks or buildings to lessen noise during the daytime, fourth, more feasible runway use patterns by jets to minimize flights over residential areas, and fifth, the planting of thick groves of trees on the outskirts of the airports as a baffle to jet noises.

The legislative suggestions were, first, action by the House Rules Committee to report out House Resolution 162, the resolution of my Queens colleague Congressman BOSCH, for the creation of a select committee to determine the areas of jurisdiction of both the FAA and the port authority, in order to secure vigorous enforcement of noise abating regulations respectively adopted by the two agencies, and second, action by the Interstate and Foreign Commerce Committee on my own bill, H.R. 12894, to grant specific authority to the FAA over the noise abatement problem and to provide for heavy penalties, including suspension of flight permits, for violations of such FAA regulations.

Of these recommendations only one, that of altering flight patterns, has actually been put into effect. By itself it cannot relieve the situation.

I sent these suggestions to the FAA and received a reply from Brig. Gen. Paul T. Preuss, Assistant Administrator for Plans. I insert this letter in the RECORD at this point in my remarks:

FEDERAL AVIATION AGENCY,
Washington, D.C., July 14, 1960.

Hon. SEYMOUR HALPERN,
House of Representatives,
Washington, D.C.

DEAR MR. HALPERN: This is in response to your letter of June 30, 1960, concerning the aircraft noise problem in the Idlewild Airport area.

We fully recognize that the existing noise abatement procedures in the Idlewild Airport do not completely solve the problem and we are actively seeking additional safe, practical methods to further reduce it. We are hopeful that the completion of the extension of runway 31 left will greatly increase the traffic flexibility at Idlewild, thus providing a greater measure of relief to area residents.

The point brought up in your letter concerning the engine runup problem requires some rather detailed analysis. As you know, the Federal laws prior to the Federal Aviation Act of 1958 did not provide authority for control by Federal administrative agencies of aircraft noise. It was not provided until the enactment of section 307(c) of the Federal Aviation Act of 1958 where Congress gave the Administrator of this Agency the authority in promulgating air traffic rules to consider "the protection of persons and property on the ground." While the legislative history on this provision indicated that it was primarily intended for the protection of persons and property on the ground from aerial hazards resulting from crop dusting and spraying, we have construed this authority, and so testified before congressional committees, as sufficiently broad to authorize noise abatement regulations. However, it must be noted that this authority is limited to the issuance of air traffic rules. The proposed New York rule is premised on this interpretation. The act does not give authority to the Administrator to directly control all aircraft noise. Hence, it is doubtful that the Administrator could validly issue regulations governing the noise generated by ground runup tests—unless noise reduction in this area is indirectly accomplished in the carrying out of Federal regulations related to aircraft safety. Such control, however, would be of limited value in controlling all ground aircraft noise. For example, in testing aircraft engines on the ground, while not a part of the aircraft, much noise is generated. The authority for control of such ground noise is primarily the responsibility of the local government. I believe that local authorities may, and have the responsibility to, issue lawful reasonable regulations governing ground activities provided they do not conflict with Federal regulations, affect air traffic control, or constitute an undue burden upon interstate commerce. Millions of dollars and man-hours have been expended by the Federal Government and the aviation industry to reduce the noise associated with the operation of aircraft. I am hopeful that a practical solution will be forthcoming.

Your comment concerning curtailment of night operations causes us concern. This Agency by the Federal Aviation Act of 1958 is directed to encourage and foster the development of civil aeronautics and air commerce in the United States and abroad. The drastic curtailment or elimination of night operations by an order of the Administrator would not be consistent with this responsibility. Hence, we feel that such action, with the resultant economic repercussions, not only is of concern to this Agency and the aviation industry, but the Congress and the Civil Aeronautics Board as well.

The noise problem is indeed serious and is, next to flight safety, the most critical one faced by this Agency. We are assembling as much data as possible in seeking additional practical methods to reduce the noise nuisance, not only in the New York area, but in other parts of the country as well.

Sincerely,

PAUL T. PREUSS,
Brigadier General, USAF, Assistant Administrator for Plans.

I regret that this letter is not the forthright answer which those of us who are deeply concerned with the problem expected. As a matter of fact, I do not mind saying I feel thoroughly disgusted with the limited scope of the measures that have thus far been taken. The letter regrettably carries the implication that the FAA is virtually powerless to cope with the matter and places a great share of the responsibility on local authorities. This is the same excuse that we have heard for years, and all the time the volume of noise at the two airports has continued to mount. The time has come to resolve these jurisdictional fine points which are impeding constructive action and to finally pass laws which will bring relief to the jet-deafed homeowners and apartment dwellers living near the New York airports.

Such relief can be obtained by clarifying the jurisdiction of the FAA and the port authority and by strengthening the powers of the FAA over noise-abatement measures. The rules of the FAA are woefully inadequate and it is up to Congress to let it know that we mean busi-

ness. It is up to us to provide it with the authority it now declares that it lacks.

There is yet time for Congress to provide the FAA with the punch it says it needs. I urgently appeal to the Rules Committee to report out House Resolution 162, and to the Interstate and Foreign Commerce Committee to report out H.R. 12894. These measures when adopted and enforced can immeasurably alleviate the terrible, energy-sapping noise nuisance. The time for talk is past. We will settle for nothing less than peace and quiet at Idlewild and La Guardia Airports.

OSCAR HAMMERSTEIN II

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 5 minutes.

Mr. CURTIN. Mr. Speaker, it is with profound sorrow that we learn of the recent passing of Oscar Hammerstein II, one of the best known musical figures of today.

Mr. Hammerstein was a resident of the district which I have the honor and privilege to represent, having his home in a beautiful section of Bucks County on the outskirts of the Borough of Doylestown, Pa. As a resident of this community, Mr. Hammerstein and his charming wife added much to the cultural and civic life of the area.

In the world of music and the theater, Mr. Hammerstein was without a peer. His lyrics were of world renown and set the pattern for the musical culture of our day.

Mr. Hammerstein is a figure who will go down in history for many songs, including such songs as "Ol Man River," "Indian Love Call," "The Last Time I Saw Paris," "Rose Marie," "When I Grow Too Old To Dream," and "Only Make Believe." With Mr. Rodgers, the world was enriched with such songs as "Some Enchanted Evening," "People Will Say We're in Love," and "Oh, What a Beautiful Morning," to mention just a few of the songs which the world has sung and loved over the years.

Mr. Hammerstein worked in collaboration with several great musical figures prior to the formation of the world-famous team of Rodgers and Hammerstein. However, this partnership over the last 18 years has been responsible for many musical hits such as "Oklahoma," "The King and I," "South Pacific," and the last being "The Sound of Music." This last hit, which is presently playing in New York, aptly characterizes this wonderful man. His whole life was enveloped in "The Sound of Music"—beautiful, lilting, American music.

Our hearts are heavy for the grieving family of this well-loved man, but those who love him must have great consolation in the knowledge that Oscar Hammerstein will live on in the memory of all as his gay and beautiful lyrics are heard and enjoyed over the years.

WE MUSTN'T FORGET OUR UNEMPLOYMENT AREAS—TWO VITALLY NEEDED PIECES OF LEGISLATION

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. STRATTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. STRATTON. Mr. Speaker, I have today introduced two pieces of legislation which I believe are vitally needed to provide emergency help and relief to our unemployment areas, especially in view of the President's callous veto of the distressed areas bill for which so many of us fought so hard and so long.

One of these bills would require the Development Loan Fund not merely to insist that dollar loans to foreign countries be spent in this country—which, as I understand it, is already the current administrative policy of the Fund, though it could, of course, be altered by similar administrative action at any time, since it is not included in the appropriate statute—but also that such purchases be channeled as a matter of priority into major unemployment areas, such as those included in the 32d District of New York, which I have the honor to represent.

I believe this is only a matter of simple justice. All of us are aware, of course, that one of the contributing factors to rising unemployment in many areas is cutthroat, low-cost foreign competition. The irony of all this is that in all too many cases this competition has come from countries and industries that were originally able to get back on their feet because of American foreign aid funds paid for by the tax dollars of American working men and women. In other words, American men and women have been paying taxes for the privilege of putting themselves out of a job. How crazy can we get?

Well, at the very least, we should make sure that the vast sums we are spending on foreign aid will be used insofar as possible to make purchases here in the United States and hence help to stimulate as much as possible production to ease the unemployment which foreign competition has helped to create. That is all my bill would do.

Only the other day, the Yugoslavian Government sent a purchasing commission to this country to buy 59 American locomotives with the proceeds of a loan from the Development Loan Fund. I urged the Fund to make certain that these locomotives would be purchased from the Alco Products Co. of Schenectady, N.Y., my home city, the former American Locomotive Co. Alco's locomotive business, the only major part of the company's operations carried on in Schenectady, is now almost nonexistent, and as a result nearly half of the company's employees have been laid off in a city that is already suffering from very heavy unemployment. In fact Schenectady would have been in line for help under the distressed areas bill if the President had only signed it into law instead of vetoing it. But the Fund told me they had no power to compel the Yugoslavian Government to spend the proceeds of their American loan in an unemployment area. So as a result Schenectady and the Alco locomotive plant were ignored. The business went elsewhere.

To me this just does not make sense. It is not fair. How can we possibly help ourselves if those in authority fail to recognize the need to provide special consideration for our unemployment areas.

Though the hour of this final session of the 86th Congress is late, I feel it is vitally important that we pass this kind of bill before we adjourn.

The other piece of legislation I have introduced would require that in the disposition of Government surplus property special priority consideration be given to purchasers who intend to use such property to undertake manufacturing operations in an area of substantial unemployment, and thereby to increase employment in that area.

I have been informed that many persons desiring to obtain surplus equipment to conduct manufacturing operations in unemployment areas have found themselves stymied in the purchase of this equipment by speculators who are less interested in helping a particular community than in purchasing surplus materials wholesale for later distribution on a retail basis. It is time we gave some special recognition in more than just words of the needs of our unemployed areas. Personally, I would feel that if we can use this material to help stimulate local employment the Government would be way ahead even giving it away free. But my bill is at least a step in the right direction.

I might say, Mr. Speaker, that the substance of this legislation was suggested to me by leading business leaders in Amsterdam, N.Y., a community that has been suffering from unemployment, but which has also done a magnificent job of trying to help itself get back on its own feet through the industries for Amsterdam program. Surely if we can adopt legislation to help communities to help themselves, then I believe we have an obligation to do it without delay.

I hope both pieces of legislation will be acted on favorably and promptly by this House.

MUTUAL SECURITY AND RELATED AGENCIES APPROPRIATION BILL, 1961

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill H.R. 12619, making appropriations for Mutual Security and related agencies for the fiscal year 1961.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the House conferees have until midnight tonight to file a conference report on the bill H.R. 12580.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

ASSISTANCE IN DEVELOPMENT OF LATIN AMERICA AND RECONSTRUCTION OF CHILE

Mr. JOHNSON of Colorado. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill (H.R. 13021) to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

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. HEMPHILL, for 30 minutes, on Monday.

Mr. FLOOD, for 30 minutes, on Friday.

Mr. STAGGERS, for 5 minutes, today.

Mr. FLYNN, for 1 hour, on tomorrow.

Mr. KASEM, for 15 minutes, on tomorrow.

Mr. HALPERN (at the request of Mr. MOORE), for 10 minutes, today.

Mr. HOFFMAN of Michigan (at the request of Mr. MOORE), for 6 minutes, following Mr. HALPERN, today.

Mr. RHODES of Arizona (at the request of Mr. MOORE), for 1 hour, on Tuesday and Wednesday next.

Mr. RANDALL, for 15 minutes, on tomorrow.

Mr. SIKES (at the request of Mr. JOHNSON of Colorado), for 30 minutes, on Tuesday, August 30.

Mr. CURTIN, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. ULLMAN and to include extraneous matter.

Mr. FLYNN and to include extraneous matter.

(At the request of Mr. MOORE, and to include extraneous matter, the following:)

Mr. VAN ZANDT.

(At the request of Mr. JOHNSON of Colorado and to include extraneous matter, the following:)

Mr. ANFUSO.

Mrs. GRANAHAN.

Mr. ROGERS of Florida.

Mr. DULSKI.

Mr. LIBONATI.

Mr. FARBSTEIN.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3800. An act to provide a method for regulating and fixing wage rates for employees of Portsmouth, N.H., Naval Shipyard; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2339. An act to revise, codify, and enact into law, title 39 of the United States Code, entitled "The Postal Service";

H.R. 5054. An act to amend the Tariff Act of 1930 with respect to the marking of imported articles and containers; and

H.R. 11666. An act making appropriations for the Departments of State and Justice, the judiciary, and related agencies for the fiscal year ending June 30, 1961, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H.R. 5789. An act to incorporate the Agricultural Hall of Fame.

ADJOURNMENT

Mr. JOHNSON of Colorado. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 4 o'clock and 49 minutes p.m.), the House adjourned until tomorrow, Friday, August 26, 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:

2424. A letter from the Secretary of the Interior, transmitting a report on the Oroville-Tonasket Unit, Okanogan-Similkameen Division, Chief Joseph Dam project, Washington, pursuant to section 9(a) of the Reclamation Project Act of 1939 (53 Stat. 1187) (H. Doc. No. 453); to the Committee on Interior and Insular Affairs and ordered to be printed with illustrations.

2425. A letter from the Secretary of Health, Education, and Welfare, transmitting a report relating to certain violations of administrative control of funds procedures in connection with the obligation of funds in excess of amounts allotted from an appropriation of this Department, as of June 30, 1959, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

2426. A letter from the Under Secretary of the Navy, transmitting a supplementary report to reports made on August 30, 1958, and August 1, 1959, relating to the authority to construct, operate, and maintain the DeLuz Dam on the Santa Margarita River in the State of California, pursuant to Public Law 547, 83d Congress; to the Committee on Interior and Insular Affairs.

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. LANE: Committee of conference. H.R. 4826. A bill for the relief of Arthur E. Collins (Rept. No. 2153). Ordered to be printed.

Mr. McMILLAN: Committee on the District of Columbia. S. 1870. An act to provide for examination, licensing, registration, and for regulation of professional and practical nurses, and for nursing education in the District of Columbia, and for other purposes; with amendment (Rept. No. 2154). Referred to the Committee of the Whole House on the State of the Union.

Mr. McMILLAN: Committee on the District of Columbia. S. 2131. An act to amend the Motor Vehicle Safety Responsibility Act of the District of Columbia approved May 25, 1954, as amended, without amendment (Rept. No. 2155). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 624. Resolution providing for the consideration of H.R. 12677, taking the bill from the Speaker's table and sending it to conference; without amendment (Rept. No. 2156). Ordered to be printed.

Mr. ASPINALL: Committee of conference. H.R. 6597. A bill to revise the boundaries of Dinosaur National Monument and provide an entrance road or roads thereto, and for other purposes, (Rept. No. 2157). Ordered to be printed.

Mr. BLATNIK: Committee on Public Works. H.R. 7198. A bill to authorize the construction of waste disposal facilities to reduce the pollution of the Potomac River from storm water overflows, and for other purposes; with amendment (Rept. No. 2158). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 13066. A bill to amend section 4(a) of the Securities Exchange Act of 1934, as amended; without amendment (Rept. No. 2160). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 13067. A bill to amend Public Law 86-619, an act to make uniform provisions of law with respect to the terms of office of the members of certain regulatory agencies, approved July 12, 1960; without amendment (Rept. No. 2161). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROBERTS: Committee of conference. H.R. 6871. A bill to amend the Public Health Service Act to provide for a public health training program, and for other purposes (Rept. No. 2162). Ordered to be printed.

Mr. MORGAN: Committee on Foreign Affairs. H.R. 13021. A bill to provide for assistance in the development of Latin America and in the reconstruction of Chile, and for other purposes; with amendment (Rept. No. 2163). Referred to the Committee of the Whole House on the State of the Union.

Mr. PASSMAN: Committee of conference. H.R. 12619. A bill making appropriations for Mutual Security and related agencies for the

fiscal year ending June 30, 1961, and for other purposes (Rept. No. 2164). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 12580. A bill to extend and improve coverage under the Federal old-age, survivors, and disability insurance system and to remove hardships and inequities, improve the financing of the trust funds, and provide disability benefits to additional individuals under such system; to provide grants to States for medical care for aged individuals of low income; to amend the public assistance and material and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; and for other purposes (Rept. No. 2165). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FALLON: Committee on Public Works. H.R. 12503. A bill to provide for the conveyance to Carolina Freight Carriers Corp., a corporation of the State of North Carolina, of certain lands and any improvements thereon located in Bibb County, Ga.; without amendment (Rept. No. 2159). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARMON:

H.R. 13145. A bill to require that newspapers give equal space to all political candidates; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Maryland:

H.R. 13146. A bill to authorize Federal assistance for the establishment of a poultry research laboratory to serve the $250 million poultry industry in the Delmarva Peninsula area; to the Committee on Agriculture.

By Mr. LANE:

H.R. 13147. A bill to present a declaration of objectives for senior Americans; provide for the establishment of a U.S. Office of Aging within the Department of Health, Education and Welfare to be headed by an Assistant Secretary for Aging; authorize Federal grants to assist in the development and operation of studies and projects to help older persons, and for other purposes; to the Committee on Education and Labor.

By Mr. STRATTON:

H.R. 13148. A bill to amend section 203 of the Federal Property and Administrative Service Act of 1949, to provide that priority shall be given in sales of surplus property to persons planning to utilize such property in areas of substantial labor surplus in such ways as to increase employment in such areas; to the Committee on Government Operations.

H.R. 13149. A bill to amend section 202 (b) of the Mutual Security Act of 1954 so as to require that dollar funds made available to foreign countries by the Development Loan Fund for the purchase of materials or supplies shall be utilized for the purchase of materials or supplies produced in areas of substantial and persistent unemployment in the United States; to the Committee on Foreign Affairs.

By Mr. WHARTON:

H.R. 13150. A bill to amend section 1461 of title 18 of the United States Code with respect to the mailing of obscene matter, and for other purposes; to the Committee on the Judiciary.

By Mr. BAILEY:

H.R. 13151. A bill for the relief of the Capitol Hill merchants; to the Committee on Public Works.

By Mr. CUNNINGHAM:

H.J. Res. 800. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. JUDD:

H.J. Res. 801. Joint resolution to improve farm income for producers of wheat, corn, oats, rye, barley, grain sorghum, soybeans, and flaxseed by establishing a payment-in-kind program and increasing the resale price of surplus Government stocks of such commodities; to the Committee on Agriculture.

By Mr. CURTIN:

H. Res. 625. Resolution to authorize the Committee on Agriculture to conduct a study of the issuance of milk-marketing orders; to the Committee on Rules.

By Mr. FLOOD:

H. Res. 626. Resolution to establish a House Committee on the Captive Nations; to the Committee on Rules.

By Mr. THOMPSON of New Jersey:

H. Res. 627. Resolution authorizing the Committee on Education and Labor to investigate political activity within the National Labor Relations Board; to the Committee on Rules.

By Mr. RODINO:

H. Res. 628. Resolution to establish a House Committee on Captive Nations; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DANIELS:

H.R. 13152. A bill for the relief of Elio R. Anelli; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 13153. A bill for the relief of Mrs. William H. Chinn; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 13154. A bill for the relief of Mariantonia Bavaro and Frank Bavaro; to the Committee on the Judiciary.

By Mr. McFALL:

H.R. 13155. A bill for the relief of Paul J. Pericle; to the Committee on the Judiciary.

By Mr. MULTER:

H.R. 13156. A bill for the relief of Gabriel Chehebar, his wife, Marcelle Lavy Chehebar, and their minor children, Albert, Zakia, Zaki, Jacques, and Joseph Chehebar; to the Committee on the Judiciary.

By Mr. TEAGUE of California:

H.R. 13157. A bill for the relief of Clementina Centellegher; to the Committee on the Judiciary.

By Mr. WALTER:

H.R. 13158. A bill for the relief of Paul Vassos (Pavlos Veizis); to the Committee on the Judiciary.

By Mr. WILSON:

H.R. 13159. A bill for the relief of Amsih Moussa; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 13160. A bill for the relief of Woody W. Hackney of Fort Worth, Tex.; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

536. Mr. PATMAN presented a resolution of Hopkins County Barracks No. 1645, Veterans of World War I, U.S.A., Department of Texas, Sulphur Springs, Tex., Manning T. Gafford, commander, and John L. Carter, quartermaster-adjutant, going on record as supporting the principle that a Federal pension program should be provided for World War I veterans, their widows and orphans separate and apart from that provided for veterans and their widows and orphans of the United States later wars, which was referred to the Committee on Veterans' Affairs.

EXTENSIONS OF REMARKS

National Police Hall of Fame

EXTENSION OF REMARKS

OF

HON. PAUL G. ROGERS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. ROGERS of Florida. Mr. Speaker, a National Police Hall of Fame will be dedicated on October 15 at Port Charlotte, Fla., to the memory of all police officers in the United States who have given their lives in the line of duty to protect our citizens.

The hall of fame will consist of a beautiful modern building containing typical equipment used in police departments, as well as a memorial listing the names of all law enforcement officers who have been killed in the line of duty.

The memorial is being built by the National Police Officers Association of America and will be open to the public year round without charge. This nonprofit association, the largest of its kind in the United States, has chosen Port Charlotte as its retirement city. Floridians are happy to have these dedicated public servants come to Florida, and take pride in the National Police Hall of Fame being located in our State.

The law enforcement officer is one of the most important, yet often neglected member of our community. He strives to give us and our families the protection that we need and expect. Personal sacrifice is often the result of the police officer's devotion to duty—too often this sacrifice is his own life. Forty-eight officers lost their lives in 1959 while giving us that protection we frequently take for granted.

The National Police Hall of Fame has been designed to commemorate these sacrifices in the war against crime. It will be maintained by the National Police Officers Association of America membership, but will be dedicated to all law

officers throughout America, regardless of their membership or nonmembership in the organization.

Because this project is national in scope and will represent the fine police men and women in every community, it should be of interest to all Members of Congress and citizens interested in law enforcement.

Chief G. S. Aremberg, executive director of the hall of fame has asked local police officials who have not yet done so to contact him about their own men and women who should be represented in this national memorial. The hall of fame will be dedicated at 2 p.m. October 15, and the Police Officers Association, through President Frank Schira, has invited the public to attend at that time, or any day thereafter.

Family Farming—America's Ray of Hope

EXTENSION OF REMARKS

OF

HON. HUBERT H. HUMPHREY

OF MINNESOTA

IN THE SENATE OF THE UNITED STATES

Thursday, August 25, 1960

Mr. HUMPHREY. Mr. President, throughout our Nation thousands of farm families have worked long years through the National Catholic Life Conference to maintain those spiritual and social values that the family farm alone can contribute to the enrichment of our rural community life and our total national life.

It has been a great privilege during my years in the Senate to work closely with the Catholic Rural Life Conference to secure a national farm policy founded on a full realization of the irreplaceable social value to our Nation that accrues from thriving family farms and rural communities. In these years of cooperation it has been especially satisfying to know and work closely with the conference's former director, Msgr. Luigi Ligutti, now the director of international activities, and with the Washington representative, Father James Vizzard, S.J.

The conference in its most recent statement of policy reflects again its dedication to spiritual and social values and with the usual practical commonsense of this group emphasizes that a sound economic policy for agriculture is absolutely essential to the future of the family farm. But the conference insists, as I insist, that the question of farm policy cannot and must not be reduced to a purely economic question—ignoring basic human freedoms and all the range of spiritual and social values involved.

In the same July 1960 issue of Catholic Rural Life, the conference magazine, in which this policy statement appears there is printed an article which I prepared outlining my views on a family farm development program as contained in my proposal, S. 2502. I am greatly complimented to have my views included in the farm policy discussions of this group and to see that the conference statement of policy and my proposals are generally in agreement on the fundamentals of the farm policy our Nation must have.

Mr. President, I ask unanimous consent that the policy statement of the National Catholic Rural Life Conference and my article entitled "Family Farming—America's Ray of Hope," from the July 1960 issue of Catholic Rural Life be printed in the RECORD.

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

RESOLUTIONS OF POLICY

Introduction: The American farmer is confronted with serious economic problems which jeopardize the family farm pattern and endanger many religious, social, and cultural values of the rural way of life. Procrastination and indecision on the part of rural leaders in the face of this situation would be inexcusable.

Some of the solutions proposed are so controversial that agreement about them can be hoped for only after extensive debate. Such would be true, for example, of the debate on whether or not farm subsidies are to be continued. Other proposed solutions would require extensive education and far-reaching changes in the economic, political, and social structure of rural America. An example of this would be the formation of cooperative organizations capable of controlling surpluses, strengthening farmers' bargaining power and effectively competing with vertically integrated enterprises.

Agricultural leaders should work diligently on these controversial and long-range solutions. In the meanwhile, we urge immediate action on the following solutions—solutions about which little rational disagreement can be had, solutions which can be applied readily and within the framework of our present economic, political, and social structure:

1. Let us put an immediate end to the payment of unlimited subsidies to large farms. Subsidies can be justified only on the principle of distributive justice according to which assistance is to be given in proportion to the needs of the recipient and with a view to the effect of such assistance upon the common good. No single farmer has a rightful need for tens or even hundreds of thousands of dollars of taxpayers' money. Neither is the common good advanced by such unlimited subsidies which often enable wealthy farmers to increase their acreage at the expense of relatively poor farmers.

2. The importation of hundreds of thousands of low-paid agricultural workers from Mexico under the provisions of Public Law 78 embodies an unjustifiable subsidy for the large-scale growers who employ them. Family farmers must compete with these underpaid workers. American born agricultural workers suffer because these alien laborers depress wage rates and reduce employment opportunities. The braceros themselves endure inadequate wages, working, and living conditions. This is not only an unsound economic policy, it is morally indefensible.

3. We must share our surplus foods more generously with undernourished peoples at home and abroad. Missionaries in underdeveloped areas can guarantee distribution to those who need food. Such a program need not seriously disrupt agriculture in other lands, because the recipients do not have funds to purchase food. If we continue to store billions of dollars worth of foodstuffs, domestic market prices will continue to fall, spoilage and storage costs will steadily consume the capital invested in these foodstuffs and we shall incur the wrath of needy people overseas.

4. We must adopt a soil use policy in keeping with the fact that presently we are overproducing some commodities and in the future we shall need to increase production for an expanding population. To advance, the conservation program must have a continuing supply of new knowledge, new ideas and better ways of getting the job done—hence, the need for a sound research program to back up the technical assistance program essential on individual farms.

5. We must accelerate the development of industry in communities outside the metropolitan centers. This will create employment needed by rural people, make our Nation less vulnerable to attack, and alleviate the problems of supplying housing, schools, and churches in metropolitan areas.

For several decades the Extension Service of the U.S. Department of Agriculture provided leadership in multiplying the productivity of the farm but it did not provide new employment opportunities for those who were put out of work by the introduction of machinery and improved methods. We urge the Extension Service to utilize its talented personnel and grassroots contacts in assisting rural communities to attract suitable industries.

Since nonfarm industries in rural areas mean the prospect of a new way of life with new problems and new pitfalls, rural leaders should make a thorough study of what is desirable and undesirable in industry. It is of supreme importance that morally sound principles be instilled at the beginning of rural industries.

As factories are established in rural areas, new legislation will be needed to protect the rights of both labor and management and to provide zoning regulations needed for the good of the community.

6. It is inevitable that some rural youths must leave the countryside to seek careers. There is great need for schools and parish organizations to furnish more guidance to these young people regarding their aptitudes. Those who are leaving should be given training for trades and professions in keeping with their abilities. Parish organizations in the urban areas should assist the incoming youth in finding dwelling and making religious and social contacts. Some of the necessary steps to accomplish these aims will need legislative action.

AMERICA'S RAY OF HOPE—FAMILY FARMING
(By HUBERT H. HUMPHREY, U.S. Senator from Minnesota)

For too long, our national farm policy has been engulfed in deep-seated controversy that shows little sign of abating.

The continuous debate waged over the past decade has, unfortunately, engendered more heat than light. Regrettably, it has been marred by distortions of fact, by recriminations, by misinformation, by a belittling of agriculture's basic role in our economy, and by attempts to turn city people against farm people.

Controversy is neither wrong nor harmful if it is aimed at a constructive goal. Spirited debate is helpful in a democracy, and necessary to the formulation of public opinion. But out of it should always come decision—and progress.

Make no mistake about it—better solutions can be found and must be found to the complex economic and social problems confronting rural America and its currently depressed economy. Solutions can be found that are far more in the national interest, and far less costly to taxpayers.

Supposedly, the great national debate on farm policy has all been over differences of opinion about best methods to achieve the same objectives.

The Nation's press, in trying to oversimplify a complex issue, has led the country to believe that it is merely a fight between advocates of higher price supports and lower price supports, or no price supports at all.

Actually, far more is involved.

I can no longer accept as true the premise that this struggle is merely over differences as to how we can best achieve the same objectives for farm people.

DIFFERENCES REMAIN

If we really were in accord on the purpose and objectives of farm policy in this country, reasonable men of good will long ago would have resolved such differences out of the experience of trial and error of the last two decades. The fact that it has been impossible to do so brings us face to face with the inescapable conclusion that much more is involved than the best methods to achieve common objectives.

The truth is that fundamental differences do exist over the objectives themselves—over the pattern of agriculture we should have in America.

Until we bring those differences out in open, frank discussion, we will remain bogged down on farm policy progress.

The real issue is the right to economic survival of America's traditional family farm pattern of agriculture—the most efficient the world has ever known and a solid bulwark of our free enterprise democracy.

America's independently operated free enterprise agriculture—the owner-operated family farm where managerial skills, capital investment, and actual labor are all combined; where ownership carries with it an inherent pride in the care and conservation of our productive resources; where human and social values of rural community life are not subjected to mere material values of a soulless corporation—this is what is at stake.

We are being led down a path that threatens this fundamental, basic American pattern with extinction. This is being done (overtly, not directly)—and certainly with no sanction from the Congress of the United States.

EMPHASIS ON BIGNESS

We hear less and less concern about perpetuating our family farming pattern, and more and more about giving way to the pressures of mass operations. We hear more emphasis on mere bigness and so-called efficiency, and less on human values and social problems of rural living.

This trend is deeply disturbing to me.

I am against collectivization of our agriculture—either by the Soviet pattern or by the corporate pattern of absentee ownership.

I seriously challenge the current school of thought that "bigness" may be the answer to farm prosperity. Currently the efficency factor of mass corporate farming activities is essentially cheap labor—just as it once was in the sweatshops of our industries.

I cannot conceive of a permanent, peasant-class "cheap labor" force as the source of our Nation's food supply, and the custodian of our productive resources. It would be a dangerous backward step in America's social progress, inviting the seed of social unrest and revolt. At the very minimum, it would create the necessity of farm workers organizing to bargain collectively for decent pay, eventually wiping out the supposed efficiency factor of cheap labor and at the same time endangering the assured flow of food abundance we Americans now take for granted.

No one can convince me, for example, that the Nation's consumers can ever be as well protected by having productive resources concentrated in the hands of a few giant corporations as they are today with the widely dispersed ownership of the source of our food and fiber supplies.

No one can convince me, either, that we are really more efficient if we separate capital, managerial skills, and labor into three classes in agriculture, instead of having them all combined in the family farm unit.

None of us wants to perpetuate inefficiency, or tie farmers to units too small to be economically practical. Yet, there is a distinct line between improving the efficiency of family farmers and increasing their opportunities to make family farming profitable, on the one hand, and abandoning the family operated farm concept to be replaced by large-scale industrialized farming operations with absentee-ownership and hired labor on the other.

POLICY CONCERNS CONSUMERS, TOO

Serious questions of public policy are involved if we are to cross that line. It isn't just the farmer who should be concerned. It is every consumer in America. It is every believer in real competitive free enterprise. It is every American wanting to see democracy succeed in the world.

The entire Nation needs to realize that farm policies must be geared to desirable social objectives as well as desirable economic objectives.

And foremost among such social objectives there should always remain the encouragement and preservation of our traditional rural pattern of the family farm type of agriculture that has long been accepted as essential to a strong democracy.

It is easy to understand why.

A large number of prospering farm families on family farms is a strong balancing force within the Nation against the political and social extremes of economic class warfare.

On the family farm, the economic functions of capital ownership, of arranging for financial needs, of managing the productive enterprises, and of farm labor are all performed by the farm operator and his family, thus eliminating controversy and tension along economic lines.

BUILDS GOOD ATTITUDES

Our family farm pattern of agriculture has been the basis of all our agricultural progress and good community life. It builds in farm family members attitudes of self-reliance, social responsibility, individual initiative, tolerance, and self-government—the attitudes that make for a sound and progressive democracy.

The family farm builds strong families, and the family farm builds strong social communities with good schools and active churches.

There is no need for either corporatizing agriculture, or collectivizing it. Family farmers themselves, in the true democratic tradition of learning to work together, have developed their own extension of the free enterprise system in farmer-owned, farmer-controlled cooperative marketing and supply enterprises—as a legitimate and desirable means of preserving individuality and yet finding a way to compete in an economy of bigness.

Farm cooperatives are the free world's answer to collective agriculture of the Soviet Union—and a far more successful answer. They are a powerful example to the world of how freemen, working together, can develop democratic institutions that far surpass Government-dominated collectivization for efficiency. Farm co-ops must be recognized as a vital part of our free enterprise system, and must be zealously guarded and protected along with the family farm system which they serve so effectively.

The family farm system is the right pattern for our democracy. It is right for the farmers, and to the best interest of the rest of our country. But even more, it offers a ray of hope to much of the rest of the world.

As seriously concerned as we are with our domestic problems in agriculture, the gravest problem of our time is war or peace in the world. Everything we as a Nation do, or fail to do, has an influence on the world's destiny for generations to come—perhaps even on our own survival.

AGRICULTURE'S ROLE IMPORTANT

Too little attention is given by our foreign policy experts to the real role of agriculture in creating a just and lasting peace.

At long last, we are making some progress in winning recognition of how powerful a force for peace and freedom our undistributed abundance of food and fiber can be, when converted into economic development and elimination of hunger, disease, and misery in vast areas of the world.

Yet an even more significant contribution is being ignored.

America's foreign policy needs a dramatic symbol—a symbol of hope to newly created natons, a symbol of democracy's effective answer to Soviet propaganda.

What more dramatic symbol, what more effective ray of hope, can we offer the uncommitted nations of the world than the example of America's free enterprise family farming system, where farmers own their own land—and have a decent opportunity to share equitably in returns from the produce of their soil and their labor?

That is the story the world needs to hear.

FREEMEN WANT LAND

The dream and desire of freemen everywhere is to own land. Unrest in many parts of the world today results from insecure and inequitable farmland tenure, creating hopelessness among those who work the soil, and making them easy prey for communism's glittering false lures and promises.

The restless peasants of the world can find the ray of hope they seek in America's pattern of family farming and family farm ownership that enables the Nation's farmers to farm efficiently, conserve soil and water resources, provide adequately for their family needs, and participate fully in civic, community, and public interests.

Can we risk destroying that ray of hope ourselves?

Can we risk destroying the very symbol that proves democracy's superiority over communism?

With all of its trips into outer space, the Soviet Union cannot equal our achievements in agriculture. And it can offer no fulfillment to the dream of peasants elsewhere in the world of eventually owning a farm of their own.

How we take care of our own farmers, and our own system of farming, can have a profound effect on the struggle now underway in the world.

Other areas of the world are revolting against exploitation by bigness, and insisting upon opportunity for individual independence and dignity.

We have in our grasp the opportunity to lead them by our example, to prove democracy's effectiveness in offering equal opportunity for all.

I have not made specific suggestions here as to the means to correct our farm plight. The specifics are the easiest part of it, if we can create a real understanding in the Nation as to the fundamental objectives we seek to achieve. These objectives are fourfold:

OBJECTIVES LISTED

1. To assure the American people continued abundance of food and fiber.

2. To offer America's farmers an opportunity of achieving economic equality with citizens in other walks of life.

3. To preserve and protect America's traditional pattern of family-owned, family-operated farms as the type of agriculture best adapted to our democratic way of life, and to encourage farm cooperatives as a democratic extension of the free enterprise system to serve farm families.

4. To make greater use of America's undistributed abundance as a force for peace and freedom in a world of the hungry, and to

hold forth the American pattern of family-owned and family-operated farms as a ray of hope to the millions of struggling peasants in underdeveloped areas of the world.

Once we make clear that national farm policy must be shaped to serve these objectives, the way will be clear for once again giving America the kind of farm programs that are needed.

Improving Mail Service in Our Cities

EXTENSION OF REMARKS

OF

HON. KATHRYN E. GRANAHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mrs. GRANAHAN. Mr. Speaker, as chairman of the Subcommittee on Postal Operations of the House Committee on Post Office and Civil Service, I am very much aware of the delays and disruptions in the delivery of first-class mail in our major cities. Time after time, we have called to the attention of postal authorities instances where letters have been diverted to the wrong cities resulting in interminable delays. And the promise of overnight delivery of first-class mail within cities is still, I am sorry to say, mostly a promise and not a reality.

To divert attention from the continuing inadequacies of postal service, the Postmaster General has been shedding many tears lately over the so-called interference from Congress in his airlift program for sending first-class mail by air on a space-available basis. One would think Congress had no right to look into this matter.

Actually, it is quite the opposite. Congress has never given the Postmaster General the authority he has exercised in recent years to send first-class mail by air. It has been an assumption of authority. When we looked into the matter comprehensively, it was the decision of the Committee on Post Office and Civil Service that very strict limitations should be imposed on the airlift—not as a rein on the prompt delivery of mail but rather to prevent disruptions in mail service. The airlift is a hit-and-miss proposition in many instances; worse than that, by eliminating rail service we find ourselves in a real mess when weather conditions are such the mail cannot go by air—or when the airlines do not have space available for first-class 4-cent letters.

Of course all 7-cent airmail goes by air and people who want and need airmail service are normally willing to pay for it. But if there is a good chance some of this mail will still go by air even if it only carries a 4-cent stamp, many people are taking that chance and not purchasing airmail service, hoping to get it anyway. So airmail revenues are falling off.

But that is not the point which so concerns me right now. The House has passed the bill on use of air service for 4-cent letters and it is up to the Senate. But in the meantime, this is not an issue as concerns local mail deliveries in, say, Philadelphia, or in other major cities.

The service has suffered terribly because of impractical management practices and out-of-date personnel practices dictated by the Post Office Department here in Washington. This is true all over the country, as every postal worker will quickly point out to you once you start to ask some searching questions about postal operating policies.

We can all remember when the postal worker was so proud of the postal service that he could tolerate no criticism of the Department, and always wore proudly the uniform of his service. In recent years, however, the postal employees have been kicked around so much by their superiors in Washington that many have lost their sense of dedication and pride in the postal service. This is too bad.

A new President in January must correct this deplorable situation by appointing as Postmaster General a man who can work with and inspire the postal employees to give their very best, and who regards them and their work as important. In recent years, the postal workers have been downgraded by the very man who should be most interested in their welfare.

Military Cemeteries Overseas—Part 1

EXTENSION OF REMARKS

OF

HON. THADDEUS J. DULSKI

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. DULSKI. Mr. Speaker, as a member of the Committee on Veterans' Affairs, I represented our committee at the dedication of the American military cemeteries and memorials overseas during the recent recess of Congress.

Upon my arrival in France, I was immediately escorted to the dedication of the Henri-Chapelle Cemetery and Memorial in Belgium. It is located about 2 miles northwest of the village of Henri-Chapelle which is on the main highway from Liege. This cemetery covers 57 acres and 7,989 of our war dead are buried here, most of whom gave their lives during the advance of the U.S. Armed Forces in Germany. The headstones are arranged in gentle arcs sweeping across a broad green lawn which slopes downhill. To the east is the long colonnade which, with the chapel and museum room, form the memorial overlooking the burial area. The chapel is simply but richly ornamented. In the museum are two maps of the military operations, carved on black granite with inscriptions recalling the achievements of our Armed Forces. On pylons of the colonnade are inscribed the names of 450 of the missing who gave their lives in the service of their country. Also carved thereon are the seals of our States and territories.

The dedication address was delivered by Capt. William Hallam Tuck, U.S. Naval Reserve. Others addressing the gathering were the Honorable William A. M. Burden, American Ambassador to Belgium; the Honorable John J. McCloy, representing the President of the United States; and the Honorable Albert Lilar, Vice Premier of Belgium.

The band played the national anthem of Belgium, "La Brabançonne," which was followed by our anthem, "The Star Spangled Banner."

Since I was unable to be present at the dedication ceremonies held on July 4 at the military cemeteries in Luxembourg and Margraten, in the Netherlands, I requested permission to visit these two cemeteries which was granted by the Chairman of the American Battle Monuments Commission, Gen. Jacob L. Devers.

The Luxembourg Cemetery lies within the city limits of Luxembourg. It is situated in a beautifully wooded area, 50½ acres in extent. Not far from the entrance is a white stone chapel, set on a wide circular platform surrounded by trees. It is embellished with sculpture in bronze and stone, a stained-glass window with American unit insignia, and a mosaic ceiling. Flanking the chapel at a lower level are two large stone pylons upon which are maps carved in various granites with inscriptions recalling the achievements of the American Armed Forces in this region. Inscribed thereon also are the names of 370 of the missing whose remains were never recovered or identified.

Sloping gently downhill from the memorial is the burial area, containing 5,076 of our military dead, many of whom gave their lives in the Battle of the Bulge and in the advance to the Rhine. The headstones follow along graceful curves; and trees, fountains, and beds of roses along the main paths add to the dignity of the ensemble.

My next visit was to the only American military cemetery in the Netherlands, which covers 65½ acres and lies in the village of Margraten. Its tall chapel tower can be seen from a considerable distance. Upon entering the cemetery, the visitor is led to the court of honor with its pool reflecting the tower. To the right and left, respectively, are the visitors' building and the museum which has three large engraved maps depicting the military operations of the American Armed Forces. Stretching along each side of the court are two walls with the names of 1,722 of the missing who rest in unknown graves.

Beyond the chapel is the burial area, divided into 16 plots, for 8,301 of our military dead. The headstones are set in long graceful curves and a wide tree-flanked mall leads to the flagstaff which crowns the crest.

The light fixture in the chapel, the altar candelabra and the flower bowl were presented by the Netherlands Government and by the local provincial administration. During the dedication ceremony, Her Majesty, the Queen of the Netherlands, was presented. The following addressed the gathering: the Honorable Philip Young, American Ambassador to the Netherlands; the Honorable

John J. McCloy, representing the President of the United States; His Excellency Ir. S. H. Visser, Netherlands Minister of Defense; and the Honorable Wilber M. Brucker, Secretary of the Army. After the Netherlands national anthem, "Het Wilhelmus," the band played the "Star Spangled Banner."

In the next issue of the RECORD, I will include the remainder of the military cemetery dedications I attended.

Dedication of General Twining Park to Monroe's (Wis.) Illustrious Native Son on July 4, 1960

EXTENSION OF REMARKS

OF

HON. GERALD T. FLYNN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. FLYNN. Mr. Speaker, Monroe, Wis., located about 40 miles from the capital city of Madison, lies in fertile green valleys which make up Green County, Wis. It is populated for the most part by thrifty Swiss pioneers who settled here more than 100 years ago and brought with them the knowledge of how to make swiss cheese by hand in copper kettles. This swiss cheese economy has been the basic industrial pursuit of Green County residents for the past 100 years. They still make the highest quality and finest swiss cheese in America and produce many times more swiss cheese than is produced any place else in America.

Monroe is the birthplace of Gen. Nathan F. Twining, and on July 4, 1960, this beautiful city paid its highest tribute to its most illustrious son. Under the direct leadership of the junior chamber of commerce and with the cooperation of every civic organization in all of the cities of the community, the city of Monroe dedicated a 40-acre park which is properly dedicated to Gen. Nathan F. Twining and will hereafter be known as Twining Memorial Park. Dedication of the park was conducted by Mayor Orville R. Evans with response by General Twining who attended in person. The dedication was preceded by remarks made by Col. Bruce Thomas who represented Gov. Gaylord Nelson. There was a review of the F-86D sabre jet memorial project by John F. Kundert, president of the Monroe Chapter of the Junior Chamber of Commerce. He also made presentation of the memorial to the city. There was response by A. Lee Mitchell, park board president.

Preceding the dedication, a reception was held at the Idle Hour Mansion. General Twining attended in person and following the celebration, a community dinner was held in honor of General Twining at the Monroe Country Club. I personally had the privilege of attending this celebration and could not help but think of the thoughts that were passing through General Twining's mind as he returned to the beautiful and peaceful small community lying in the heart of a prosperous country land—one of the most beautiful spots that the mind could imagine. I wondered what this man of advanced years, with great responsibilities and world problems weighing upon his mind, must have been thinking as he returned at his present age to the home of his boyhood and as he saw his neighbors of old, few of whom he still remembered, leading their peaceful and pleasant lives in this city which I am sure he has always loved. I feel certain that he must have felt that the local residents were fortunate, indeed, to have the privilege of living in such a peaceful and prosperous community in close association with each other with their families and loved ones—and I am sure that there must have been a longing in his heart for the opportunity in retirement of gaining the peace, the calm, the gentleness, and the closeness to nature that existed in the town of his birth.

I am certain, too, that in the general's mind he was certain, as this park was dedicated in his honor on July 4, 1960, that all the suffering and hardship and death and privation that he had witnessed throughout the world in the various struggles to protect and preserve our way of life and posterity was well worth the terrible price which we have paid to maintain our form of government. There is no better example of American democracy at work and the meaning of the institutions that have made this country great than there is in Monroe, Wis., the beautiful city which is the birthplace of the Chairman of the Joint Chiefs of Staff of the United States.

The ceremony was impressive, the dedication was memorable and I am sure that the day will long be cherished and remembered by General Twining and by the proud citizens of Monroe who properly call him their most illustrious son.

Lower Manhattan Expressway

EXTENSION OF REMARKS

OF

HON. LEONARD FARBSTEIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. FARBSTEIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include a letter I have written to the editor of the East Side News, a publication with wide circulation in the 19th Congressional District of New York:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 26, 1960.

Mr. ABRAHAM SCHLACHT,
Editor, East Side News,
New York City.

DEAR MR. SCHLACHT: As you are undoubtedly aware, I have been actively opposing the construction of the Lower Manhattan Expressway since December 1959. Since that time I have been in constant communication with the Federal Bureau of Public Roads, the New York State Department of Public Works, the New York City Board of Estimate, and other public officials in an effort to prevent this roadway from being built in our neighborhood. I have introduced legislation in the Congress to prevent its construction, but, unfortunately, the Committee on Public Roads has not taken up this bill.

Building an elevated highway across part of lower Manhattan, when we have finally rid ourselves of the elevated railways, to my mind would create an eyesore in the area and would deface the neighborhood.

It would destroy real estate values, resulting in lower assessed evaluations and lower real estate taxes to the city.

Its construction would create severe hardship to hundreds of small businessmen in the area. In many instances their establishments, representing individual enterprise, foresight, lifetime investments and sheer hard physical labor—generations of hard labor, stability, and sacrifice—would be wiped out.

Most important, it would displace approximately 2,300 families for whom new quarters are not available. Too many public improvements are being undertaken with a total disregard of the families residing in the areas proposed to undergo improvement. Too many families today are awaiting relocation under circumstances that are deplorable. The reconstruction taking place in Manhattan today makes unfeasible the relocation of the aforementioned families. I am more concerned with the peace and tranquillity of these families in their homes than in the convenience of crosstown motorists who would use the expressway to cut across Manhattan Island.

In the course of my protestations and the protestations of Assemblyman Louis De Salvio, State Senator Joseph R. Marro, and City Councilman Daniel S. Weiss, to the construction of this blight, the New York State superintendent of public works advised on February 18, 1960, that "in the case of an urban project such as this one we invariably await the expression of the local officials." * * * "We will move only after we get this approval" (referring to the approval by the board of estimates).

Imagine, therefore, my surprise and consternation to learn by reading the New York Times on August 24, that Mr. Moses in a letter to Mayor Wagner and other members of the board of estimate, had said he had been notified by Federal and State highway officials that the city had had more than enough time to act and that they would not tolerate further delay. Mr. Moses warned that unless the board of estimate approved the expressway at its meeting held on August 25, the project probably would be abandoned and the bulk of the funds would be shifted to other projects, mainly outside the city.

Knowing full well that funds allocated by the Federal Government for such projects are not allocated for specific projects, except at the request of the State, and that such funds cannot be withdrawn, except at the request of the State, I immediately wired to the members of the board of estimate as follows: "Hope you will not be intimidated by the New York Times article insofar as Lower Manhattan Expressway is concerned," and immediately contacted the Federal Bureau of Public Roads for an explanation as to why there was suddenly a deadline to be met, thereby not giving the demand by Acting Borough President Louis A. Cioffi for a survey on relocating the 2,000 families who would be uprooted from the artery's congested route, time for completion.

I was informed by the Bureau that nothing "official had come from the Bureau, either directly or indirectly or informally." Further I was once more assured that "funds allocated by the Federal Government are not allocated for specific projects except at the

request of the State and they cannot be withdrawn except at the request of the State." This information I immediately wired to each member of the board of estimate to prevent their possible succumbing to the veiled threat contained in the New York Times article.

I had been in touch with the New York State Department of Public Works to ascertain if the State had requested the board of estimate to bring the matter to an immediate conclusion; but I have not yet received a reply to my request.

In view of the foregoing, therefore, it is apparent that the information in the article referring to notification by the Federal highway officials is not the position taken by the Federal Bureau of Public Roads; and the reference in the same article to the bulk of funds earmarked for the Canal Street Expressway being shifted to other projects, mainly out of the city, is not the information furnished me by the Bureau of Public Roads.

Therefore, I trust the board of estimate will not, at this time, approve the Lower Manhattan Expressway; and I urge every resident of the area to make known his opposition to the construction of the expressway by writing to the members of the board of estimate.

Sincerely yours,

LEONARD FARBSTEIN,
Member of Congress.

FCC—Renewal of Broadcast Licenses

EXTENSION OF REMARKS
OF

HON. ROLAND V. LIBONATI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. LIBONATI. Mr. Speaker, I have received some very interesting correspondence, touching upon legislation before the Congress.

The resolution, passed unanimously by the American Federation of Television and Radio Artists—Chicago local, affiliated with the AFL–CIO, is especially interesting.

I am certain that the suggestions contained therein are worthy of the consideration of the membership of the Congress.

Under unanimous consent I include the following in the CONGRESSIONAL RECORD:

AMERICAN FEDERATION OF TELEVISION AND RADIO ARTISTS,
Chicago, Ill., August 12, 1960.

DEAR CONGRESSMAN: I am enclosing a copy of a telegram which I sent on August 12 to the Honorable EVERETT MCKINLEY DIRKSEN.

I am also enclosing a copy of a resolution which was unanimously passed by our delegation to the Washington convention.

We honorably and respectfully urge your support on this matter.

Sincerely yours,

RAYMOND A. JONES,
Central Regional Director, AFTRA.

RESOLUTION FROM THE CHICAGO LOCAL AFTRA

Whereas the license to operate a broadcasting station granted by the FCC is predicated upon the broadcasting licensee operating the station in the public interest, convenience, and necessity; and

Whereas the phrase "public interest, convenience, and necessity" rightfully means "substantial programing by the broadcasting station so as to aid, foster, and reflect the cultural, economic, sociological, and other objectives of the community in which the station is located," as well as the origination of a substantial number of programs from that locality; and

Whereas many broadcasters in their license applications for the right to operate a station have made certain promises, representations, and warranties as to the programing of the station in the public interest, convenience, and necessity; and

Whereas many broadcasters have failed in substantial measure to live up to their promises as to programing the stations in the public interest, convenience, and necessity; and

Whereas local and network broadcasters have canceled, with increasing and alarming frequency, locally produced programs, therefore terminating services of many local technicians, performers, musicians, and other highly trained personnel; and

Whereas the members of AFTRA, as well as the general public, have a real and substantial interest in the programing of the station in accordance with the promises, warranties, and representations upon which the broadcast license was issued; and

Whereas the FCC is obligated by law to determine the initial issuance of the broadcast license as well as the application for the renewal of the said license; and

Whereas the FCC has the right to examine and hold public hearings on the right of any broadcast licensee to a renewal of its license: Now, therefore, be it

Resolved, That AFTRA's national executive secretary and national counsel be and they hereby are authorized to take any and all action in Congress, before appropriate committees and the FCC, in cooperation with other affected unions, guilds, and associations in the broadcasting field, to secure the right of AFTRA, and the aforementioned unions, guilds, and associations, and other interested members of the general public to require the FCC to hold public hearings on applications for the issuance or renewals of broadcast licenses where a protest has been filed, so that the broadcaster can be required to prove that he has operated and will operate in the public interest, convenience, and necessity.

AUGUST 12, 1960.

The Honorable EVERETT MCKINLEY DIRKSEN,
Senate Committee on Labor and Public Affairs, Washington, D.C.:

Respectfully urge you to drop exclusion of employees of radio or television stations in cities of less than 100,000 population from the provision of the proposed amendment to the Fair Standard Labor Act of 1938. It is unthinkable that announcers, engineers, and other talented and trained personnel get less than $46 per week for 40 hours in America today. I have in my possession brochures published by the company which claims a listening audience of more than a million persons in Chicago, Gary, and Hammond. There are hundreds of such stations which have a studio and transmitter just outside the city limits of large metropolitan areas, which would be exempted under proposed exclusion. I am mailing you special delivery copy of brochure.

RAYMOND A. JONES,
Central Regional Director, AFTRA.

AUGUST 24, 1960.

Mr. RAYMOND A. JONES,
Executive Secretary, AFTRA, Chicago Local, Chicago, Ill.

DEAR MR. JONES: I have received your letter relative to the matters passed upon in the adoption of the resolution for the Chicago local—AFTRA, and have called your suggestions to the attention of Congressman PETER F. MACK, Jr., of Illinois, who is our representative on the House Committee on Interstate and Foreign Commerce, and I am recommending the same to him.

Thank you for calling this matter to my attention, I am,

Sincerely,

ROLAND V. LIBONATI.

AUGUST 24, 1960.

Hon. PETER F. MACK, Jr.,
Washington, D.C.

DEAR COLLEAGUE: I have received the enclosed communication from Mr. Raymond A. Jones, executive secretary of AFTRA, Chicago local.

I feel that some of the suggestions that are included in this resolution contribute, in a measure, to the solution of many of the problems facing that industry.

Thanking you for your consideration of this matter, I am,

As ever,

ROLAND V. LIBONATI.

AUGUST 25, 1960.

The Honorable ROLAND V. LIBONATI,
House Office Building,
Washington, D.C.

DEAR ROLAND: This will acknowledge receipt of your letter of August 24 and the enclosed resolution from the Chicago local of AFTRA.

Many of us on our committee have been quite concerned about the policies of radio and television stations in overlooking local interest and in the FCC policy of automatically renewing station licenses. I feel the suggestions made in the resolution from AFTRA are extremely appropriate and support the views expressed in reports made by the Committee on Legislative Oversight.

Sincerely yours,

PETER F. MACK, Jr.

Mr. Speaker, the communication received from the Honorable PETER F. MACK, Jr., Representative from the 21st Congressional District of Illinois, is indicative of the acceptance of the suggested changes contained in the resolution from Chicago local of AFTRA.

As a recognized expert in this field, certainly, his recommedations should be accepted.

National Forest Parks: A New Concept in Recreational Development

EXTENSION OF REMARKS
OF

HON. AL ULLMAN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. ULLMAN. Mr. Speaker, last month I made a proposal at a meeting of the National Outdoor Recreation Resources Review Commission, of which I have the honor and distinct pleasure to be a member. My proposal included the suggestion of a system of national forest parks. This idea has been received with widespread interest. In order to expand somewhat on the thinking which underlies my proposal, I have prepared the following rather brief and informal statement. I will welcome comments and discussion of this concept by my colleagues and by the public and hope that from

such a discussion may come more adequate management of our great national recreation resources and new doors into our great outdoors for millions of Americans.

The statement follows:

NATIONAL FOREST PARKS: A NEW CONCEPT IN RECREATIONAL DEVELOPMENT

The average American looking forward to a summer vacation in our great outdoors usually thinks in terms of Yellowstone, Yosemite, Estes, or our other national parks. He knows little about those vast scenic areas of his country centered in our national forests. Because of my conviction that the recreational potential of these areas has great national significance and should be fully developed, I have proposed to the National Outdoor Recreation Resources Review Commission a system of national forest parks. My proposal presented at the Joint Commission-Advisory Council meeting in Jackson, Wyo., on August 2 called for: (1) Establishment of a system of national forest parks within the national forest system, (2) zoning of national forests into three primary zones, (a) full multiple use, (b) limited use wilderness, (c) limited use national forest parks, (3) creation of a national forest park administrative division within the Forest Service.

A fourth recommendation, broader in nature, called for the establishment of a position of National Resource Coordinator under the President to assist him in much needed policy coordination in resource matters. My remarks here will be confined to the national forest parks proposal.

Although the Forest Service has adopted an accelerated recreational development program, its emphasis has been almost entirely based on the expedient development of campsite areas to handle visitation pressures. There has been little, if any, thought concerning the development of nationally significant areas under an integrated concept of park management.

My proposal for the establishment of national forest parks is based upon the conviction that the recreation potential within the Forest Service can only be fully developed through recognition of nationally significant units and through the intensive and integrated development of such units under a park system of management. I believe that such a plan is wholly within the scope and meaning of the multiple use concept which guides Forest Service policies. I am also convinced that such a plan is fully compatible with Forest Service statutes.

The key to such a plan would be recognition through zoning of nationally significant scenic areas within the National Forests. These would be given a separate identity encompassed in a well rounded and professionally conceived park plan with appropriate national recognition and promotion.

Another cornerstone of such a plan would be the recognition of the compatibility of multiple use management and forest park objectives. There is no reason why timber management, water protection, and other multiple use objectives should not be incorporated in the management plans of such parks. There would obviously be some limitations on other uses in the most intensively used recreation areas but these would encompass only a small portion of the park area.

Where wilderness exists in conjunction with nationally significant scenic areas, the national forest park and the wilderness zone should be integrated in their planning so as to accomplish full recognizition of the scenic potential of the area. Clearly, the wilderness concept should in no way be violated.

Minimum criteria would establish the standards for national forest park designations. The number of such parks within the national forest system would be determined in large part by those standards. There is no question, however, that within the national forests there are many such park sites. In my own congressional district, comprising approximately the eastern two-thirds of the State of Oregon, there are many, including the high Wallowas, Hells Canyon, Three Sisters, Newberry Crater, Lake of the Woods, and Mount Hood. At least two of these would include spectacular wilderness areas. At the present time the recreation potential of each of these is virtually undeveloped and their national significance little known.

A byproduct of such a system would be the relieving of the tension that now exists between the Park Service and the Forest Service. Such differences stem, for the most part, from the fact that there are many pressures to create national parks out of the most scenic national forest areas because that is the only present means of gaining unique national recognition and of obtaining full recreational development of those areas. The system I have proposed would allow for full development within the Forest Service, maintaining the management integrity, but at the same time allowing for national recognition and full recreational utilization.

I visualize this new concept as the next step forward in the recreation development of America's great scenic outdoors. It would give us sound recreational development within the framework of multiple use and would allow for maximum wilderness preservation while providing for full recreational use. It would relieve the pressure on our national parks and disperse the increasing visitations among new and equally appealing areas. It would open many new doors into our great outdoors for millions of Americans.

Greetings to the Ukrainian Congress Committee

EXTENSION OF REMARKS

OF

HON. VICTOR L. ANFUSO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. ANFUSO. Mr. Speaker, the Ukrainian Congress Committee of America is celebrating this fall the 20th anniversary of its founding. This well-known organization has every reason to be proud of its achievements over these past two decades, not only because of the fact that it reflects the thoughts and sentiments of some 2½ million Americans of Ukrainian ancestry, but because of its campaign of truth and public education regarding the Soviet Union, particularly the latter's subjugation of the various nationalities suffering under the yoke of communism.

The Ukrainian Congress Committee and its membership have over these years dedicated themselves to several important tasks, thus serving the interests of the United States, their ancestral homeland the Ukraine, and the free world generally. Among these tasks are: First, to advance the strategic value of all the captive nations of Europe, and most especially the nationality groups in the Soviet Union itself where the non-Russians outnumber the Russians; second, to keep the people of America and of the free world informed on the struggles for independence on the part of the dozen or more captive nations of non-Russian origin within the Soviet Union; third, to expose before the eyes of the entire world the many myths about Soviet unity and to show that it is an illusion; and fourth, to propose various concrete ways to combat effectively the cold war and Communist propaganda tactics.

In this respect the Ukrainian Congress Committee is doing a great service and deserves to be commended. The Ukrainian people were one of the earliest victims of Communist imperialism. It does not consider itself as part of the Soviet nation. Ukrainians still cling to the hopes of freedom and independence for their homeland, and we here in America must help keep those hopes alive and vibrant. We must do everything in our power to encourage them not to lose hope or faith. We must support their righteous cause.

I salute the Ukrainian Congress Committee on the occasion of its anniversary and join with them in prayer that their kinsmen will soon realize their goal to attain genuine democracy and to live in human dignity.

Water Resources Developments: Key to Tomorrow

EXTENSION OF REMARKS

OF

HON. FRANK E. MOSS

OF UTAH

IN THE SENATE OF THE UNITED STATES

Thursday, August 25, 1960

Mr. MOSS. Mr. President, on August 22, the Senator from Wyoming [Mr. McGEE] delivered an address in Boulder, Colo., at the Western Resources Conference, entitled "Water Resources Developments: Key to Tomorrow."

It is an excellent address which contains a great deal of information in terms that can be understood by the public. The Senator from Wyoming [Mr. McGEE] has done a great service to the Nation in pointing his finger to a very serious subject.

Because of its timeliness and its importance, I believe it should be read by all Members of Congress. I ask unanimous consent that it be printed in the RECORD.

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

WATER RESOURCES DEVELOPMENTS: KEY TO TOMORROW

For a rank outsider to venture into the realm of water resource development in the presence of those who have dedicated a lifetime to mastering its problems is brazenly presumptuous. Yet, the remarks to follow are undertaken in precisely such a context.

In the 1st session of the 86th Congress the Select Committee on National Water Resources of the U.S. Senate was created. Under the skillful and energetic leadership of its chairman, Senator ROBERT S. KERR, of Oklahoma, and with the participation of all of its 17 members, the committee has

striven to integrate the large volume of materials assembled in earlier studies; to update the most critical of the information; and is now preparing to translate the whole into meaningful programs for action. More than any other single force, it has been my membership on that committee which evokes the comments which follow. In no sense, however, should these remarks be attributed to that group. I, alone, bear responsibility for what I am about to say.

This intrusion into your affairs by a "Johnny-come-lately" may carry more significance than one might first think. If, as I believe it does, it symbolizes a new and spreading concern among plain citizens about our national water needs, then we may, indeed, be on the verge of a major breakthrough of one of the chief barriers to an adequate water resources program—that of massive public indifference.

In a much larger measure than some in the water fraternity are wont to admit, the problem is less and less one of definition and more and more one of action.

For all too long water experts, resource engineers, and assorted technicians have spent a disproportionate amount of time talking to each other, usually in a professional jargon unintelligible to the rest of us. Along the way, there has been altogether too little effective communication with the man on the street. What use, one is entitled to ask, is there in calculating the coefficient of N in an unlined channel unless a channel gets built in the first place. In my judgment the time has come when you should talk less with your colleagues and more with your neighbors.

Without popular understanding of both the magnitude and the urgency of the problem of adequate water resources; without a public disposition to accept—or even demand—greater tax expenditures for water, there can be little hope for major strides forward. Without it, moreover, professional and scientific advances in the field remain largely academic exercises, or possibly suffer a worse fate—that of being drowned in a sea of public apathy.

Since most everything these days seems to begin and end with money, this discussion might just as well start there, too.

The Department of Commerce has come up with an estimate that between now and 1980 we are going to have to invest through all government levels, from Federal to local, and through private instrumentalities well in excess of $200 billion in the development of our water resources. This figure is based upon a most conservative estimate, which may in fact be on the low side, that our gross national product will increase only 2.7 percent per year. A more rapid growth rate—say of 4 or 5 percent—would inescapably mean proportionate increases in water demands.

To put it differently, the per capita consumption of water is expected to double—or according to some projections—even to quadruple in the next quarter century. At present rates our population will nearly double by the year 2000. Simple arithmetic calculation suggests the magnitude of the new demands for water which lie immediately ahead of us.

To see what will be involved in this effort, one has only to examine some of the projections which have been charted for us by agencies which deal with water.

From the Public Health Service we have learned that between now and 1965—scarcely 5 years hence—we shall need to spend over a billion dollars a year on a local, State, and Federal basis just to catch up with the sewage and waste treatment needs which will exist by that date.

The Corps of Engineers warns that the total foreseeable flood control program will cost another $10 billion. This program will protect the lives and property of a substantial portion of our population.

Within the Department of Agriculture there are studies which suggest that to protect the vital watersheds from which our streams and rivers flow is going to cost over $4½ billion by 1980 and is going to involve the treatment of almost a quarter billion acres.

The Federal Power Commission foresees that by 1980 we will need almost four times the installed generating capacity we now have.

In the vital and rapidly developing field of recreation needs, the National Park Service has proposed a policy which envisages 8 billion annual visitor days of use of National, State, county, and municipal parks by 1980. By that time also there will be a total of 70 million hunters and fishermen in the fields, according to the Fish and Wildlife Service.

Resources for the future predicts that by 1980 in our own area we shall need 14.5 million acre-feet of additional storage capacity to develop the remaining water in the Colorado River system. At least this much storage is essential if we are to meet the anticipated need for power, irrigation, recreation, domestic, industrial, and other uses. The majority in Congress has consistently supported appropriations for the Colorado River storage project and has advanced its construction more rapidly than proposed by the administration, and, indeed, against strong administration opposition. There is much to be done if we are to meet the predicted need, and recognizing this, Congress has initiated six of the participating units of the project in the last four annual appropriations; three of them by overriding a Presidential veto.

One of the most damaging features added to the original bill to authorize the Colorado River storage project by the administration was the drastic change in the basis for determining the interest rate on power and municipal water construction repayments. The interest rate formula was changed from "the average rate paid by the United States on its long-term loans" to "average yield to maturity." This would result in substantially higher interest rates that would limit the financial feasibility of the project and deprive water users of many millions of dollars of financial assistance to irrigation projects from surplus power revenues. This crippling requirement has finally been removed by Senator ANDERSON'S majority-backed amendments to Public Law 86-529. We can ill afford a policy which prefers to add additional millions of dollars to interest charges at the expense of desperately needed water resource developments.

The predicted additional storage requirement in the upper Missouri River system to develop the remaining water supply by 1980 is 30 million acre-feet, and the requirements for other systems are correspondingly large.

What a delight it would be to be able to report to you that new technological breakthroughs may enable us to meet expected water needs for much less money than is now estimated. How gratifying were I able to report that by waving the wand of modern science we would solve our water problems. But, of course, I cannot do so. While Federal agencies have undertaken research programs in the development of these technical processes which may make much more water available for use or reuse, to date, progress has been painfully slow.

We are indebted again to Senator ANDERSON for his vigorous leadership in the development of research in the conversion of saline water. Thanks to his bill, passed in 1958, the administration is now finally getting around to setting up five experimental stations to test various methods for converting both sea water and brackish groundwater. There are also programs under way for the development of chemical films, such as hexadecanol, to prevent evaporation of water stored in open reservoirs, to test the feasibility of storing water in relatively impervious underground aquifers, to change the nature of plant cover for arid areas so that more water will be retained in the soil and less will be consumed through evapotranspiration and to salvage water which has hitherto been regarded as waste.

These programs do hold a great deal of promise, but they should be crash programs and not just designed to find the answers "someday." Suddenly—now in 1960—some among us have begun to grasp a sense of urgency with regard to water. Many millions more must come to the same realization before we can hope to stir public demands to meet our needs. Only in this way can the popular will become disposed to spend more money on research.

As I said, these programs are promising. But even if they are brought to fulfillment in time, they will not do the whole job. Even if they are put on a crash basis, the lag in time between the ideas which are the most concrete results of this research and their realization in efficient production inevitably lengthens as the technology involved becomes more complex.

After all of these expensive and challenging prognostications, you may be wondering whether a sudden act of magic will pull some sort of rabbit out of a hat in the form of an easy way out. Unfortunately, there is no simple way out, but there is reason for hope.

With imagination, resourcefulness, and real tenacity of purpose our chairman, Senator ROBERT KERR, of Oklahoma, has channeled the select committee's intent into a program which has enabled us to hold hearings in every section of the Nation and in almost half the States. We have consulted with technical experts on every phase of this vastly complicated problem area; we have asked the appropriate Federal agencies for their best estimates not only as to the size and nature of the problems, but as the figures I have cited make obvious, for their best estimates of the programs we need to solve the problems.

A competent staff has toiled diligently with the tremendous volume of material which we have gathered together. All of these hearings, studies, and researches which the committee has undertaken help to mark out the road ahead.

Senate Resolution 48, introduced by Senators MURRAY and MANSFIELD and unanimously endorsed by the Conference of Western Democratic Senators, created for us the obligation to find out "the extent to which water resources activities in the United States are related to the national interest."

To serve that national interest properly in the coming years it is probable that we shall need even more than the $40 billion per year we now spend on military preparation if we are going to prevent the balance of power in the world from shifting irrevocably against us. In addition, we are going to have to develop more adequate systems of education, economic distribution, and technology here at home. In order to maintain our position of leadership in the free world, we cannot expect to rely upon military expenditures alone. We must also give economic, technical, and moral support to those nations and peoples which have recently grown to nationhood and which look to us for leadership because our Revolution has produced durable democratic institutions.

The question which is obviously raised by the size of the water resources programs we are going to have to undertake is whether or not we can do it and still meet all of these other goals which as Americans we have set for ourselves. This is a question for the members of our committee to answer in the immediate sense, but ultimately it is a question which must be answered by every

American. The only answer which the American people can tolerate is that we must do it.

We have learned that such seemingly disparate problems as the development of the Central Valley project in California and the eradication of the pollution which, carried to the ocean by the rivers of Maine, threatens the future of the commercial fishing industry of that State are related. They are related because they are all involved in the national interest.

To bring it close to home, I should like to read to you an excerpt from a letter written to me as a member of the committee and included in the record of the committee hearing held in my hometown of Laramie last October. It is from the county assessor of Carbon County, Wyo. In it he speaks of the need for increased supply of irrigation water for the fertile but arid land within his county, and he says:

"In viewing the economic aspects of the present situation, we find that 6.8 percent of the land on the tax rolls of Carbon County pays 41.4 percent of the county tax. If it were possible to increase the irrigated acreage of the county, it is apparent that our revenes would increase materially, our towns would once again begin to prosper, new people would settle here, creating new wealth, and it would be an inducement for our children to stay here instead of moving away to places where opportunities are greater."

It is the people who are on the tax rolls in Carbon County, Wyo., as well as in each one of the other counties throughout the Nation who are going to have to pay the taxes which we use to accomplish our national plans and achieve our national goals.

The individual water resources development projects which are needed to increase the incomes of the residents of Carbon County, Wyo., will not only make it possible for Carbon County to meet its public goals, but, multiplied throughout the Nation, they will also make it possible for the United States to achieve its goals. The connection between the development of our water resources and the national interest is that only if we develop our water resources can we achieve these broad and inspiring objectives. Only in this way can we expand and otherwise "beef up" our national economic capabilities.

Up to this point in these remarks, I have dealt primarily with the enormity of our task. The Senate Select Committee on National Water Resources is asked to do more, however, than to state the problem. There have been many reports on the state of the Nation's water resource development in the past. In most cases they have delineated the problem adequately. Senate Resolution 48, however, requires us also in transmitting the results of the study it authorizes, to make "such recommendations as at that time may be found desirable."

Nineteen hundred and eighty is only 20 short years away. As a Nation, we have fritted away the time we once had to do this job in a leisurely manner. Having defined the problem, we are now required to tackle its solution. This is where the West comes in. Not only is our section of the country one of the greatest remaining repositories in the world of mineral wealth, but it is also the one major section of the United States which has not yet fulfilled the promise which these riches imply.

One of the most precious of our unexploited nonmineral treasures is space. We have room for the burgeoning population of America and if we develop our water resources so that water shortages do not put a ceiling upon the extent to which our population can increase, we can support this population at a desirable standard of living. The programs which I have already described are national in scope, but the West is going to be called upon to do more than its share in carrying them out, and the West is ready.

Even with transpiration, evaporation, consumption, and seepage into impervious acquifers, three-fourths of the water of our western rivers still discharges into the ocean. This means that the West has only begun to use its water. The Bureau of Reclamation, in its report to the committee, states, "The amount of physically feasible water resource development remaining in the 17 reclamation States is enormous."

Their report summarizes 1,085 reclamation projects, both public and private, upon which construction has not yet been undertaken.

The Bureau estimates that 75 percent of the Federal projects and 90 percent of the non-Federal projects listed can be developed by the year 2000. Such a program would provide for the irrigation of 17 million acres of new land equivalent. It would pour over 4 million kilowatts of hydropower into our transmission systems. It would cost $22 billion.

At this point someone not acquainted with our western economy and with the vital relationship of the reclamation program to the national interest might ask, "In light of present crop surpluses, is it all worth it?" The answer is that it is not only worth it, but that the Department of Agriculture has warned us in its report to the committee that we may need an increase of as much as 34 million acres of irrigated land on a nationwide basis by the year 2000 to feed our population. The Department makes it clear that whatever the level of present crop surpluses, the need for the products of agriculture will increase in the future.

It is estimated that the domestic market for farm products by the year 2000 will range between 85 percent and 200 percent higher than it was in 1954. Not only is our population going to increase but our consumption per person of meats, fruits, and vegetables is going to increase. Millions of acres of currently productive nonirrigated land are going to be converted to other uses by the year 2000 as the result of population growth.

Obviously, it would not be in the country's interest to steal these new millions of needed acres from existing forest lands. Reclaimed land is the answer. The West is ready to do its share, but we cannot make the necessary progress if our vision of tomorrow is blurred by a myopic fixation upon today's surpluses.

A Bureau of Reclamation report describes a program in which the West can provide food and fiber and otherwise absorb 25 million more people. In addition, it would enable us to build a quarter-million new full-time family-size farm units and add 800,000 persons to the farm population. Additionally, this new West could support an increase in local nonfarm population of 2.4 million people. In the process there would be need for over 40,000 new local retail enterprises which would do more than $4 billion in retail trade each year. Predictable growth of this magnitude in our western economy would add almost $1 billion to the Federal Treasury each year.

I want to call particular attention to the last of these points because it reveals dramatically the relationship to the national interest which I have already discussed. This is the type of investment in the Nation's economic future which some habitually charge off as free spending. Evidently they do not realize, either, that these investments are repaid to the Government, or that they add many times their own sum to the gross national product.

It is difficult at this time to foresee the exact nature of the Senate Select Committee on National Water Resources' report to Congress. It is already obvious, however, that the committee and the Nation are going to have to muster the courage to ask the right questions and to face the consequences of honest answers and unpopular solutions. It is not simply a matter of spending a great deal more money. While finding more than $200 billion for water resource development is a staggering prospect, it would be a delusion to think that we can somehow buy our way out of our predicament. Much more than money is demanded of us.

We have conflicts of long standing which are now hindering the progress of vital water resources development work. For example, what shall be done about the question of Federal-State water rights? The first Iowa and Pelton Dam decisions have intensified this conflict, rather than resolving it. Unless one understands its true nature, and thus how serious it is, one cannot comprehend the extent to which it diverts the energies of officials at all levels of governernment as well as those of private individuals. The overall result is a tragic sapping of the thrust for progress at the very point in our history when progress is absolutely essential to the national interest. We must now face the fact that until this area of controversy and uncertainty is resolved, it will continue to erode our water resource capabilities.

This conflict must be resolved in order to unleash our full energies for progress in water resource development.

A second question is: How many agencies of what kind are needed to supply the maximum development with the minimum waste of the Nation's water resource potential?

At present, 25 separate Federal centers alone possess jurisdiction over some phase of water development. Would 125 do it better? Or would just one be more effective? The answer will not be easy to come by. Deep-vested interests, bureaucratic empires staked out earlier in our history, and petty jealousies and rivalries mitigate against a clearcut decision. Yet in some way, a wise decision must be reached. This problem can no longer be swept under the rug.

Perhaps the moment is at hand to apply to our water agencies the same harsh demands made of our defense agencies. In the late forties, after they had existed separately for more than a century and a half, the Armed Forces were finally coordinated by act of Congress. It was not an easy job, and I would be the last to claim that we now have entirely effective coordination in our military effort. Yet, most citizens have come to accept the central judgment that national defense should be first in priority, rather than the perpetuation of historic rivalries for tradition's sake.

So it might be with water. If, despite their advantages, there is reason to believe that our multiple efforts and dispersed responsibilities for water development slow down and/or waste too much of our water potential, then what was done for the armed services could also be done, if careful study disclosed it to be good public policy, for our water agencies.

Whatever may be done about combining our water agencies, there is no doubt that we now need greater coordination of resources and conservation efforts within the administration and Congress. Led by Senator MURRAY, of Montana, many of us sponsored a bill (S. 2549) during the second session of the 86th Congress which was designed to supply this coordination by creating a joint committee in Congress and a responsible agency in the Executive Office of the President. This seems to many of us to be a good approach. But the question is not whether this approach is right or whether there is a better one; it is whether we are going to make an approach to these problems and attempt to solve them now or to fritter away once again the chance to take decisive measures.

Perhaps the most acute problem which we must face with respect to water resources, whether we have one Federal agency or many,

whether we have a joint committee in Congress or not, and whether we settle the Federal-State water rights problem or not, is that of water priorities. How we shall allocate our water resources among the various geographic and functional sectors of our economy? If we do not utilize fully the water-saving techniques of which we are already aware and if we do not start now to develop our water resources, there are going to be greater shortages and the need for water will rise more sharply than our capacity to furnish it.

This question is a tough one, too. Unless present trends toward greater water shortages are reserved, we in the West, for example, may someday soon have to determine whether we can spare water for both cows and people. We may be approaching the point in parts of the West where a gallon of water will be worth more than a gallon of oil. Last summer the State engineer in New Mexico was forced to limit the use of irrigation water to protect municipal supplies because the San Juan-Chama project—already authorized twice by Congress—hadn't been constructed.

Similar shortages are threatening irrigators on the east slope in Colorado. There, also, projects have been authorized by Congress but remain unconstructed.

In 1954 38 percent of our cities all over the country with a population of more than 100,000 had to ration water. Such shortages, always particularly acute in the West, weaken and erode the capacity of our western cities to attract new citizens, and lessen the willingness of new industries to locate here.

Not only do these shortages put an artificially low ceiling on our growth, but they also cause industry and population to pile up in the already populous areas which, for the moment, have enough water. Thus, the vulnerability of our industry to military attack may be increased, social and economic problems affecting proper community growth arise, and all relate the problem of water location and use, once again, back to the national interest.

In the future we must apply a new standard when we are trying to decide whether any particular water development project should be undertaken. This new standard must, in my judgment, take into account the effect of the project on our national rate of growth. It should also measure the results of the project as a generator of employment as well as its effects on the distribution of income among the geographic and functional sectors of our economy. In addition, the revenue potential for all levels of Government—Federal, State, and local—should be weighed in the balance. In short, it must relate the particular water resources development project to our national destiny in a much more sophisticated and relevant way than has any conceptual device we have used up until now. Such a standard will reflect the relationship of the needs of individual people throughout the Nation to the national interest. It will reveal to us in each instance the connection between the fulfilling of these needs by the individual water project and the fulfilling of our national aspirations.

This, then, is the problem of water as it appears to me. Forgive me for having taken the question of water out of the professional arena and for having tried to put it in the public market place. Stripped bare of jargon, the facts are tough—sometimes shocking—and, in a few instances, even frightening. They will be ignored or soft-pedaled only at the Nation's peril. If not ignored or soft-pedaled, they still will pose a difficult future because they lay upon the public conscience weighty problems, the solution to which will cost much money and even more hard work. I am confident it can be done; I know it must be done.

Address of Senator Moss Before the 11th Annual Summer Conference of the National District Attorney's Association

EXTENSION OF REMARKS

OF

HON. HOWARD W. CANNON

OF NEVADA

IN THE SENATE OF THE UNITED STATES

Thursday, August 25, 1960

Mr. CANNON. Mr. President, the distinguished junior Senator from Utah, Mr. Moss, on August 13 was accorded a unique honor.

As a former prosecutor myself and one who has studied the career of Senator Moss for many years, I believe it is worthy of our attention that the National District Attorney's Association presented the distinguished Senator with the Furtherance of Justice Award.

Edward S. Silver, district attorney of Kings County, Brooklyn, N.Y., and president of the association, stated that Senator Moss, who was twice national president of this outstanding group, has made a notable contribution to law enforcement. In presenting our colleague with a bronze plaque, the association honored him for "his outstanding service as a prosecutor exemplifying by his courage and humanity the highest ideals of justice, and for his resourcefulness, initiative, and continued interest in all Federal legislation contributing to more effective law enforcement throughout the country."

I ask unanimous consent that the remarks of Senator Moss at the conference of the National District Attorney's Association be printed in the RECORD.

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

STATEMENT OF SENATOR FRANK E. MOSS, DEMOCRAT, OF UTAH, AT THE 11TH ANNUAL SUMMER CONFERENCE OF THE NATIONAL DISTRICT ATTORNEY'S ASSOCIATION, BOSTON, MASS., AUGUST 13, 1960

Gentlemen, once again I have the opportunity to address this great organization—an organization in which I have labored and of which I am honored to be a member. I cherish the organization, my membership in it, and I cherish my colleagues and friends whom I have learned to love, to respect, and to enjoy. It is an honor to be with you at this 11th annual meeting of the National District Attorney's Association.

Sincerely I thank you for the honor you have just bestowed upon me. I accept it with the greatest pride and with deep humility. I regard it, however, not so much as a badge for service already rendered but rather as an invitation and a license to render service and as a challenge to do so. It is my hope that I can meet the challenge and make some significant contribution to the furtherance of justice.

When Ed Silver notified me that I was to be honored by being selected to receive this most coveted award, my first reaction was disbelief. Naturally I was thrilled and pleased, even though I felt unworthy. And upon further reflection I became somewhat overwhelmed with the seriousness which the subject of justice demands. Justice is a word which is used often, in many different contexts, and many times very loosely. Because of its constant use I think we tend to forget its real meaning and its significance.

Justinian's Digest says of the lawyers: "We worship justice and profess knowledge of what is right and just."

Daniel Webster said: "Justice is the greatest interest of man on earth."

Roscoe Pound defines it to be "The ideal relation among men." He further says, "The administration of justice is the adjustment of human relations and ordering of human conduct in order to achieve and maintain that ideal relation."

In the rotunda of the Department of Justice Building in Washington there is carved a sentence that was first written in a Government brief by Frederick William Lehman, a solicitor general of the United States in President Taft's administration. The words have become famous. They have a more profound meaning in 1960 than when they were first written. They will remain fresh and meaningful as long as men love justice and prize decency. The words, simple but eloquent, are: "The United States wins its point whenever justice is done its citizens in the courts."

Justice is the most pervasive purpose of society. It is an ideal for all men. It is the dream of all men of all religions, races, and creeds all over the world. It is the goal which today throughout the world is causing men to revolt against the old and established order—causing them to make sacrifices, risk their lives and their modest fortunes in their aspirations for decency and justice.

I would define justice to be that fair and impartial resolution of differences between man and his fellow man, between man and government, and between government and government, with a view to preserving to each and every individual his right to dignity, privacy, decency, and liberty.

I think that we who work daily with the law and with the management of justice sometimes become so involved with informations, indictments, warrants, depositions, witnesses, court reporters, judges, bailiffs, sheriffs, coroners, complicated legal problems (and our wives) that we cannot see the forest for the trees. Occasionally we should step back, take a deep breath, and take a look at the forest. By doing so we can recall this noble purpose of mankind—justice—and we can rededicate ourselves to that purpose.

You are probably interested in two or three things that are taking place at the national level. I suspect you think I can give you a knowledgable report on these matters. It is only fair to warn you that I, too, find it necessary to read the daily newspaper to find out what is going on in Washington, so don't be disappointed if this news is old hat.

As you know, there are two bills pending before the Congress dealing with wiretapping and eavesdropping. Both of these bills were introduced by Senator KEATING, of New York.

S. 1292 is a comprehensive bill modeled after the New York statutes. It not only relates to wiretapping and eavesdropping by Federal agents but also has an enabling clause granting authority to the States to enact legislation dealing with the same subject. There have been no hearings on this bill and it has not been considered this session. It is very unlikely that anything will happen to this bill this year.

The second bill introduced by Senator KEATING is S. 3340, which is a rather limited bill. As you know several States have statutes permitting wiretapping under court order. The U.S. Supreme Court has indicated that the Federal statutes dealing with Federal Communications Commission prohibit any wiretapping by the States, even under court order. S. 3340 would merely clarify the FCC provisions dealing with this subject and would, in effect, say that there is no prohibition in the Federal statutes to

prohibit wiretapping by State agents under court order with adequate safeguards. This would, as you see, merely revalidate those State laws which permit wiretapping under court order.

Hearings have been held and the full committee reported the bill to the Senate floor. It came up on the consent calendar for consideration and upon objection by Senator HART it was passed over. I cannot predict whether or not the Senate will take action on it this year.

With reference to the legislation dealing with pornography, I can report a little more progress. A bill, which would strengthen the hand of the Postmaster General in dealing with pornography, has passed the House but there has been no action in the Senate. On the other hand, the Senate has passed a bill which would establish a commission to study the problem and set some guidelines. This bill has not been acted upon by the House. As you know, there are some constitutional questions involved and many fear that we might do more damage than good in attempting to legislate in this area. Because of the controversial nature of the problem—and I attribute good motives to all who speak upon it—I doubt that there will be any legislation passed this session.

I am sorry to tell you that we haven't had much success in getting a national charter for NDAA. The House committee has held hearings but has not taken any action. The Senate committee has not yet held any hearings and we can't really expect any favorable legislation this year. Unfortunately, it will be necessary for the organization and its members to spend a great deal more time and energy in educating the individual Members of Congress. I will continue to do my utmost for this cause.

I submit, however, that what we in Congress do or fail to do in any of these areas is relatively insignificant in comparison with the work the local prosecutors do or fail to do from day to day. This is so because the discretionary power exercised by the prosecuting attorney in initiation, accusation and discontinuance of prosecution gives him more control over an individual's liberty and reputation than any other public official.

As you from day to day go about your work as professional prosecutors, you should be consciously aware of the very vital role you play in a democracy.

Underlying the structure and fabric of our low is a bill of rights designed to protect the life of every citizen, his liberty and his property.

At the time they framed this charter of liberties, the lawyers who in an earlier day set the fires of the revolution were mentally smarting from the personal abuses heaped upon them by king and government and the violation of personal and property rights that had been secured to free men by the Magna Carta. Officers of the king had broken into shops and homes of friends and neighbors, searched and seized anything and everything at pleasure. Respected and honored citizens had not been free of arrest upon a hint or a sly suggestion of a petty official. Often they were imprisoned on suspicion with no opportunity to be heard and without a fair trial.

Out of their bitter experiences they wrote into the Constitution basic and fundamental principles to restrain any excesses of government and check any arbitrary power that might invade the rights of personal liberty and private property.

Today the principles of freedom and fair play are being challenged and opposed around the world by totalitarian ideology that denies the existence of God and subjects the individual to arbitrary naked power of the state.

The greatest threat to the rule of law in any of the nations of our free world is the danger that the people will become dissatisfied with the functioning of their system of justice and do irreparable injury to it, without realizing that by so doing they are destroying the very foundation of the rule of law in their society.

It is our professional responsibility to keep the pulse of life beating strongly in the law. We cannot do this by treating our fundamental freedoms as abstract theoretical concepts of a legal system. The people of the free world must learn to believe those freedoms to be what we believe them to be, the practical dynamic concepts for living, unalienable in every human being.

In earlier days the status of law in other nations was not a vital concern to us. But we are living in an era where it is no longer possible to ignore the attitudes of other peoples. This state of society is the result of two factors. Under the impact of science and technology our world is shrinking. And old empires are dissolving into new nations, filled with aspiration not unlike our own.

The tremendous success of scientists and technicians has left a gap between our scientific discoveries and their beneficial and peaceful utilization within the framework of the institutions devised to insure freedom and rights of the individual. The bridging of this gap may well prove to be the legal framework of free societies in the making.

If we reflect on the issues at stake in the cold war, if we analyze its deepest meaning, we come to the inevitable conclusion that among the most essential values at stake are legal ones: the relation between citizen and State, and the liberty and liberties of individuals.

Obviously, our system is under attack and tremendous pressure from without. Our national survival will depend upon our internal social strength. We cannot be strong in a democracy unless we can effectively enforce the criminal laws and at the same time safeguard the sacred right of the individual.

You are the agents of your State who from day to day must work and live with the criminal law, its ramifications and complexities. The strength of our Nation and the reputation it enjoys in the world is in your hands. Only if the criminal law is fairly and properly administered can this Nation survive in its present democratic form.

Keeping in mind the necessity of effectively enforcing the criminal law and at the same time safeguarding the rights of individuals it is somewhat disconcerting to look at the results.

The latest available figures dealing with criminal activity in the United States are published in the 1958 Uniform Crime Reports. The figures are astonishing. For the 1958 calendar year (the latest published report) the following criminal offenses were reported:

Murder and nonnegligent manslaughter, 3,870 for an increase of 3.2 percent over 1957.

Forcible rape, 7,622 for an increase of 13 percent over 1957.

Robbery, 56,207 for an increase of 13.7 percent over 1957.

Aggravated assault, 72,460 for an increase of 3.5 percent over 1957.

Burglary, 427,457 for an increase of 11.8 percent over 1957.

Larceny ($50 and over), 272,805 for an increase of 10.3 percent over 1957.

Auto theft, 196,784 for an increase of 1.9 percent over 1957.

It should be of interest to us that during the calendar year 1957 45 police officers were killed in the performance of their duties.

It is apparent that organized crime is growing. Starting with the days of prohibition, we saw the advent in America of organized crime on a large scale. There were different mobs operating in well-defined territories in the handling of liquor and these mobs often warred with each other. But their organization was loose and their methods were crude compared with the type of organized crime which I perceive to exist at the present time.

Since the 1930's crime has become better organized and criminal gangs now operate with the best legal and accounting advice. They have adopted corporate methods in the handling of vast enterprises.

There is no lack of money in these criminal enterprises. It is estimated that narcotics peddlers take between $180 million and $300 million a year from a gullible public. In the field of labor racketeering the take could amount to $100 million very easily. It is estimated that between $14 and $16 billion are involved in gambling enterprises of one sort or another in this country. Of this amount, over $2 billion goes into the pockets of the gamblers and the syndicates. I shall not try to estimate the millions of dollars which are involved in the distilling and sale of illegal alcohol, or in the other areas of criminal activity.

Needless to say, most of this money is not reported on income tax returns—it is "hot money." As such, it goes into the channels of illicit trade such as narcotics, vice, and other enterprises. Some of it goes into bank accounts in Switzerland identified only by a number and kept in great secrecy by bank officials, to be siphoned off abroad where it can be invested without fear of discovery.

It is no wonder then that these organized criminals have set up as a control, an invisible government whose edicts are carried out by unknown enforcers and nameless assassins and who, themselves, are not prohibited from employing the most modern devices to perpetrate their crimes and to conceal them. It is not surprising that they attempt to buy protection from those who enforce the law.

I do not wish to belabor the point and I do not wish to appear as an alarmist, but it is important to recognize the threat posed by the modern criminal—he is a modern man, with modern tools at his disposal and the know-how to use them. He is represented by modern attorneys. He deals in and with the modern corporate institutions. He circles the globe in modern airplanes and he has readily available to him modern means of communication that can put him, within minutes, in touch with almost any place in the world.

We cannot cope with a jet age criminal with a horse and buggy prosecutor. We need a modern district attorney, with modern tools and the legal right to use them. He must have the right to intercept messages, with proper safeguards for personal liberty; he must have power to compel attendance from foreign jurisdictions; he is entitled to expert counsel and testimony. America never has believed a fight to be fair and even when one participant had one hand tied behind his back. The never-ending war against crime calls for every modern weapon we have.

The prosecutor needs to become a specialist and as such should have some specialized training. There was a time when the only training a prosecutor received was on the "battlefield." As a specialized profession, however, the situation is changing, and for the better. The prosecutor now has several inservice training schools which are doing a great deal toward professionalizing the office. Most of you have attended these. I submit that it is in the public interest that attendance by prosecutors should be at public expense since the public reaps the benefits in better service.

The professional prosecutor needs a professional library and the public needs to be educated as to the wisdom of paying for one.

In many States the bar association can be persuaded to cooperate in the development of a good library for the prosecutor.

I am proud of the small part I have played in the National District Attorneys' Association. Through this association of prosecutors there is a continual exchange of information and ideas. And through this exchange, members not only become more competent in their duties, but they discover that many situations arise where they can be helpful to each other and thereby discharge their duties better. This cooperation of district attorneys is of inestimable value to our people.

Of course, the prosecutor can do a great deal to improve the effectiveness of his office by helping to train the personnel of the other offices with which he works. Classes and lectures for the police officers and sheriffs force can pay untold dividends in cooperation and in giving direction to the efficient performance of their duties.

Fortunately the prosecutor has now learned the value of new and modern tools in meeting the challenge—and fortunately new and better tools are becoming available—the wire tap—the FBI lab—the medical examiner, and other scientific laboratories. Also the regular exchange of information about criminals and their activities has been greatly facilitated.

The best tool which we have, however, is the well-trained, competent and imaginative professional prosecutor.

In the complex society of a democracy the modern district attorney must be a man of dedication, strength, and honor beyond reproach. This is by far the most important quality.

Perhaps one of the greatest problems facing today's prosecutor is that of his salary. This is especially true in the smaller jurisdictions. The district attorney is generally a well-trained, competent, and professional attorney. His responsibilities are large and complex, and the demands on his time are excessive. Of course this is the age-old problem of salaries for public officers, but here it is magnified since the public at large fails to realize the responsibilities involved and the value of professional legal competence. To hold any public office generally involves personal sacrifice but in the case of attorneys, the sacrifice is usually larger.

Because of this simple fact new problems are created. The prosecutor usually needs and looks for additional sources of income. He practices law on the side, either solo or in partnership and then the delicate problem of conflict of interest raises its head to haunt the prosecutor and constantly to subject him to criticism, either warranted or unwarranted, of the press and the profession. Sometimes this results in a loss of confidence by the public. I needn't tell you what this leads to.

In the same general area the prosecutor is always subject to the pressures and influence of groups who want favors and the temptation is strong to dispense such favors in the hopes of winning votes. It is interesting to note that such favor seekers consist of not only the criminal element, but also the chamber of commerce, labor groups, racial groups, churches, in fact almost everyone—this seems to be the American way of life. The prosecutor who succumbs to these requests by special groups, however, is surely undermining his own effectiveness and will eventually pay the price.

It is necessary because of these problems for the prosecutor to have the finest sense of discretion—to be absolutely honest and of unquestioned integrity. This seems to me to be the only answer and it is a standard which the great majority of prosecutors meet.

I have spent considerable time talking about the problems of prosecutors—these are the problems you live with daily—the problems each prosecutor must resolve for himself. But, the trust and the challenge of the prosecutor are greater than any one of these problems—in fact, greater than all of them put together.

The Supreme Court of New Jersey has said:

"In his county, as we have seen, the prosecutor is the foremost representative of the executive branch of the government in the enforcement of the criminal law (*State* v. *Winne* (96 A. 2d 63))."

And in Kansas, the supreme court held:

"He is the officer upon whom the State relies for the prosecution of all criminal offenses within his jurisdiction. If he fails or refuses to act, the law is voiceless and powerless. It is paralyzed (*Johnston* v. *Foster* (32 Kan. 14, 3p. 534))."

You must keep in mind that you are the chief law enforcement officers of America. By way of contrast, the courts are too remote and too formal—the public cannot speak with, deal with, or negotiate with the courts. On the other hand, the police department often is regarded by the public as being hostile, antagonistic, severe, and unapproachable. Thus, it is the prosecutor who must deal with the public on a day-to-day basis—on whom the public relies—who must shoulder the responsibility and the honor of maintaining law and order.

The public must feel that the district attorney is alert, incorruptible but understanding. He must be a man of courage—but he must also be a man with a heart and with wisdom.

It would be well for you to stop and realize that in this context, the office which you hold is to a degree more important than any other office in government. Justice is the cornerstone of our democracy, and the framers of our Constitution and the drafters of our statutes have entrusted this cornerstone in your keeping.

The Supreme Court of the United States identified this trust in the case of *Berger* v. *U.S.* when it said:

"The [prosecuting] attorney is the representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially is as compelling as its obligation to govern at all; and whose interest, therefore, in a criminal prosecution is not that it shall win a case, but that justice shall be done. As such, he is in a peculiar and very definite sense the servant of the law, the twofold aim of which is that guilt shall not escape or innocence suffer. He may prosecute with earnestness and vigor—indeed, he should do so. But while he may strike hard blows, he is not at liberty to strike foul ones. It is as much his duty to refrain from improper methods calculated to produce a wrongful conviction as it is to use every legitimate means to bring about a just one."

Speaking of fair play, I am reminded of an amusing story about a very famous international incident. During World War II, at a meeting between President Roosevelt and the Russian dictator, Stalin made a proposal which the President said he could not undertake to carry out because he thought the Republicans in the Senate would never agree to it. Stalin was genuinely astounded. "You mean," he asked, "that you have been in power all these years, and you still have Republicans?"

I would like to conclude by reminding you that this great and noble experiment in democracy has provided mankind with his best opportunity for justice. The quality of that justice is in your hands. It will not be perfect—but it is an ideal for which you can work.

Carl Schurz once said:

"Ideals are like the stars—we never reach them, but like the mariners of the sea, we chart our course by them."

It is my firm conviction that our democracy is here to stay and that the individual's opportunity for justice will survive.

If the public chooses its local prosecutors carefully, pays them well, and provides them with adequate tools and training, then our quality of justice will continue to improve.

In my experience, the district attorneys of America have been people who are devoted to the public welfare and are concerned with the effective execution of the office which they hold. Some of our finest district attorney's have turned down the opportunity to sit on the bench or to hold other public office because they were devoted to the position of prosecutor. Many others, who have chosen to move on to other fields, have nevertheless given their best efforts while holding the office of prosecutor. In any field of public endeavor where many are involved, there will always be a few misfits and downright rascals. Fortunate it is that we have had so few in America. The office of the modern prosecutor is one of great power and a fine tradition. He who takes the oath and embarks upon this service should be prepared to devote his heart and mind and his personal life to the service of his people.

Secretary of Defense Thomas S. Gates, Jr., Awarded the VFW Americanism Medal at the Annual National Encampment, Veterans of Foreign Wars of the United States, at Detroit, Mich., August 22, 1960

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 25, 1960

Mr. VAN ZANDT. Mr. Speaker, during the current week, the Veterans of Foreign Wars of the United States is holding its annual convention in Detroit, Mich.

Secretary of Defense Thomas S. Gates, Jr., delivered on August 22, the keynote address at the opening meeting of the convention. In view of the great contributions which our very able Defense Secretary has made to our national security, the Veterans of Foreign Wars bestowed upon him, prior to his address, the Americanism Medal of the VFW. This is the highest honor which that great oversea veterans organization—the Veterans of Foreign Wars—can bestow on any American citizen.

The award was made, on behalf of the VFW, by its commander in chief, Louis G. Feldman of Pennsylvania. Mr. Feldman's introductory remarks set forth in clearest terms why this huge veterans organization selected Secretary Gates to be the recipient of this rarely bestowed award.

I believe that Mr. Feldman's remarks are particularly significant in that they reflect the deep interest of the VFW in national security matters, and express an understanding of the importance of the things Secretary Gates has done to enhance the effectiveness of our Armed Forces. Appropriately, Mr. Feldman referred to Secretary Gates' leadership in

accepting the decionmaking responsibilities of his office by sitting with the Joint Chiefs of Staff, his key role in bringing into reality the Polaris missile, and his strong but prudent action in ordering, on the eve of the ill-fated summit in Paris, a worldwide readiness test of our military forces.

These were some of the reasons why, in making the award, Mr. Feldman said to Secretary Gates "We are grateful for the many things you have done to give us military power second to none."

The speech delivered by Secretary Gates is a penetrating, well-reasoned, and precise statement of the great power of our Nation's Armed Forces. In his address, the Secretary pointed up the great accomplishments of our Nation's science, industry, and military, in providing such powerful defense forces. Also, Secretary Gates expressed the belief that while recognizing the need for able and constructive criticism, there must be appropriate care exercised so that unjustified criticism does not undermine confidence in our Armed Forces, which is so important not only to our Nation, but also to our allies throughout the world.

Because of the importance of Secretary Gates' remarks, as well as the significance of the introductory address by the Veterans of Foreign Wars commander in chief, Louis G. Feldman, under unanimous permission I insert both speeches at this time:

INTRODUCTORY REMARKS OF COMMANDER IN CHIEF LOUIS G. FELDMAN, VETERANS OF FOREIGN WARS OF THE UNITED STATES, IN PRESENTING THE VFW AMERICANISM MEDAL TO SECRETARY OF DEFENSE THOMAS S. GATES, JR., VFW NATIONAL CONVENTION, DETROIT, MICH., AUGUST 22, 1960

Secretary Gates, distinguished guests, fellow comrades of the Veterans of Foreign Wars, this opening session of the 61st convention of the Veterans of Foreign Wars of the United States is indeed an auspicious occasion. We are honored in having as our keynote speaker for this convention a man whose statesmanship is internationally respected, a man whose professional competence is widely admired, a man whose leadership is daily demonstrated in discharging his responsibilities in keeping America strong so that our Nation may persevere against the ceaseless aggressions of communism.

As you know, I refer to Thomas S. Gates, Jr., the Secretary of Defense.

We welcome him not only as the distinguished Government official, but also as a former companion in arms, a naval veteran with two European battle stars and eight battle stars on his Pacific campaign ribbon. In 1953, Secretary Gates came to Washington to serve as Under Secretary of the Navy. I suspect that he, like others, who left private life for the perils of the Pentagon, intended to serve for a respectable period of a few years, and then return, as others have done, to private business.

Yet for him there was always one more problem to solve, one more development to explore, one more crisis to meet. The result was that Mr. Gates came to Washington and stayed there.

Although it may well have been burdensome for Mr. Gates, it has been good for the United States. Our Nation is safer, and the free world is stronger because Secretary Gates is still on the job.

Coming to Washington as Under Secretary of the Navy, he has successively served in the higher positions of Secretary of the Navy, Deputy Secretary of Defense, and now in his present position as Secretary of Defense. It was during his service in the Department of the Navy that he saw the vast possibilities of what was then a wild theory of firing a solid propellent missile from a submerged nuclear submarine. Contrary to the opinions of those who said it would not work, he vigorously supported his Chief of Naval Operations, Arleigh Burke, in giving highest priority to that project. Thus today, we have Polaris. We have, in Polaris, a virtually invulnerable missile that makes our retaliation certain and deadly. Again, the vision and ability of Secretary Gates has contributed tremendously to our Nation's security.

Shortly after taking his oath as Secretary of Defense, he issued what is probably the most important single directive in the history of defense organization in this country. I refer to his directive by which he announced that he, as Secretary of Defense, would thereafter sit with the Joint Chiefs of Staff. Seldom has any one action by a Government official received such widespread acclaim and support from the press and from Congress.

The reason for such acclaim was apparent. It was readily recognized that by his decision to sit with the Joint Chiefs of Staff, Secretary Gates was actually accepting and discharging the decisionmaking responsibilities which were properly those of his office.

I believe it appropriate to repeat a few of the comments that have been made concerning this historically important action by Secretary Gates.

The distinguished military writer, George Fielding Eliot, said:

"Thus, for the first time, a Secretary of Defense not only formally assumed personal responsibility for civilian leadership in top-level policy decisions, but insures that in reaching such decisions he will have given full consideration to the views of all his military advisers."

Mr. Hanson Baldwin, the famed military commentator of the New York Times, summed up the effect of Mr. Gates' action by writing:

"Secretary of Defense Thomas S. Gates has galvanized the decisionmaking process of Government by the simple expedient of making decisions."

In Congress there has been unprecedented commendation expressed on the floor of the House and Senate by outstanding members of both political parties.

While it would be far too voluminous for me to quote even briefly from the many commendatory speeches made on the floor of the House and the Senate concerning Mr. Gates' Joint Chiefs of Staff directive, I would like to read to you a passage from a speech by the ablest authority on military affairs ever produced by our Congress, a man to whom the VFW awarded its Distinguished Citizenship Medal at our annual congressional dinner last February. I refer, of course, to that great statesman from Georgia, the Honorable CARL VINSON, chairman of the House Armed Services Committee. Addressing his remarks to Secretary Gates, Chairman VINSON said:

"I especially wish to commend you for your recent directive with regard to your participation in the deliberations of the Joint Chiefs of Staff.

"With this one directive you have left an impressive mark on defense organization.

"You have strengthened our great Joint Chiefs of Staff system and, at the same time, have dealt a shattering blow to the advocates of a single Chief of Staff system, and you have vitalized and reaffirmed the constitutional principle of civilian control."

I think also that it should be noted that Secretary Gates' action in strengthening the Joint Chiefs of Staff and thus blocking the efforts of those who would separate the Joint Chiefs of Staff members from their positions as chiefs of services and thereby impose on our Nation some form of alien and discredited system of supreme command is in firm accord with the longstanding position of the VFW, a position repeatedly reaffirmed by resolutions of the national encampment.

I would like to recall one other action taken by him. You will undoubtedly recall that on the eve of the ill-fated summit meeting in Paris last spring—the summit meeting that ended before it took place—United States-Soviet relations reached a new peak of tension. The bombastic truculence of Nikita Khrushchev had all but shattered the uneasy peace which characterizes East-West relationships.

It was on the eve of the summit that Secretary Gates, who accompanied our President to Paris, quietly, without fanfare, but reflecting great prudence, maturity, and statesmanship, ordered a worldwide command readiness test of our military forces.

This was a precautionary step which, had an enemy intended an overt act against the United States, would have prevented another disaster such as Pearl Harbor.

This action was widely acclaimed by our friends of the free world.

It was the kind of leadership that we continually seek, but all too seldom achieve in moments of peril.

But unfortunately, the acclaim was not unanimous, as there was some gratuitous criticism from a few eager and vocal critics in our own country.

While there may have been isolated criticism in this country, we veterans can understand why that action of Secretary Gates enhanced American prestige and strengthened the courage of free men throughout the world—free men who appreciated the bold and simple grandeur of this masterful action.

One of the foremost leaders of the Far East, the much-respected, youthful, and fast-rising mayor of Manila, the Honorable Arsenio H. Lacson, bluntly gave his opinion as to Secretary Gates' action in Paris. This is what Mayor Lacson, one of the most astute Far Eastern observers of world affairs said:

"You Americans would have looked irreparably foolish but for the brilliant action of the Defense Secretary Gates when he ordered a worldwide alert.

"Asians really understood that one and applauded. It saved your face as no other act could have."

From the other side of the world, from Paris, there were similar reports. In a syndicated article from Paris following the breakup of the ill-fated conference, the widely respected writer, Alice Widener, reported:

"Here in Paris, after the arrival and departure of Khrushchev and Malinovsky, the public opinion is 'Good for Gates.'"

We veterans, with a feeling of pride in our Secretary of Defense, echo the words "Good for Gates."

Mr. Secretary, we veterans who have carried the flag, and the arms to protect it, to foreign lands throughout the world, appreciate your leadership, patriotism, and courage. We are grateful that you have heeded the call of duty, and by your selfless service have provided those rare attributes of leadership which our Nation and the free world so desperately need in these perilous times. We are grateful for the many things you have done to give us military power second to none.

Therefore, Mr. Secretary, it is my distinct honor, on behalf of the 1,300,000 members of the VFW, to bestow on you the Veterans of Foreign Wars Americanism Award—the highest honor which it is within the power of the VFW to award to any American citizen.

ADDRESS BY SECRETARY OF DEFENSE THOMAS S. GATES, JR., BEFORE THE NATIONAL CONVENTION OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES, AUGUST 22, 1960, DETROIT, MICH.

Commander in Chief Feldman, fellow veterans, and friends, for this wonderful medal, and the generous words that go with it, I am grateful. I know that the award speaks for something more than one man's work. It speaks of your confidence in the state of our national defenses. It is, I am sure, a certificate of your trust in the devotion and competence of the men and women who maintain the watch for the rest of us in a time of conflict and peril.

I am here to talk about the Armed Forces of the United States which in power are second to none—just as they were when you served with them.

When veterans meet, we always have to resist the desire to look back. Man can never forget his own experiences—or the personal pronoun. The battles of the past grow bigger with the years and the telling, and they tend to dim the vision of a changing world. A large proportion of all living Americans have been born since World War II—and profound changes have placed that war in its proper perspective in history. When most of us here look back—and remember Omaha Beach, Anzio, the Slot, Okinawa, and the kamikazes, we ought to realize that these must be strange names to a whole new generation of Americans. Well, they were once strange to us also. Many of our generation stayed in those places. We had the determination and the will and we met our destiny.

Now the factors have changed. Hours seem to have become seconds. Science pushes research and research pays off. We seem to be coming to a point where we can do just about anything we can imagine. The important choices are not just between good and bad ideas, but often between scores of good ideas. So the great stories of our past—the flag on Iwo, the march from Normandy across the Rhine—are still great and proven records. But they are records of bygone days, and now we write a new kind of history almost daily.

History is crowding us once again. Its course is no longer to be taken for granted. Powerful outpourings are entering the stream from new and hostile sources on the darkened sides of the earth. At such a time, there is an advantage in having a long memory. We of the war generation have better reason than most to know that no good man can safely rest, no family can feel rightfully secure, no society can consider its duties fulfilled, when its freedom and its ideals are under threat.

We look, therefore, not to the past but to the present and the future. This is a fitting forum for a serious discussion of the military policies of our Government. All veterans have, in a real sense, a proprietary interest in national security.

We contend with ever changing circumstances. We can no longer develop our defense programs once a year. We must constantly review and change them whenever necessary, always exercising good judgment. The best brains of America and the devoted concentration of Congress, the press, the military, and our citizens are required if the proper balance is to be achieved and maintained. No issue in American life has been more thoroughly debated than that of defense. It is not without significance that during the current session of Congress the hard working and well-informed members of the appropriate committees, in their judgment of the sums needed, came within 1.5 percent of our own recommendations.

Money is, of course, important but the amount at any given moment only reflects decisions which must themselves respond to change. The needs of our national security must always come first. We have spent and will continue to spend whatever sums are needed in support of a foreign policy backed by great military strength.

There are two central questions that any Secretary of Defense must live with. First, have the policies that guide our defense programs been soundly conceived and competently executed? Second, what guidance do they supply from this point on?

Looking back across my 7 years in the Pentagon, I am struck by the fact that the broad outlines of our national objectives and the military policies designed to further them have not greatly changed during that time. This is not to say, however, that the national means have remained as they were. New and revolutionary weapon systems have emerged, and they have given rise to radically new military concepts. But these have been fitted to policy, and policy was prepared for them.

The reason for the steadiness of our national military policies should be clear. They have been steady because we recognized that the essential nature of the threat to us would not soon change. This judgment has proven correct. The grand design of Communist imperialism persists: To convert the entire world to the Communist way of life.

There have been shifts in tactics. The main weight of the attack swings from one arena to another, from the military to the political; from the political to the economic; from the economic to the psychological. But the attack never lets up for long. It is relentless. It is ruthless. It has no time schedule. It has become for Americans and for friendly people across the face of the earth the most important reality of our times.

Khrushchev tells us that communism is in no hurry; he thinks history is on his side. Let us never be in doubt of the outcome of the struggle into which we have been drawn. The desire for freedom lives on in the souls of men everywhere, including those behind the barbed wire fences of communism. The lesson of history, so dearly learned from the fall and rise of civilizations, teaches us that freedom is the true goal of man. We have the best of reasons for believing, if we persevere and endure, that the false doctrine of communism will in time fail, as earlier false doctrines have also failed.

Perseverance, endurance, and will—these are the qualities which the times demand of us. The struggle with communism is certain to be long and costly. Already it has lasted, with but brief respites, for more than four decades. With such a prospect, the only sensible national strategy for this Nation is one that gathers our resources with those of our allies for a prolonged test of endurance within the framework of our common beliefs. And that in fact is precisely what our strategy for the long pull is doing.

The idea of defense for the long pull grew in the minds of certain of our World War II leaders who foresaw the true character of the U.S.S.R. No one saw more clearly what was making up than did one of our greatest men, the late Secretary James Forrestal. In December 1950, only 2 weeks after Communist China entered the Korean war, another distinguished and honored predecessor in the Defense Department, the late General Marshall, also perceived what was coming. In a prophetic statement, he warned us that "a trial of endurance" had begun. The experience would be "new to the American people," and the "intensity" of the mobilization then under way would accordingly be governed by the realization that the effort would have to be sustained through "possible years of tension."

This new concept, however, was a long time penetrating the then existing military policies. Two years later, planning in the military services was still tied to the old D-day concept—a bending of effort toward achieving a condition of maximum readiness on a hypothetical date when the preparations of the adversary might approach a climax. This approach tended to generate artificial requirements and a false peaking of effort. As each successive D-day approached, it had to be arbitrarily pushed forward to a later date with consequent disturbances and instabilities in defense plans and operations.

It then fell to another soldier-statesman, Dwight D. Eisenhower, to harmonize the policy and the practice. In April 1953, after some 3 months in the Presidency, he placed into effect the long-pull strategy that became known as the new look in the national military posture. The D-day concept was being abandoned as the regulator of planning. In its place the President was installing a policy designed to provide what he described as "adequate protection to be projected as far into the future as the actions and apparent purposes of others may compel us." It was to be a durable policy, one the Nation could live with, as he put it, "over a period of years."

By now that policy has been vigorously in operation for more than 7 years. It has become central to our national military planning. Because the logic combines realism with prudence, it should continue to guide our strategy through the cold war as far as one can now foresee.

How well has this policy been carried out? How good are the forces? In the judgment of the President, in the judgment of the Joint Chiefs of Staff, and in my judgment, the Armed Forces of the United States are equal to the historic task which confronts them. This strength is real. It should inspire confidence in all our citizens and our friends abroad.

In fact, confidence in our Armed Forces is in itself the most important element of strength of the free world. It secures the prestige and dignity of our military stature. Let us be extremely careful that that confidence is not undermined by unjustifiable criticism. Constructive criticism of our methods is helpful and essential to the improvement of our defense program, but this should be within the boundaries, understanding, and belief that our defenses are strong and will be able to meet our heavy responsibilities. The determination of the free world to resist communism rests in large measure upon a shared confidence in the armed might of the United States.

And, most importantly, we must not inadvertently create a false impression of weakness that could induce a Communist miscalculation or adventure in aggression.

The cause of peace is well served by recognition of the true fact that the United States is the greatest power on earth and that this power is in the service of world law and justice.

My own feeling of confidence in our Armed Forces is based on years of close observations. The position of Secretary of Defense imposes a discipline all its own. It is not just a matter of dealing with papers, important as that is. It also means getting out of the Pentagon and getting into the factories, the laboratories, the missile test complexes, flying out to the carriers and checking on the readiness of our forces at home and overseas. What is to be seen is a strong country, a sense of urgency and conviction. To see these things and to put them together is to be proud.

One reason the forces are superb is that the Defense Department has been constantly reshaping forces and programs to take full advantage of the new technologies. The changes, as you well know, have been deep. But none has been so dramatic as the joining of the nuclear warhead and the ballistic missile. The Air Force's first-generation Atlas and Titan intercontinental ballistic

missiles have already been overtaken by much-improved versions of the same species. They will be overtaken in turn by the Air Force's Minuteman solid-fuel ICBM, a more versatile weapon of equally great range.

The Navy has in the meantime married its Polaris solid-fuel missile to the deep-cruising nuclear submarine, to produce an utterly novel weapon system of immense significance. Polaris is the newest strategic system to enter the U.S. order of battle. It has fired the imagination of all who study it.

The submarine carries 16 missiles, and these can be launched from the submarine hidden below the surface. This system, like many others of importance today, was brought forward from a dream to reality during the span of 5 or 6 years. Along the way, technological problems of overpowering complexity were mastered. Polaris is a magnificent example of the unity of purpose prevailing among science, industry, and the military. And beyond all that, the system is unique, in a geographical sense, for the use it makes of the vastness of the oceans and of the concealment to be found in the ocean deep.

The combination of the nuclear submarine and the Polaris missile constitutes one more reason why the military power of the United States is unmatched.

I shall not dwell on the other retaliatory forces. You know them well. Their effectiveness is being increased. We are moving toward a faster reaction time, a wider dispersal, more hardening for some, more mobility for others, all toward the end of having our systems more nearly invulnerable. Our second generation missiles were conceived for these purposes.

I do want to say a few words about our limited war forces. They too are strong and ready. They include virtually our entire armed services excepting only a few single mission, single purpose weapons systems.

It is, of course, impossible for the United States alone to maintain tactical forces large enough to counter simultaneously all possible local Communist aggressions throughout the world. Thus we have chosen a course of collective security in company with other nations of the free world who stand with us. Through these arrangements, there has been mobilized across the world a formidable array of tactical military forces. These forces, aided by our military assistance programs and backed up by our own highly mobile land, sea, and air task forces, have been, and will be, able to deal effectively with local aggressions.

The effective VFW support of the military assistance program is a valuable contribution to the continued maintenance of these vital alliances. The United States must never abandon its forward strategy.

But sound policies, superior weapons and a worldwide system of bases and alliance would in themselves be meaningless without competence and devotion of the men and women of our armed services.

I have long held the belief that our Nation's most enduring military asset, its surest source of strength lies in our military personnel. I have seen them in battle. I have also worked with them in these days of troubled peace. From being with them in cold war and hot I know of their courage and patriotism. I can assure you that those in uniform today are worthy successors to you who, in your turn, served so well.

The young men you send us from your homes, your schools, your churches and synagogues, have the kind of spirit, intelligence, religious strength and courage that merits the trust our Nation places in them. They are superior to anything that communism could put against them.

Before leaving let me thank you on behalf of the Defense Department for your sustained and constructive interest in national security. You were quick to recognize the importance of a powerful strategic air force. You gave early and sturdy support to the Polaris program. Your appreciation of the value of the Joint Chiefs of Staff system, and of the need for the maintenance of powerful limited war forces have made for a better national understanding of the goals we all seek. There will always be an unbreakable bond between those of us who are now serving and you who have served and who wear the Cross of Malta.

I am glad and honored to have been with you.

SENATE

FRIDAY, AUGUST 26, 1960

(Legislative day of Wednesday, August 24, 1960)

The Senate met at 11 o'clock a.m., on the expiration of the recess, and was called to order by the President pro tempore.

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

O Thou God of all grace: Turning from the harsh noise of the world which presses upon us, we feel the claim of goodness and the invincibility of truth.

In moments dedicated to the unseen and eternal, we see the supremacy of spiritual verities rising like spires to the skies above the ground beneath our feet.

Without Thee as we look at the terror of the world about us, anxieties blot out confidence, doubt subdues faith, and fear strangles courage.

Only Thou, our Father, canst summon the hero hidden in each soul, to fight the good fight, to stand up, and to speak out boldly in Thy name against the principalities of darkness which threaten all that is fair and good.

In these tense times, teach us so to pray that our prayers day by day may light lanterns for the path ahead.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 25, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on August 24, 1960, the President had approved and signed the joint resolution (S.J. Res. 207) to suspend for the 1960 campaign the equal opportunity requirements of section 315 of the Communications Act of 1934 for nominees for the offices of President and Vice President.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting the nomination of Jack S. Brown to be postmaster at Hillsdale, Ind., which was referred to the Committee on Post Office and Civil Service.

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, in which it requested the concurrence of the Senate:

H.R. 6066. An act relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30 percent limitation of adjusted gross income; and

H.R. 12036. An act to amend the Internal Revenue Code of 1954 with respect to certain dividends paid by foreign corporations.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 6066. An act relating to the deduction for income tax purposes of contributions to charitable organizations whose sole purpose is making distributions to other charitable organizations, contributions to which by individuals are deductible within the 30 percent limitation of adjusted gross income; and

H.R. 12036. An act to amend the Internal Revenue Code of 1954 with respect to certain dividends paid by foreign corporations; to the Committee on Finance.

H.R. 12539. An act to implement section 4 of the act approved December 22, 1944 (Public, No. 534, 78th Cong.), as amended; to the Committee on Public Works.

TRANSACTION OF ROUTINE BUSINESS

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

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

EXECUTIVE COMMUNICATIONS

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

PROPOSED SUPPLEMENTAL APPROPRIATION, FISCAL YEAR 1961, PANAMA CANAL (S. DOC. NO. 122)

A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1961, in the amount of $325,700, for the Panama Canal (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.