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PROCEEDINGS AND DEBATES OF THE 86th CONGRESS, SECOND SESSION

SENATE

MONDAY, AUGUST 29, 1960

(Legislative day of Wednesday, August 24, 1960)

The Senate met at 10 o'clock a.m., on the expiration of the recess, and was called to order by the Vice President.

Dr. Lawrence D. Folkemer, minister, Lutheran Church of the Reformation, Washington, D.C., offered the following prayer:

Breathe on us, Breath of God, that we may love what Thou dost love and do what Thou wouldst do. Grant us the power, O God, to will one will in order that whatever we will may be pleasing in Thy sight.

Open our eyes to see the wrongs and the woes of our land that cry out to be put right. Give to us a vision of our land as Thou wouldst have it be and as Thou alone canst fashion it. Touch our hearts to make them sensitive to the burdens people carry in more difficult places of the world; then teach us how to bear one another's burdens and so fulfill Thy law of love.

Safeguard us, O Lord, from pride and self-righteousness. Nourish in us a true humility that does not measure the distance between ourselves and others, but only the distance between ourselves and Thee.

Among us, let there ever be harmony in essentials, liberty in nonessentials, and charity in all things. Make us all, this day and always, Thy servants, giving us no rest or discharge until Thou hast wrought in us Thy work of righteousness and compassion. In the Spirit of Christ, we pray. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Saturday, August 27, 1960, was dispensed with.

MESSAGE FROM THE HOUSE—ENROLLED BILLS AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles";

S. 2306. An act to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia;

S. 3415. An act to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia;

S. 3727. An act to authorize the bonding of persons engaging in the home improvement business, and for other purposes;

S. 3834. An act 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;

H.R. 900. An act to validate certain overpayments inadvertently made by the United States to several of the States and to relieve certifying and disbursing officers from liability therefrom;

H.R. 2069. An act for the relief of James H. Presley;

H.R. 2178. An act to authorize the Secretary of the Army to make certain changes in the road at White Branch, Grapevine Reservoir, Tex.;

H.R. 4059. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States;

H.R. 6084. An act for the relief of J. Butler Hyde;

H.R. 6767. An act for the relief of Raymond Baurkot;

H.R. 7124. An act 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;

H.R. 7792. An act for the relief of Martin A. Mastandrea;

H.R. 8054. An act for the relief of William Edgar Weaver;

H.R. 8989. An act for the relief of Ralph W. Anderson;

H.R. 9377. An act to provide for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and Chief of Engineers;

H.R. 9406. An act for the relief of William J. Huntsman;

H.R. 9417. An act for the relief of Henry Kaloian;

H.R. 9432. An act for the relief of Major Edmund T. Coppinger;

H.R. 9958. An act for the relief of Brooklyn Steel Warehouse Co.;

H.R. 10431. An act for the relief of Isami Nozuka (also known as Isami Notsuka);

H.R. 10598. An act to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C. 42(a), 42(b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, National, or foreign laws (18 U.S.C. 43), and for other purposes;

H.R. 11165. An act for the relief of Robert J. Reeves;

H.R. 11188. An act for the relief of Edward S. Anderson;

H.R. 11327. An act for the relief of Chauncey A. Ahalt;

H.R. 11390. An act 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;

H.R. 11420. An act for the relief of Ferdinand Hofacker;

H.R. 11460. An act for the relief of Edouard E. Perret;

H.R. 11486. An act for the relief of Richard J. Power;

H.R. 11813. An act to amend the Menominee Termination Act;

H.R. 12350. An act for the relief of Marion John Nagurski;

H.R. 12471. An act for the relief of Capt. Lucien B. Clark, O2051623, MSC, U.S. Army;

H.R. 12475. An act for the relief of Claude L. Wimberly;

H.R. 12476. An act for the relief of John H. Esterline;

H.R. 12530. An act 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.-N.C.;

H.R. 12533. An act to amend the Migratory Bird Treaty Act to increase penalties for violations of that act, and for other purposes;

H.R. 12563. An act 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; and

H.J. Res. 658. Joint resolution 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.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1961

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and ask unanimous consent that the time required for it be charged equally to both sides.

The VICE PRESIDENT. Without objection, it is so ordered; and 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 call be dispensed with.

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

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that we proceed to the consideration of the second supplemental appropriation bill for 1961; that we enter into a unanimous-consent agreement, in accordance with the usual form at the desk, that the time on each amendment be limited to 30 minutes, to be equally divided, and the time on the bill be limited to 1 hour, to be equally divided; that after we conclude that time, if we have the third reading before 2 o'clock p.m. and any yea-and-nay votes are ordered, that they

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be not taken before 2 o'clock. Of course, this is without prejudice to the unanimous-consent agreement previously entered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the agreement is entered.

The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. LONG of Louisiana. Mr. President, if there is no Senator to discuss the bill on either side, I fear some Senators interested in the bill do not know the measure is before the Senate. I would suggest we have a quorum call for a few minutes and alert Senators that we have the bill up for consideration.

Mr. JOHNSON of Texas. We have just gone through a quorum call.

Mr. LONG of Louisiana. I fear Senators thought we were going to discuss the medical aid bill. I think Senators should be alerted.

Mr. JOHNSON of Texas. I ask the attachés of the Senate, Mr. McDonnell and Mr. Trice, to notify Members of the Senate that we have before us the second supplemental appropriation bill; that it is going to be discussed; that, while we have just had a quorum call we are going to have another call, and at the conclusion of the quorum call we should like to have their presence if they care to offer any discussion. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. 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 (Mr. CARLSON in the chair). Without objection, it is so ordered.

Mr. HAYDEN. Mr. President, the bill as it was passed by the House of Representatives provided $91,085,481.

The increase by the Senate committee was $213,957,250.

Under the bill as reported to the Senate the amount provided is $305,042,731.

The estimates considered by the Senate amounted to $81,932,731.

The bill provides an amount over the budget estimates of $223,110,000.

I say the amount in the committee bill is over the budget estimates because some budget estimates for these items in the bill were considered in other appropriation bills. These items were denied in the other bills and were shown as reductions in the budget at that time. So in this bill these items, which aggregate well in excess of $200 million, must be shown as increases over the budget.

The largest increases in the bill are for the President's special international program, which is increased to $986,000.

Special foreign currency programs: Administrative expenses, oversea surplus agricultural commodity donations—$1 million.

The President's special international program, $1,300,000.

Then under the mutual security program, for defense support there is a proposed increase of $65 million; for technical cooperation an increase of $22 million; for special assistance an increase of $26 million; for general administrative expenses $2 million; and Development Loan Fund, an increase of $75 million.

The total for mutual security is $190 million.

I ask that the committee amendments to the bill be agreed to en bloc, and that the bill as thus amended be regarded for the purpose of amendment as original text; provided, that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER. Without objection, the committee amendments to the bill will be agreed to en bloc.

Mr. JOHNSON of Texas. Mr. President, reserving the right to object, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Texas. May we have the amendments agreed to with the exception of the amendments involving mutual aid, and have an agreement to have a yea-and-nay vote on those amendments?

Mr. HAYDEN. That procedure could be followed. I suggested a provision that no point of order should be considered to have been waived by reason of agreement to the order. If a Senator insists upon a yea-and-nay vote upon any amendment, he can have it.

Mr. LONG of Louisiana. Mr. President, reserving the right to object, though I am not sure I shall object, I understand that there is no real controversy about this conference report.

Mr. JOHNSON of Texas. This is not a conference report; this is a bill.

We wish to have a yea-and-nay vote on the mutual aid amendments that were put in the supplemental bill, and I was not sure when we asked for a unanimous-consent agreement whether that would foreclose our voting on those amendments. Now the Senator from Arizona [Mr. HAYDEN] is restating the question.

The unanimous-consent agreement would not foreclose the request of the Senator from Georgia [Mr. RUSSELL], who is desirous that we have a yea-and-nay vote on the mutual aid amendments en bloc.

Mr. LONG of Louisiana. Am I to understand that there is no real controversy about these amendments and no Senator cares to discuss the supplemental appropriation bill? So far only the committee chairman has discussed it.

Mr. JOHNSON of Texas. He has only started.

Mr. LONG of Louisiana. I would not like to see Senators prejudiced by reason of their not knowing the bill is being considered.

Mr. JOHNSON of Texas. We have called the Senators. We have had a quorum call for the Senators. We have tried to notify the office of each Senator. The committee chairman has started the discussion in the normal, routine way.

Mr. HAYDEN. I shall be glad to answer any questions.

Mr. LONG of Louisiana. I do not object. I only have in mind that some Senators might wish to speak and they might be prejudiced.

At 1:30 a. m. Sunday morning we had ourselves a bank night and passed a number of bills with amendments which some Senator subsequently may find objectionable. While those of us who are here tried to protect any Senator who was not here in case such Senator wished to make an objection, I would not want to be in a position of passing this bill without a Senator who wished to object not being here and being able to do so.

Mr. HAYDEN. We have a very unusual procedure. The House of Representatives and the Senate passed a bill and sent it to conference. The conferees met and there was an agreement. The President has strongly objected to the action of the conference committee. Representations were made that he would like to have the subject reconsidered. So the committee met and listened to the President's representatives present the request, and the committee has decided to report out practically what the President wishes.

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

Mr. HAYDEN. I yield.

Mr. JOHNSON of Texas. As I understand, the State Department raised some questions about four instances of language that were considered undesirable. As I understand, the committee went along with the State Department and agreed to strike all of the undesirable language features. Is that correct?

Mr. HAYDEN. Some of them. They made some modifications, I think, which I believe the House agreed to.

Mr. JOHNSON of Texas. I thought we had changed that modification.

Mr. HAYDEN. For example, with respect to technical cooperation, the committee report states—

TECHNICAL COOPERATION

For the bilateral technical cooperation program, the committee recommends an appropriation of $22 million in this bill. In the mutual security appropriation bill for fiscal year 1961, the Senate approved an appropriation of $172 million, an increase of $22 million over the House-approved amount of $150 million. The deletion of $22 million approved by the conference committee is restored in this bill.

The House bill for the mutual security program for fiscal year 1961 contained the following language provision: *"Provided,* That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the House of Representatives and the Senate."

The provision was deleted from the bill by the Senate but it was restored by the committee of conference. The committee, in this bill, has adopted the following provision which has the effect of repealing the provision previously stricken by the Senate from the mutual security appropriation bill. This new provision provides for a reporting to the committees of the Senate and House whenever a project is financed from fiscal year 1961 funds where an estimate has not

been submitted: The proviso in the paragraph headed "Technical cooperation, general authorization" in title I of the Mutual Security and Related Agencies Appropriation Act, 1961, is amended to read as follows: ": *Provided*, That every project or activity financed from funds made available for the fiscal year 1961 for such assistance and for which an estimate has not been submitted, shall be reported to the Committees on Appropriations of the Senate and the House of Representatives."

Mr. JOHNSON of Texas. I thank the Senator. With respect to the amount of funds appropriated for defense support, I understand that the Senate bill as originally passed provided $675 million, and that the conference report reduced that amount to $610 million.

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Texas. The Department asked for the restoration of $65 million and the committee agreed to that restoration of $65 million, thus giving a total for the next fiscal year of $675 million. Is that correct?

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Texas. On the subject of technical cooperation, it is my understanding that the conference report provided $150 million; that the Senate bill as originally passed provided $172 million; that the Department asked that $22 million be added for technical cooperation, and the committee agreed to add $22 million for technical cooperation. Is that correct?

Mr. HAYDEN. Yes; with a new proviso and with this modification of requiring that any project undertaken shall be reported to the committees, I believe part of the objection is removed.

Mr. JOHNSON of Texas. What I have specific reference to is that the Department asked for $22 million, and they received $22 million.

Mr. HAYDEN. The Senator is correct.

Mr. JOHNSON of Texas. With respect to special assistance, the Department asked for $256 million; the conference report provided $230 million; so they asked for an additional $26 million for special assistance, and they received an additional $26 million. Is that correct?

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Texas. With respect to administrative expenses, the Department asked for $2 million and they received $2 million?

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Texas. With respect to the Development Loan Fund, the Department representatives testified that they could get by without any of the additional $150 million requested, but they felt it would be desirable to add the $150 million. However, the committee, after considering the request, decided they would split the amount, and they added $75 million. Is that correct?

Mr. HAYDEN. Upon the theory that they actually would not need more than $75 million between now and when Congress meets next year.

Mr. JOHNSON of Texas. Mr. Dillon testified that they could get by until next year without any of the $150 million, did he not?

Mr. HAYDEN. That is correct.

Mr. JOHNSON of Texas. As I understand the testimony was that the Department would receive $150 million by this bill, but that since it was not programed for the full 12 months, the Department could come back as late as next April, and if anything had to be reduced, the representative of the Department would prefer that this item be reduced to any other item, and in the light of that statement, the committee agreed to recommend $75 million of that $150 million. Is that correct?

Mr. HAYDEN. That is correct.

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

Mr. HAYDEN. I yield.

Mr. CLARK. I commend the majority leader and the distinguished chairman of the Appropriations Committee for the action they took on Saturday, which I believe to be clearly in the public interest. I commend the leader for the commitment he made on the floor of the Senate on Saturday. My only regret is that the entire $150 million for the Development Loan Fund was not restored. We are going to be very busy, indeed, in January, February, and March with a great many important matters, in order to put the Democratic platform into effect and bring about effective legislation based on it. I would have been much happier to have had the entire sum restored, instead of only a part of it.

Mr. HAYDEN. Nevertheless, there is always, in March, and sometimes in February, a supplemental appropriation bill presented to cover contingencies or changes in a situation. We will have an opportunity to take care of any such matters. In the meantime, in the opinion of the committee, the administration has enough money on hand to run this fund.

Mr. CLARK. I understand the Senator's explanation. Press reports indicate that the House committee will be very difficult to deal with in conference on this matter. Therefore, I wonder if it would not have been desirable to have a little more bargaining power by having restored the full $150 million, because we know that when we go to conference it is always a matter of give and take between the Senate conferees and the managers on the part of the House. If we had the assurance that our conferees, the conferees on the part of the Senate, will stand firm on this point, then I believe we would be in good shape. Otherwise, I would like to have seen the full $150 million restored.

Mr. JOHNSON of Texas. I had hoped so, too. However, when five items are in dispute, and we get 4½ of them, and win on those, we have made a very good record. With reference to the Development Loan Fund, I had hoped that the testimony would be much stronger than it was. Each member of the committee, when I asked that the full amount be restored, replied that the Secretary himself had said that this was a matter which could be handled at another time. It was difficult enough to get half of it. We had a divided vote on it, as a matter of fact.

Mr. CLARK. I thank the Senator from Texas. He and the Senator from Arizona should be commended for the fine work they did with regard to this whole matter. I just wish that we had been able to restore the full amount.

Mr. HAYDEN. Would the Senator like to hear the testimony on this point?

Mr. CLARK. Yes; if the Senator would be kind enough to read it.

Mr. HAYDEN. I read from the testimony of Mr. Dillon on page 617 of the printed hearings:

> The Development Loan Fund is of every bit as high priority as the other items. We need these funds and we have to use them, obligate them, during the year. However, it is a fact that the Development Loan Fund funds are obligated only as different projects are approved by the Loan Committee, by the Board of the Development Loan Fund. Therefore, if we have the assurance that we can come back to the Congress if we need extra funds, and our request will be looked at and listened to, there always is a possibility of coming back in January, asking for a supplemental and getting it, say, in due course, in April, without really hurting the Development Loan Fund operation.

Mr. CLARK. I thank the Senator for his explanation. It is very clear. I wonder if he does not think that too often the administration has followed the old adage that he who runs away will live to fight another day.

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

Mr. HAYDEN. I yield.

Mr. GRUENING. Did I understand the Senator's statement on Friday to the effect that the provision in the bill for technical cooperation provided that every project or activity financed during fiscal 1961 is to be justified to the Committees on Appropriations of the Senate and the House?

Mr. HAYDEN. Yes.

Mr. GRUENING. Do I understand that that provision was deleted from the appropriation bill now before the Senate?

Mr. HAYDEN. No; that is in the bill. We want that in the bill.

Mr. GRUENING. The Senator wants that in the bill?

Mr. HAYDEN. We are insistent that that remain in the bill. The charge was made that we would be granting a blank check to the administration in that respect. That would be looked into, just as is the case on military expenditures where a report is given to the Armed Services Committee. This would be reported to the committees. That is done over and over again.

Mr. GRUENING. Do I understand that there is nothing in the present proposal which will diminish or slacken controls which Congress now has over mutual security appropriations? There was some language in the original bill, which I was fearful would be deleted in this appropriation bill. Am I wrong about that?

Mr. HAYDEN. There has been no deletion.

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

Mr. HAYDEN. I yield.

Mr. DIRKSEN. I opposed the language in the conference report, on the ground that it gave committees a veto power before any projects could be initiated. The language now has been

changed to read that projects shall be reported to the committees, but that the committees shall have no veto power over projects being initiated. If it were not so, the hands of the administration would be tied, notably in the case of the independent nations which are coming into being in Africa.

Mr. HAYDEN. The Senator knows that with reference to military projects, the committees are notified, and if they are disapproved prompt notice can be given and an effective stop can be put to whatever is going on.

Mr. GRUENING. We hope that objection, when made, will be effective. I have particularly in mind the chaos in Africa as these new nations are being spawned, and it is certainly desirable that we exercise greater caution in respect to these projects than we have in the past. As I say, with some 20 new nations being spawned, and some of these dividing, amoeba-like, great confusion is bound to exist, and it is desirable for Congress to have greater control than it has now.

Mr. JOHNSON of Texas. Mr. President, may we have action on the request?

The PRESIDING OFFICER (Mr. CARLSON in the chair). The question is on the motion of the Senator from Arizona.

The amendments agreed to en bloc are as follows:

At the top of page 2, to insert:

"FUNDS APPROPRIATED TO THE PRESIDENT

"President's special international program

"For an additional amount for the 'President's special international program', including not to exceed $6,600 for representation, $986,800, to remain available until expended."

On page 2, after line 5, to insert:

"SPECIAL FOREIGN CURRENCY PROGRAM

"For purchase of Indian rupees which accrue under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704), for the purposes authorized by section 104(m)(A) of that Act, to remain available until expended, $1,300,000, of which not to exceed $2,500 may be expended for representation."

On page 2, after line 12, to insert:

"SPECIAL FOREIGN CURRENCY PROGRAM

"Administrative expenses, oversea surplus agricultural commodity donations

"For purchase of foreign currencies which accrue under section 104(f) of the Agricultural Trade Development and Assistance Act of 1954, as amended, for the purpose of administering section 302 of the Act as it relates to donations of surplus agricultural commodities to nonprofit voluntary agencies and intergovernmental organizations for use in assistance to needy persons outside the United States, $1,000,000: *Provided,* That this appropriation shall be used to purchase only currencies which the Treasury Department shall determine to be excess to the normal requirements of the United States."

On page 5, after line 3, to insert:

"FOREIGN AGRICULTURAL SERVICE

"For an additional amount for 'Salaries and expenses,' $275,000; and in addition, $170,000 of the funds appropriated by section 32 of the Act of August 24, 1935, as amended (7 U.S.C. 612c), shall be merged with this appropriation and shall be available for all expenses of the Foreign Agricultural Service in carrying out the purposes of said section 32."

On page 5, after line 12, to insert:

"FOREST PROTECTION AND UTILIZATION"

On page 5, line 15, after the word "management", to strike out "$700,000" and insert "$800,000".

On page 5, after line 17, to insert:

"GENERAL ADMINISTRATION

"Office of Field Services

"Salaries and Expenses

"For an additional amount for 'Salaries and expenses', $207,500.

On page 6, line 6, after "(74 Stat. 204)", to strike out "$5,000" and insert "$15,000".

On page 6, after line 8, to insert:

"SALARIES AND EXPENSES

"For an additional amount for 'Salaries and expenses,' $150,000."

On page 6, after line 15, to insert:

"COAST AND GEODETIC SURVEY

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $284,000."

On page 6, after line 19, to insert:

"CONSTRUCTION AND EQUIPMENT

"For the purpose of obtaining a suitable site for construction of a Coast and Geodetic Survey Seismological Laboratory, the Secretary of Commerce is authorized, on behalf of the United States, to lease from the Isleta Indian Tribe, and the Isleta Indian Tribe, with the approval of the Secretary of the Interior, is authorized to lease to the Secretary of Commerce, for a minimum term of 25 years with provisions for renewal, approximately seven hundred and fifty acres, more or less, of tribal land on the Isleta Indian Reservation; such land being situated in sections 5, 6, 7, and 8, township 8 north, range 5 east, New Mexico principal meridian, county of Bernalillo, State of New Mexico. Any lease entered into hereunder shall provide for an annual rental not in excess of $1,200, and shall prescribe the terms and conditions under which the tribe may jointly use that portion of the leased area not specifically needed for the Laboratory. The construction of the Laboratory, on the land leased hereunder, shall be undertaken by the Secretary of Commerce, on behalf of the United States, and the Secretary shall provide, in connection therewith, such structures, appurtenances and facilities as may be necessary or desirable in furtherance of the purposes and requirements of such Laboratory, and shall provide for the repair, maintenance, alteration, or improvements thereof."

On page 7, after line 19, to insert:

"BUSINESS AND DEFENSE SERVICES ADMINISTRATION

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $291,500."

At the top of page 8, to insert:

"BUREAU OF FOREIGN COMMERCE

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $1,000,000, of which not to exceed $83,000 may be transferred to the appropriation for 'Salaries and expenses', General administration."

On page 8, line 20, after the word "in", to strike out "carry" and insert "carrying".

On page 9, after line 19, to insert:

"WEATHER BUREAU

"Salaries and expenses

"For an additional amount for 'Salaries and expenses', $50,000."

On page 9, after line 19, to insert:

"EXECUTIVE OFFICE

"For an additional amount for 'Executive Office', $47,700."

On page 10, after line 7, to insert:

"CAPITAL OUTLAY

"Public building construction

"For an additional amount for 'Capital outlay, public building construction' for construction projects as authorized by the Act of June 6, 1958 (72 Stat. 183), including acquisition of sites; preliminary survey at the Receiving Home; preparation of plans and specifications for the following buildings: Eliot Junior High School addition, new elementary school in the vicinity of Eleventh and Clifton Streets Northwest, and Bancroft Elementary School addition; erection of the following structures, including building improvement and alteration and the treatment of grounds: Kenilworth Elementary School addition, new junior high school in the vicinity of South Dakota Avenue and Hamilton Street Northeast, Deal Junior High School addition, additional dormitory at the Youth Correctional Center, cowbarn and dairy facility at the Workhouse, laundry addition at the District of Columbia Village, children's cottages at the Junior Village, and a chapel at the Cedar Knoll School; equipment for new buildings; advanced planning for various recreation units; $25,000 for purchase of equipment for new school buildings; and permanent improvements of buildings and grounds (including purchase and installation of furnishings and equipment) of correctional and welfare institutions, and other District of Columbia buildings; to remain available until expended, $6,170,800 of which $900,000 shall not become available for expenditure until July 1, 1961, and $330,100 shall be available for construction services by the Director of Buildings and Grounds or by contract for architectural engineering services, as may be determined by the Commissioners, and the funds for the use of the Director of Buildings and Grounds shall be advanced to the appropriation account, 'Construction services, Department of Buildings and Grounds'."

On page 11, after line 17, to insert:

"DEPARTMENT OF SANITARY ENGINEERING

"For an additional amount for 'Capital outlay, Department of Sanitary Engineering", for construction projects as authorized by the Act of April 22, 1904 (33 Stat. 244), the Act of May 18, 1954 (68 Stat. 105), and the Act of June 6, 1958 (72 Stat. 183), to remain available until expended, $3,838,000, of which $1,100,000 shall not become available for expenditure until July 1, 1961."

On page 12, at the beginning of line 12, to strike out "$1,000,000" and insert "$1,528,000."

On page 13, line 4, after "July 12, 1960", to strike out "$2,225,000" and insert "$6,000,000."

On page 13, after line 4, to insert:

"PUBLIC HEALTH SERVICE

"Assistance to States, general

"For an additional amount for 'Assistance to States, general', $3,070,000, including funds to provide project grants for public health training pursuant to section 309 of the Public Health Service Act, as amended."

On page 13, after line 10, to insert:

"SOCIAL SECURITY ADMINISTRATION

"Grants to States for public assistance

"The amounts made available for 'Grants to States for public assistance', in the Department of Health, Education, and Welfare Appropriation Act, 1961, shall be available for grants for medical assistance for the aged, as authorized by the 'Social Security Amendments of 1960'."

On page 14, line 25, to strike out "$28,500" and insert "$57,000".

On page 15, at the beginning of line 8, to strike out "$145,000" and insert "including allowances and benefits similar to those

provided by title IX of the Foreign Service Act of 1946, as amended, as determined by the Commission; expenses of packing, shipping, and storing personal effects of personnel assigned abroad; rental or lease, for such periods as may be necessary, of office space and living quarters for personnel assigned abroad; maintenance, improvement, and repair of properties rented or leased abroad, and furnishing fuel, water, and utilities for such properties; hire of passenger motor vehicles abroad; insurance on official motor vehicles abroad; and advances of funds abroad; $290,000: *Provided,* That the limitation under this head in the General Government Matters Appropriation Act, 1961, on the amount available for expenses of travel, is increased from '$10,000' to '$30,000'."

On page 16, after line 1, to insert:

"REPAIR AND IMPROVEMENT OF PUBLIC BUILDINGS

"For an additional amount for 'Repair and improvement of public buildings', for construction of fallout shelters, $2,000,000, to remain available until expended."

On page 16, after line 5, to insert:

"CONSTRUCTION, PUBLIC BUILDINGS PROJECTS

"For an additional amount for 'Construction, public buildings projects', for construction of fallout shelters in public buildings to be constructed or altered pursuant to the Public Buildings Act of 1959 (73 Stat. 479), $5,289,000, to remain available until expended: *Provided,* That the maximum construction improvement costs (excluding funds for sites and expenses) approved for individual projects in the Independent Offices Appropriation Act, 1961, are hereby amended to read as follows subject to increases of not to exceed 10 per centum per project, as authorized in said Act:".

On page 16, after line 17, to insert:

"Post office and Federal office building, Camden, Arkansas, $655,050;".

On page 16, after line 19, to insert:

"Courthouse and Federal office building, San Francisco, California, $38,296,900;".

On page 16, after line 21, to insert:

"Courthouse and Federal office building, Hartford, Connecticut, $7,816,400;".

On page 16, after line 23, to insert:

"Post office and courthouse, Thomasville, Georgia, $1,119,600;".

At the top of page 17, to insert:

"Border station, Van Buren, Maine, $297,550;".

On page 17, after line 1, to insert:

"Border station, Vanceboro, Maine, $261,150;".

On page 17, after line 2, to insert:

"Immigration and Naturalization Service center (construction and alteration), Detroit, Michigan, $895,050;".

On page 17, after line 4, to insert:

"Border station, Sweetgrass, Montana, $615,600;".

On page 17, after line 5, to insert:

"Post office and courthouse, Bismarck, North Dakota, $3,283,050;".

On page 17, after line 7, to insert:

"Federal office building, Toledo, Ohio, $3,980,700;".

On page 17, after line 8, to insert:

"Courthouse and Federal office building, Memphis, Tennessee, $10,167,150;".

On page 17, after line 10, to insert:

"Post office and Federal office building, Dayton, Washington, $288,700;".

On page 17, after line 12, to insert:

"Federal Office Building Numbered 8, District of Columbia, exclusive of laboratory and other equipment, $15,735,000;".

On page 17, after line 15, to insert:

"Federal Office Building Numbered 10, District of Columbia, $40,803,500; and".

On page 17, after line 17, to insert:

"United States Court of Claims and Court of Customs and Patent Appeals building, $6,491,000.".

On page 18, after line 6, to insert:

"Section 303 of the Independent Offices Appropriations Act, 1961, is repealed."

On page 18, line 15, after the word "Commission", to strike out "$125,000" and insert "$25,000".

On page 18, line 22, after the word "Commission", to strike out "$5,000" and insert "$10,000".

At the top of page 19, to insert:

"UNITED STATES TERRITORIAL EXPANSION MEMORIAL COMMISSION

"Funds previously appropriated under this head shall remain available until expended."

On page 19, line 13, after "(5 U.S.C. 2131)", to strike out "$250,000" and insert "$500,000".

On page 19, at the beginning of line 18, to strike out "$593,750" and insert "$950,700", and after the amendment just above stated, to insert a colon and "*Provided,* That $325,700 of this amount shall become available only upon enactment into law during this calendar year of legislation providing pay increases for policemen, firemen, and teachers of the District of Columbia."

On page 20, line 2, after the word "outlay", to strike out "$121,000" and insert "134,200", and in line 3, after the word "expended", to strike out the colon and "*Provided,* That no part of the foregoing amount shall be available for any expenses related to the construction of any quarters at a cost in excess of $9,000 per unit", and, in lieu thereof, to insert ": *Provided,* That no part of the foregoing amount shall be available for any expenses related to the construction of any quarters, exclusive of provision of utility connections and costs of the Canal Zone Government, at an average cost in excess of $9,000 per unit."

On page 20, line 18, after the word "to", to strike out "$9,375,600" and insert "$9,412,200".

On page 21, line 12, to strike out "$400,000" and insert "$500,000".

On page 21, line 22, after the word "until", to strike out "expended," and insert "expended", and, after the amendment just above stated, to strike out "of which not to exceed $200,000 shall be available for administration and supervision".

On page 22, line 4, after the word "resources", to strike out "$1,350,000" and insert "$1,500".

On page 22, line 12, after the word "Construction", to strike out "$1,800,000" and insert "$2,450,000", and in line 13, after the word "expended", to insert a comma and "of which $250,000 shall be available for payment to the Parshall, North Dakota Special School District Numbered 3 for the construction of school facilities which shall be available to Indian children."

On page 22, line 21, after the figures "$300,000", to insert a colon and "*Provided,* That the limitation under this head in the Interior Department Appropriation Act, 1955, on the amount available toward the emergency rehabilitation of the Crescent Lake Dam project, Oregon, is increased from $297,000 to $305,000."

On page 23, line 6, after the word "for", to strike out "Construction and Rehabilitation" and insert "Upper Colorado River Basin Fund".

On page 23, line 13, after the word "appropriation", to strike out "Construction and Rehabilitation" and insert "Upper Colorado River Basin Fund".

On page 23, after line 14, to insert:

"ADMINISTRATIVE PROVISIONS

"After August 31, 1960, the position of Commissioner of the Bureau of Reclamation shall have the same annual rate of compensation as that provided for positions listed in 5 U.S.C. 2205(b), so long as held by the present incumbent."

On page 23, after line 19, to insert:

"GEOLOGICAL SURVEY

"Surveys, investigations, and research

"For an additional amount for 'Surveys, investigations, and research', $300,000."

At the top of page 24, to insert:

"NATIONAL PARK SERVICE

"Construction

"For an additional amount for 'Construction', $500,000."

On page 24, line 12, after the word "resources", to strike out "$100,000" and insert "$300,000".

On page 24, line 16, after the word "vessels", to strike out "$500,000" and insert "$1,000,000".

On page 24, after line 16, to insert:

"ADMINISTRATIVE PROVISIONS

"Not to exceed twenty of the passenger motor vehicles authorized to be purchased by the Fish and Wildlife Service, during the fiscal year 1961, shall be for police-type use, and may exceed by $300 each the general purchase price limitation for such fiscal year."

On page 25, line 4, after the word "effect", to strike out "the United States" and insert "either party", and in line 12, after the word "of", to strike out "the United States" and insert "either party".

On page 26, after line 2, to strike out:

"ARCHITECT OF THE CAPITOL

"Office of the Architect of the Capitol

"Salaries

"For an additional amount for "Salaries", $8,200: *Provided,* That from and after July 1, 1960, the salary rates of the Architect of the Capitol, the Assistant Architect of the Capitol, and the Second Assistant Architect of the Capitol, shall be $22,000, $20,200, and $18,500 per annum, respectively."

On page 26, after line 15, to insert:

"DEPARTMENT OF STATE

"Administration of Foreign Affairs

"Salaries and Expenses

"For an additional amount for "Salaries and expenses", $250,000."

On page 26, after line 20, to insert:

"UNITED STATES CITIZENS COMMISSION ON NATO

"For necessary expenses of the United States Citizens Commission on NATO, including personal services as authorized by section 3(4) of S. J. Res. 170 without regard to civil service and classification laws; travel, subsistence, and other expenses of the Commission and its staff; hire of passenger motor vehicles; printing and binding without regard to section 11 of the Act of March 1, 1919 (44 U.S.C. 111); $300,000, of which not to exceed $3,000 may be expended for entertainment: *Provided,* That not to exceed $100,000 may be expended for meetings and conferences pursuant to section 3(5), S.J. Res. 170; to remain available until January 31, 1962."

And, on page 27, after line 8, to insert:

"TREASURY DEPARTMENT

"Bureau of the Public Debt

"Administering the Public Debt

"Not to exceed $375,000 of the unobligated balance of the appropriation for 'Administering the public debt,' fiscal year 1960, shall remain available during the current fiscal year for expenses of advance refunding of the public debt."

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

Mr. JOHNSON of Texas. I yield to the Senator from Montana.

Mr. MANSFIELD. I note that the committee did increase the amount of the appropriation for the Inspector General and Comptroller from $1,200,000 to

$1,762,000, with the proviso that reports be furnished to the Committees on Appropriations of the Senate and the House of Representatives. In that way great savings in the administration of the mutual security program will be accomplished; also, duplication and waste in the administration of the funds will be avoided. I am wondering, however, if there is not some way, without doing a disservice to the bill, an amendment could be offered to provide that reports by the Inspector General and Comptroller would also be furnished to the Committee on Foreign Relations of the Senate and to the House Foreign Affairs Committee.

Mr. DIRKSEN. If we make a legislative record now that it is the intent of the Senate that these reports should be submitted to the Committee on Foreign Relations and to the Committee on Foreign Affairs—and I think it is proper that that be done—it would require nothing more; it would not require an amendment to the bill and no proviso otherwise. I believe the legislative history on the matter would be sufficient.

Mr. MANSFIELD. Then do I understand that that is the unanimous intent of the Senate at this time?

Mr. HAYDEN. Yes.

Mr. JOHNSON of Texas. That is in the report.

Mr. HAYDEN. It is clearly indicated that they would be glad to furnish information to the committees of Congress. It is the intention that copies would come to us.

Mr. MANSFIELD. It is my understanding that it is the sense of the Senate that reports furnished to the House and Senate Appropriations Committees be also furnished to the Senate Foreign Relations Committee and to the House Foreign Affairs Committee. Is that correct?

Mr. HAYDEN. There is no reason why that cannot be done.

Mr. JOHNSON of Texas. Mr. President, while we have a good number of Senators on the floor, I wonder if this unanimous-consent agreement could be acted on; that we order the yeas and nays on the mutual aid amendments en bloc.

Mr. President, I ask that the yeas and nays be ordered and that the vote be postponed until later in the day. We can then go ahead and discuss generally the provisions of the bill.

Mr. DIRKSEN. Mr. President, under ordinary circumstances, I would have no objection. However, there was an understanding that there would be no yea-and-nay vote before 2 o'clock this afternoon.

Mr. JOHNSON of Texas. I am not suggesting that a vote be taken now; I am only asking that the yeas and nays be ordered now, while a large number of Senators are on the floor.

Mr. DIRKSEN. We can have the yeas and nays ordered.

Mr. JOHNSON of Texas. I do not expect to have the vote now. Mr. President, I ask that the yeas and nays be ordered on the committee amendments en bloc.

The PRESIDING OFFICER. The yeas and nays are ordered.

Mr. GRUENING. Mr. President, I should like to ask the majority leader a question. What is the reason for not wanting to discuss the amendments separately? They are quite different in their intent.

Mr. JOHNSON of Texas. They can be discussed separately. However, the Senator from Georgia [Mr. RUSSELL] wanted a vote on the mutual aid amendments en bloc. We have provided for that, so that we will not have 10 yea-and-nay votes, but 1 yea-and-nay vote.

Mr. GRUENING. Some amendments might be more desirable than others.

Mr. LONG of Louisiana. Mr. President, there is one particular amendment on which a yea-and-nay vote should be taken in its own right. I objected before the gavel fell. If the Senator from Texas will separate that amendment from the rest, I shall have no objection.

Mr. JOHNSON of Texas. I have no objection to doing that.

Mr. LONG of Louisiana. That particular amendment provides that the President will have to inform the Senate as to who will receive the money.

Mr. GRUENING. I think that is a reasonable request.

Mr. LONG. So long as I am protected on that amendment, I will have no objection.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. KEATING. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state it.

Mr. KEATING. What is the question before the Senate?

The PRESIDING OFFICER. The bill is open to amendment.

Mr. JOHNSON of Texas. Mr. President, do any other Senators desire to discuss any of the amendments which are being added as mutual security amendments? If not, the yea-and-nay vote will be postponed until later in the day.

Mr. DIRKSEN. Mr. President, was the request agreed to?

Mr. JOHNSON of Texas. Mr. President, I ask that the question be stated again. I thought it had been agreed to once.

The PRESIDING OFFICER. Is there objection to the unanimous consent request? The Chair hears none, and it is so ordered.

Mr. JOHNSON of Texas. Mr. President, I ask for the third reading of the bill.

The PRESIDING OFFICER. The bill will be read the third time.

The bill was read the third time.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the yea-and-nay vote be delayed until later in the day, and that the Senate now return to the time limitation on the medical aid conference report.

The PRESIDING OFFICER. Is there objection?

Mr. BIBLE. Mr. President, will the Senator from Texas withhold his request?

Mr. JOHNSON of Texas. I withhold my request and yield to the Senator from Nevada.

Mr. BIBLE. Mr. President, I direct my question to the distinguished Senator from Arizona. On page 5 of the report, reference is made to the inclusion of $100,000 over the House allowance. The report reads:

> In recommending the full amount of the allowance, which is an increase of $100,000 over the House allowance, the committee has taken into consideration that since this estimate was submitted, a substantial number of acres have burned in national forests in Idaho and South Dakota.

Mr. HAYDEN. A mistake was made. The language should have included Nevada and California. The report can be read in that context.

Mr. BIBLE. Yes. A disastrous fire occurred along the border of the two States.

Mr. President, I thank the chairman of the committee and the distinguished majority leader for their courtesy.

Mr. FREAR. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from Delaware.

Mr. LONG of Louisiana. Mr. President——

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

Mr. FREAR. I am waiting until the majority leader and the minority leader have completed their discussion.

Mr. LONG of Louisiana. Mr. President, while we are waiting, I should like to make it clear that I expect to object to postponing the vote on the mutual aid amendments. I think it would be most desirable to have a vote on something, so that more Senators will be in attendance. I disagree to a postponement of the vote.

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

Mr. FREAR. I yield.

Mr. JOHNSON of Texas. I should like to have the yeas and nays ordered on the passage of the second supplemental appropriation bill, so that all Senators may know that a yea-and-nay vote will be taken.

The PRESIDING OFFICER. The yeas and nays have been requested on the passage of the second supplemental appropriation bill. Is there a sufficient second?

The yeas and nays were ordered.

Mr. LONG of Louisiana. Mr. President, I do not agree to the setting aside of the vote on the mutual security amendments. I think it would be good to have a yea-and-nay vote on some matter, so as to bring more Senators to the Chamber.

Mr. JOHNSON of Texas. Mr. President, it had been agreed that there would be no yea-and-nay votes before 2 o'clock. This was to accommodate certain Senators who could not be present until that time. It was understood that we would have all the yea-and-nay votes at one time. The Senator from Louisiana can speak on the medical aid conference report.

Mr. LONG of Louisiana. I did not agree to set aside the vote on the mutual security amendments. So far as I am concerned, it was not my intention to

postpone the vote on them. I thought the debate on the supplemental bill would continue from now until 2 o'clock. I do not feel disposed to set the mutual security amendments aside.

Mr. JOHNSON of Texas. We simply agreed to have the vote on the medical aid conference report at 2 o'clock. We cannot have a yea-and-nay vote on the supplemental appropriation bill before 2 o'clock, because of an agreement not to have yea-and-nay votes before that time. I do not want to catch Senators off base. I am sure the Senator from Louisiana is sympathetic to that understanding. He would not want Senators who had understood there would be no votes until 2 o'clock to be surprised.

We shall have three yea-and-nay votes this afternoon: one on the medical aid conference report; then, in accordance with the understanding with the distinguished Senator from Georgia [Mr. RUSSELL], on the mutual security amendments; and then on the passage of the supplemental appropriation bill.

Mr. LONG of Louisiana. My understanding was that we had agreed to set aside the consideration of the conference report on the medical-aid bill long enough to take up the second supplemental appropriation bill, without prejudice to the time limitation on the conference report. I have discussed this question with the Parliamentarian and, according to his interpretation and mine, the vote on the conference report would come after the time when the vote is taken on the mutual security amendments.

Mr. JOHNSON of Texas. I shall be glad to arrange for that.

Mr. LONG of Louisiana. But it was my understanding that when we took up the second supplemental appropriation bill and, after everyone who wanted to discuss it had discussed it, we would then be ready to vote.

Mr. JOHNSON of Texas. No. The understanding was that there would be no votes until 2 o'clock. Several Senators will not be ready to vote until 2 o'clock.

Mr. LONG of Louisiana. If the Senators' agreement is not to vote on the second supplemental appropriation bill until 2 o'clock, I should like to have it understood that the time for debate on the medical-aid conference report will be extended beyond 2 o'clock.

Mr. JOHNSON of Texas. I shall do my best to accommodate the Senator. Will the Senator state how much time he desires?

Mr. LONG of Louisiana. My understanding was that when it was agreed to set aside the medical-aid conference report, without prejudice to the report, the time which still remained to discuss the report, which was 3 hours and 45 minutes, would be continued, to be equally divided, to which I would have no objection.

Mr. JOHNSON of Texas. That is all right.

Mr. LONG of Louisiana. The time we have taken thus far on the supplemental bill—45 minutes—postpones the time for debate on the medical-aid conference report by 45 minutes.

Mr. JOHNSON of Texas. That is agreeable.

Mr. LONG of Louisiana. Plus whatever additional time is taken for the vote on the second supplemental appropriation bill.

Mr. JOHNSON of Texas. There is no additional time. I understand the Senator's desire.

Mr. President, I ask unanimous consent that an additional 45 minutes may be allotted for debate on the medical-aid conference report, and that no vote be taken on the medical-aid report until 2:45 this afternoon.

Mr. LONG of Louisiana. Plus such time as will be required for the yea-and-nay vote on the supplemental appropriation bill.

Mr. JOHNSON of Texas. All right. How much time would the Senator suggest altogether? One hour?

Mr. LONG of Louisiana. Why not clarify the proposal by saying 45 minutes plus such additional time as is required for the vote on the mutual security amendments?

Mr. JOHNSON of Texas. All right. I modify my request accordingly, Mr. President, that we extend the time by 45 minutes plus such time as is necessary for the yea-and-nay vote.

Mr. LONG of Louisiana. I thank the Senator.

Mr. DIRKSEN. Mr. President, I trust that request will not be made. We were here until 1:30 Sunday morning.

Mr. JOHNSON of Texas. But does the Senator from Illinois understand——

Mr. DIRKSEN. Oh, Mr. President, I understand it perfectly. We allowed 4 hours. We convened this morning at 10 a.m. The Senator from Louisiana has occupied most of the time. I do not believe all of the time available to the proponents of the conference report will be taken. So I see no need to go beyond 2 o'clock.

This matter has been here, and it has been discussed until the small hours of the morning. So I trust it will not be continued any longer. I do not believe it fair to Members who stayed here religiously all day and into the wee hours of Sunday morning.

Mr. JOHNSON of Texas. Let me see if this will satisfy the Senator: The Senator from Louisiana has control of the time for the opponents——

Mr. LONG of Louisiana. I do.

Mr. JOHNSON of Texas. And he has 2 hours, exclusive of the time taken for the rollcall. I ask unanimous consent that the Senator from Louisiana have not to exceed 2 hours to discuss the conference report on the medical aid bill.

Mr. DWORSHAK. Mr. President, reserving the right to object, what change will that make?

Mr. JOHNSON of Texas. None.

Mr. DWORSHAK. Some of us were here until 1 o'clock Sunday morning, waiting for the vote. I do not care whether the Senator from Louisiana gets 2 hours either next week or next year, but I think we should adhere to the unanimous-consent agreement which was entered into at 1 a.m. on Sunday morning.

Mr. JOHNSON of Texas. We are doing so.

The PRESIDING OFFICER (Mr. CARLSON in the chair). Is there objection to the request of the Senator from Texas? Without objection, it is so ordered.

Mr. JAVITS subsequently said: Mr. President, I am grateful to my minority leader for yielding to me at this time. I had my say on the pending social security conference report on Saturday, with the Senator from New Mexico [Mr. ANDERSON]. I hope Senators will refer to it as a real pledge to do all we can to bring about adequate legislation on medical care for our older citizens next year.

I wish to say a word about the mutual security appropriations contained in the supplemental appropriation bill. I say only that it is a fact that it pays to protest. I should also like to compliment and congratulate those Senators who like myself are among the most devoted advocates of mutual security yet who voted "nay" on the conference report on the mutual security appropriations bill. It indicates that when we protest and when we have a case, something does happen. I am very glad for the restoration of funds for mutual security and the removal of onerous conditions which have been made. I am only sorry that the minuscule figure of $2 million has not been provided for the private investment incentive program, and I hope very much that it may be repaired in the same fashion.

COMMITTEE MEETING DURING SENATE SESSION

During Mr. FREAR's remarks on the second supplemental appropriation bill:

Mr. JOHNSTON of South Carolina. Mr. President, I want to make a unanimous-consent request, and I ask that it come at the end of the discourse by the Senator from Delaware, so it will not interfere with it.

Mr. FREAR. I yield for that purpose, without losing the floor.

Mr. KUCHEL. Mr. President, what is the unanimous-consent request?

Mr. JOHNSTON of South Carolina. I am about to make it.

Mr. President, I ask unanimous consent the the Committee on Post Office and Civil Service be allowed to meet while the Senate is in session.

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

Mr. LONG of Louisiana. Mr. President——

Mr. MANSFIELD. Mr. President, I must object.

The PRESIDING OFFICER. Objection is heard.

ATROCITIES TO AMERICAN SOLDIERS AND OTHERS IN THE CONGO

Mr. FREAR. Mr. President, if I may obtain the attention of the majority leader and the minority leader—although I expect that will be more difficult than obtaining a unanimous-consent agreement; nevertheless I will try. [Laughter.]

Mr. President, something of unusual interest, which certainly affects the junior Senator from Delaware, has occurred. I know that the majority leader and the minority leader are well acquainted with it.

Mr. STENNIS. Mr. President, will the Chair restore order in the Senate?

The PRESIDING OFFICER. The Senate will be in order. The Senator from Delaware will not proceed until the Senate is in order.

Mr. GORE. Mr. President, I shall object to having the Senate proceed until every Senator except the one who has been recognized is in his chair.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. GORE. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator from Tennessee will state it.

Mr. GORE. Senators are standing, and the Senate is not in order.

The PRESIDING OFFICER. The Senate will be in order.

The Senator from Delaware may proceed.

Mr. FREAR. I thank the Chair.

Mr. President, over the weekend the newspapers carried headlines about certain matters in the Congo. For instance, in the Washington Post the headline is: "U.S. Airmen Beaten in Congo."

That was the second incident of that type. Canadian soldiers were beaten only a few days before. I am especially interested in this matter because those airmen come from the Dover Air Force Base, at Dover, Del. I know many of them.

Mr. President, it is with great regret that we have learned of these incidents, through dispatches by the Associated Press. From the dispatches, we learn that eight airmen stationed at Dover were attacked and beaten—in some cases, savagely—by a mob of Congolese, over the weekend. The incident occurred at Stanleyville, when a U.S. Globemaster carrying those airmen landed with a cargo of signal equipment for United Nations forces. I understand that one or two of the injured men may have suffered skull fractures. Some are stretcher cases. All were cruelly beaten in the assault.

The Associated Press dispatch which I have read quotes one of our Dover Air Force Base airmen as saying that the mob, when it attacked them, was made up of soldiers and civilians armed with clubs, submachine guns, and rifles. And, Mr. President, let us bear in mind that our men were unprotected.

Mr. TALMADGE. Mr. President, will the Senator from Delaware yield?

Mr. FREAR. I yield.

Mr. TALMADGE. I commend my able and distinguished friend, the Senator from Delaware, for his observations about those incidents and the situation which prevails in the Congo.

I say to the Senator from Delaware that yesterday I received a long-distance call from a veteran of World War II, who lives in my State. He had read in the press of the incident to which the Senator from Delaware has referred. He was so angry and upset that he was crying at the thought that servicemen wearing the uniform of the United States of America could be treated in such fashion in any part of the world.

Does the Senator from Delaware think, after what he has read and heard, that the Congress should have voted $100 million in aid for the Congo?

Mr. FREAR. I shall answer the distinguished Senator from Georgia by saying that I voted against it, and I think that expresses my sentiments. I cannot conceive that a request would be made to grant $100 million to a country that is maiming our soldiers in uniform—our unarmed soldiers, without protection—and also Canadian soldiers.

Before I finish, I shall say something that I expect will probably cause the Senator from Georgia to say, "It cannot be proved. Is it true? How could it be true?" But I am going to say it, and I will say it in terms that I hope will be justified.

Mr. TALMADGE. I shall be listening with interest to what the Senator from Delaware has to say in further reference to this situation. I am sure the able Senator has often heard the statement "Crime does not pay." Would the Senator think that observation would be correct with reference to the Congo?

Mr. FREAR. Quite to the contrary. Instead, it seems that $100 million is granted by our country, following those instances of assault and battery. I do not know the exact terms which should be used, but I am sure the Senator from Georgia has the correct ones in mind; and I must agree that terms of that sort are properly used in connection with that situation—much to my sorrow, let me say.

Mr. GRUENING. Mr. President, will the Senator from Delaware yield to me?

Mr. FREAR. I yield.

Mr. GRUENING. Does the able Senator from Delaware agree with what is apparently the policy of the administration in this situation?

Mr. TALMADGE. Mr. President, may we have order? I cannot hear the distinguished Senator.

The PRESIDING OFFICER. The Senate will be in order.

Mr. GRUENING. Does the Senator from Delaware agree with the apparent policy of the administration—namely, that the worse the situation becomes and the more shabbily we are treated, the more money we will pour into that situation?

Mr. FREAR. Let me answer the Senator from Alaska by saying that I think I would have to go back to my voting record, rather than answer the Senator directly, because I do not wish to get into a debate regarding the administration.

Mr. GRUENING. I congratulate the Senator from Delaware on his voting record on this subject.

Mr. FREAR. Mr. President, I make a vast understatement when I say that the situation in the Congo is a deplorable one. That small group of American flyers might well have been murdered by that uncontrolled mob. I am told that the American Ambassador expects to lodge a protest with the Congolese Government as soon as he can contact the proper officials.

Mr. President, in line with that matter, I should like to ask distinguished Senators on this floor who are in authority whether they have heard about or whether they know anything about another matter—namely, that a planeload of children was taken out of the Congo, back to Belgium, and the children had mutilated hands. I recognize that that may be a serious charge, and I should like to have it either confirmed or denied.

But if our representatives cannot find the proper officials in the Congo, how can our Ambassador make these protests? I do not know, unless it is done to the State Department or to the President of the United States here in Washington.

But regardless of how it may be done, I think it imperative that we get an answer in regard to that matter and that report. Is it true or is it not true? If it is true, what are we doing about it? If it is not true, then I do not think any more should be said about it.

I can hardly believe that we would permit American soldiers, in uniform, to be assigned the job of taking mutilated children from that country. Of course I know we want to get them out of there; but just the sight of those poor children with mutilated hands, when our airmen were directed to take them back to Belgium.

I do not know how the mutilations were done, but apparently they were done in the Congo. Certainly those children were not born that way.

Mr. TALMADGE. Mr. President, will the Senator from Delaware yield?

Mr. FREAR. I yield.

Mr. TALMADGE. Last week I received a letter from a constituent, the tenor of which was similar to this: "DEAR SENATOR: I notice the Congress has appropriated $600 million for Latin America and $100 million for the Congo. If this is the best you can do, I would suggest that you adjourn, come home, and let the inmates of our mental institutions run the country."

I wrote the constituent and said I was inclined to agree with him.

I commend the Senator from Delaware for pointing up this matter before the Senate. It is wholly unthinkable to me how this country could spend money it does not have in a nation which is incapable of governing itself—a nation where murder, rape, assaults, and riots are commonplace at the present time. I commend the Senator for bringing this matter to the attention of his colleagues.

Mr. FREAR. We send our American airmen in there unprotected and unarmed.

Mr. TALMADGE. We are not even giving them the protection of the uniform they wear.

Mr. FREAR. Yes.

In conclusion, I extend publicly my sympathies to the wives and families of these airmen from Delaware, and express to them the hope that a way can be found to prevent further incidents of this or any other type.

I think perhaps we should express sympathy to many of the families now being carried back to Belgium with children who have mutilated hands.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. FREAR. I yield.

Mr. TALMADGE. Does not the Senator believe that if we are incapable of defending the rights and persons of military personnel sent to other countries, we ought to bring them home?

Mr. FREAR. I do.

Mr. TALMADGE. I share the Senator's viewpoint.

Mr. FREAR. Mr. President, I ask unanimous consent that the names of these men, all of whom live in the Dover area, be included in the RECORD at this portion of my remarks.

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

The names and squadrons of the men involved, as released by the Dover base, are:

Capt. Elbert L. Mott, 20th ATS (Air Transport Squadron); Lt. Kennett E. Stickevers, 31st ATS; Lt. Armand A. Kelzenberg, 1st ATS; Lt. William M. Shaw, 15th ATS; Lt. Gerald T. Henery, 20th ATS; T. Sgt. Kenneth E. Bennett, 20th ATS; T. Sgt. Frederick N. Kiser, 20th ATS, from Smyrna, Del.; S. Sgt. Barice E. Bossa, 20th ATS.

All these men live in the general Dover area, including Kiser, who lives in Smyrna. Stickevers is the only bachelor in the group.

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

Mr. FREAR. I yield to the Senator from Mississippi.

Mr. STENNIS. I asked the Senator to yield for the purpose of commending him for his remarks in bringing this matter to the attention of the Senate and of the country. It has relation to the broad question of relief and the amount of $100 million that was voted in a recent bill. As the Senator will recall, part of that money is to be used not in a relief program, as was pointed out when the bill was on the floor, but for the purpose of paying the expenses and costs of United Nations troops. The United Nations is trying to get into that area where the trouble is and operate to restore some semblance of order.

I commend the Senator from Delaware wholeheartedly for raising the point about these men having been attacked. They are members of the Armed Forces of the United States, on an official mission, not only for ourselves but for the whole world, through the United Nations.

Mr. President, time was when we were a much smaller nation and a much weaker nation, but perhaps more respected than we are now, when in a situation such as has been mentioned, when one of our men, wearing the uniform of the country, representing this country on a mission, was attacked, we would demand a retraction or an apology, or regard it as an act of war. I cannot escape the idea that we are degrading ourselves by putting up with insults of this kind. It has happened many times in the last few years, not in Africa, but in other areas of the world. I think we are making great progress in reverse—I repeat, in reverse—in trying to restore world order, or trying to bring about order.

We are making progress in reverse in such matters, and we are degrading our position with the Western World.

In the old days, when incidents of this kind happened, we backed our men up, and either had something done about it or they were interpreted as an act of war.

I am hoping—and I am willing to do my part—that our Government will step in and reverse this trend, which is worldwide, with reference to our men being attacked, abused, and treated inhumanely, as would a country in the most obscure place. Certainly, our attitude does not indicate world leadership. This is not Western leadership. And we continue to put up with these practices.

Mr. FREAR. I am grateful to the Senator from Mississippi.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. FREAR. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. First, I commend the Senator from Delaware for what he is developing here today. I think this Nation of ours has been traveling down the wrong road for a long time. It looks as if we stir up strife and discontent. I notice we are going down into the Dominican Republic. They are going to pull the carpet from under us there. The same thing will happen in that country that happened in Cuba. I do not know why they do it, but they do it. Then, if someone wants money, all they have to do is start strife and then run to the United States and say, "Give me $100 million," and we give it to them. It looks as if that is the only thing they have to do in order to get money from the United States.

Mr. FREAR. Mr. President, I yield the floor.

Mr. GRUENING and Mr. KEATING addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. GRUENING. Mr. President——

The PRESIDING OFFICER. The Chair advises the Senator that the Senate is operating under controlled time.

Mr. GRUENING. May I have 1 minute?

Mr. DIRKSEN. Mr. President, I yield the Senator from Alaska 1 minute.

Mr. LONG of Louisiana. Mr. President, I am willing to yield to the Senator such time as he may require, but I understand the proponents of the conference report on the social security bill do not wish to use their time. If they are going to fritter their time away, I suggest that they use some of it.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from Alaska.

Mr. GRUENING. Mr. President, I associate myself with the remarks of the able junior Senator from Mississippi [Mr. STENNIS] and point out my complete agreement, not merely with his statement that we have lost respect which was formerly accorded to us throughout the world, but that we have engaged in a new policy in recent years of pouring money into those very places where the least respect is shown.

Does the Senator think this will increase respect for us, and that it is any remedy for the tragic situations we are confronting all over the world?

Mr. STENNIS. If the Senator will yield, this is not a matter of relief or aid primarily, but there is a connection, as the Senator from Alaska says. We are making progress in reverse, and becoming objects of contempt rather than respect.

THE NOMINATION OF ROBERT A. BICKS

Mr. KEATING. Mr. President, will the "head yielder" yield me 5 minutes?

Mr. DIRKSEN. Mr. President, I yield 5 minutes to the Senator from New York.

The PRESIDING OFFICER. The Senator from New York is recognized for 5 minutes.

Mr. KEATING. Mr. President, this morning's New York Times contains an editorial summarizing the tremendous support from many sources and from both sides of the aisle which the nomination of Robert A. Bicks has received.

The editorial puts responsibility squarely on the leadership of the Senate to get the nomination out of committee and under consideration by the Senate before the Senate adjourns.

Mr. President, I believe this nomination would be overwhelmingly approved if it were presented to the Senate. I hope we shall not let this matter wither in committee because of any rush to leave Washington. I had hoped that we would have had a meeting of the Committee on the Judiciary today, but unfortunately, none has been scheduled thus far, and none appears to be scheduled.

This nomination is as important as some of the legislation which has been before us. It is certainly more important than a resolution proposing to tell the President how to make his appointments to the Supreme Court, which is the unfinished business. It is apparent that only some bold action by the leadership can bring the matter to a head at this stage of the session. If such action is forthcoming, the public interest will be the chief beneficiary.

Mr. President, I ask unanimous consent that the editorial be printed in the RECORD, following my remarks.

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

AN OVERDUE CONFIRMATION

During the past week Robert A. Bicks, President Eisenhower's nominee to head the Antitrust Division of the Justice Department, has received an extraordinary series of tributes. Senators of both parties have risen on the floor to praise him. Telegrams of endorsement have come from many State attorneys general. One of the country's most distinguished lawyers, Whitney North Seymour—president-elect of the American Bar Association and an antitrust practitioner himself—said that Mr. Bicks' "conduct of the office compares favorably with that of any of his predecessors" over the last 30 years.

Yet Mr. Bicks' nomination remains lodged in the Senate Judiciary Committee. As Richard E. Mooney pointed out in a Washington dispatch to this newspaper yesterday, he is the only Eisenhower nominee to a position in the executive branch who remains unconfirmed. Why? No one knows, or at least no one says. There is talk of big business opposition to a tough trustbuster, but none has appeared in public.

The nomination has been before the Judiciary Committee since May, time enough to hear and decide any nomination. The

fact is that Mr. Bicks has been in good measure responsible for the excellent antitrust record of the last 7 years. Even if he should stay on as a recess appointee, a failure to confirm him now would be an unjustified slap at his record. At the least the Senate should have a chance to vote on Mr. Bicks. The reputation of Senate majority leader JOHNSON for honorable dealing on Presidential nominations will be injured if he does not move to get the Bicks nomination out of committee and on to the floor before the Senate adjourns.

NATIONAL CATHOLIC CONFERENCE FOR INTERRACIAL JUSTICE URGES CREATION OF DEPARTMENT OF URBAN AFFAIRS

Mr. KEATING. Mr. President, the recently concluded first National Catholic Conference for Interracial Justice adopted a number of reports and resolutions on various vital subjects. I noted with great interest the strong stand taken by the conference on the need for equality of opportunity in such fields as public schools, housing, and other phases of civil rights activities.

Endorsement was also given to peaceful sit-in demonstrations against segregation.

In addition, the conference went on record as favoring the establishment of a Federal department to deal with problems of urban dwellers. As in the field of civil rights, this is a subject in which I have taken a deep interest.

In my view, the creation of a Department of Urban Affairs—or Department of Urbiculture as I have described it in my bill, S. 2397—would be a master stroke in achieving better coordination and more effective results in carrying out various programs of importance to city dwellers. Leading experts in the field of urban problems have backed this proposal vigorously, and it is my hope some action will be forthcoming on it before too long.

The support of the National Catholic Conference for Interracial Justice will be a great assistance in this endeavor, so I am delighted with the action recently taken by this distinguished group.

Mr. President, I ask unanimous consent that a portion of an article from the New York Times of August 29 dealing with this subject be printed at this point in the RECORD.

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

U.S. HOUSING POST IN CABINET URGED—CATHOLIC INTERRACIAL GROUP CALLS FOR A DEPARTMENT OF URBAN AFFAIRS

(By Leonard Buder)

ST. LOUIS, August 28.—Creation of a Federal Department of Urban Affairs was urged here today at the closing session of the first National Catholic Conference for Interracial Justice.

The conference recommended that the proposed department be headed by a Cabinet officer who would be responsible for coordinating the Government's activities in the housing field.

A particular concern of this department, the participants said, should be the effects of Federal housing programs on minority groups.

The conference held that there was little synchronization between the Federal agencies, administrations, and authorities in the field. As a result, it was asserted, urban renewal projects go one way and housing programs go another.

TWO HUNDRED AND FIFTY ATTENDED SESSION

Because of this situation, one speaker said, members of minority groups who must leave a slum area because of a federally supported redevelopment project often find that they have no place to move except to another slum neighborhood.

About 250 persons, most of them representatives of Roman Catholic interracial councils throughout the Nation, attended the 4-day meeting here at St. Louis University.

MISSILES AND PEANUTS

Mr. KEATING. Mr. President, I should like, if I may, to pursue a little further the discussion on our missile program which I had on Friday and which was continued on Saturday, with the distinguished Senator from Missouri [Mr. SYMINGTON]. The Senator questioned a table which I had printed in the RECORD on Friday and the conclusion which I drew from that table. The figures in the table deal with expenditures both on intermediate and intercontinental range ballistic missiles and on other missiles in the fiscal years 1946 through 1960.

Mr. President, I ask unanimous consent that the table may again be printed in the RECORD at this point in my remarks.

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

[In millions of dollars]

Fiscal year	IR ICBM programs	All missile programs
1946	1.9	70
1947	0	58
1948	.3	81
1949	.1	98
1950	0	134
1951	.5	784
1952	.8	1,058
1953	3.0	1,116
1954	14.0	1,067
1955	159.0	1,470
1956	526.0	2,270
1957	1,401.0	4,470
1958	2,150.0	5,107
1959	2,945.0	6,913
1960	3,303.0	6,634

Mr. KEATING. Mr. President, these figures came directly from the Department of Defense. They reveal beyond the shadow of doubt or cavil that during the years 1946 through 1952 the Government spent $3.6 million on the long-range ballistic missile program. As I pointed out last week, Mr. President, during that same period, the Government spent $117 million to support the price of peanuts.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. KEATING. Mr. President, I ask if I may have 3 additional minutes.

Mr. DIRKSEN. Mr. President, I yield 2 minutes to the Senator from New York.

Mr. KEATING. I will take 2 minutes.

The PRESIDING OFFICER. The Senator from New York is recognized for 2 additional minutes.

Mr. KEATING. Moreover, Mr. President, the Senator from Missouri, who is well known as an expert on factual matters of defense, has gone even further than I in this line. On February 19 of this year, he pointed out that in 1949 and 1950 private funds were needed to keep alive this vital Government program. At that same time, peanuts continued to receive public, Government support.

The Senator from Missouri has questioned my statement. On Saturday, he suggested that my figures were inconsistent. He said that I had omitted the funds spent for the Snark and the Navajo missiles from my calculation. Mr. President, that was not my intent. The table, as introduced today and as I introduced it previously, makes it very clear that I was speaking only of expenditures on ballistic missiles. Neither the Snark nor the Navajo is a ballistic missile, as my good friend must realize. They are air breathing, subsonic missiles, as much out of date now as manned bombers. Neither is completely out of date, but they are not what is included in this program.

Few people are better acquainted with the history of American missile development than the distinguished Senator from Missouri. But in the past when he has spoken about our missile gap, he has spoken almost exclusively about the gap in ICBM's, in ballistic missiles. This was, in fact, the salient point in his remarks on the so-called missile gap January 27 and February 19 of this year.

Therefore, Mr. President, having looked into the matter very thoroughly, I find that my original figures were entirely accurate and my meaning clear: Between 1946 and 1952 we spent 30 times as much on peanuts as we did on IR and ICBM's.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

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

Mr. KEATING. Will the Senator obtain some time of his own?

Mr. LONG of Louisiana. How much time does the Senator from Missouri require?

Mr. SYMINGTON. May I have 3 minutes?

Mr. LONG of Louisiana. I yield 3 minutes to the Senator from Missouri. If he requires more, I shall yield him additional time.

The PRESIDING OFFICER. The Senator from Missouri is recognized for 3 minutes.

Mr. SYMINGTON. Mr. President, I have always admired the many fields in which the distinguished junior Senator from New York is an expert. I wish I could be as conversant with the figures and facts about so many departments and so many issues as he is, when he constantly presents his positions to the Senate. I do, with all sincerity, admire the Senator for his extensive knowledge.

The Senator gave a series of figures in a table the other day. The use of the table itself was in some respects inaccurate. For example, the designation on the lefthand column is "IR ICBM," for the years 1946 to 1952, inclusive.

None of the money during those years was spent for IRBM's. All of that money was spent for ICBM's.

When one of the Senator's colleagues talked about this matter on Friday, he talked about intercontinental missiles. The word "ballistic" was not in the debate.

I say to my friend from New York that we have no argument in this field except to that extent he wishes to make an argument out of it, because until the development of the hydrogen bomb in late 1952 there was no demand in this Government for any long-range missile except the long-range subsonic and supersonic guided air-breathing missile. To attempt to set a record to be carried to the country later on, that the previous administration was responsible for holding up developments in the long-range missile field, is misleading and inaccurate from the standpoint of the facts.

I say to my friend from New York that until 1952, and until some developments I understand were made by a great physicist, Dr. Teller, there was no real interest in the ICBM from the standpoint of a long-range ballistics missile as against the long-range supersonic guided missile.

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

Mr. SYMINGTON. I should like to continue my statement and then I shall be glad to yield. If there is to be debate regarding responsibility for the cancellation of the ICBM, I point out that the ICBM program was canceled on July 8, 1947. There was no Air Force at that time. The Chief of Staff at that time was Dwight D. Eisenhower. The ICBM research item, the MX-774 was continued in its development by the manufacturer, and I had something to do with the continuance.

When the Air Force was established later, the contract was reinstated. Actually, all the money apparently lost as a result of the cancellation of the intercontinental supersonic guided missile Navajo, which cancellation was done by this administration, and which I believe was a mistake, was not lost entirely, because the rocketdyne engine, the propulsion design in the Navajo, is now used in the Atlas long-range ballistic missile.

Whereas an apparent effort has been made here on this floor to show that for long-range intercontinental missiles only a few million dollars had been spent by the previous administration, the truth is that many hundreds of millions of dollars were spent in long-range intercontinental missiles by the previous administration.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. Will the Senator from Louisiana yield 2 more minutes?

Mr. LONG of Louisiana. I yield.

Mr. SYMINGTON. The figures which the Senator from New York put in the RECORD verify that fact.

Another aspect of this problem is the question of what has happened since this administration took office. I well remember when the senior Senator from Alabama [Mr. HILL] asked the then Secretary of Defense, Mr. Charles E. Wilson, what he meant when he deprecated basic research. Mr. Wilson said, as I remember, that it was like trying to find out why grass turned green or potatoes turned brown when fried. The senior Senator from Alabama then asked the Secretary of Defense, in the spring of 1953, what he meant by that comment, and asked him to give an illustration.

The Secretary of Defense illustrated the point by referring to a nuclear propulsion airplane as a typical illustration of trying to find out why grass turns green.

The Senator from New York and some of his colleagues have been attempting consistently to state that only those in the previous administration were responsible for the production program of missiles. If such be true, his own figures prove that if blame is to be placed anywhere, everyone shares it.

If any blame is to be placed on the activities of the executive branch, I share it. If the ballistic missile was canceled when the President of the United States was Chief of Staff, he shares the blame.

Everyone who was in this Chamber in 1953 remembers when the Secretary of Defense announced that he was going to cut $5 billion from the expenditures of the Air Force and give us a better Air Force.

The distinguished senior Senator from Georgia [Mr. RUSSELL], who is chairman of the Armed Services Committee observed "Why not cut out $10 billion and give us a much better Air Force?"

Incidentally, at that time the Secretary of Defense also cut hundreds of millions of dollars from the proposed expenditures of the Navy.

Congress in the spring of 1953, when the present administration was in power, reacted against the missile program, and the proof is, on the basis of the figures which the Senator from New York inserted in the RECORD.

During the first year of this administration tens of millions of dollars less were spent for missiles than in the last year of the previous administration.

Therefore I say it would be better for all of us, instead of some people trying to build up something to be carried to the people on the basis that any missile lag is the responsibility and the fault of the previous administration, we should now join together to decide what is the right thing to do for the future..

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SYMINGTON. I ask unanimous consent that I may proceed for 3 additional minutes.

Mr. LONG of Louisiana. I yield.

Mr. SYMINGTON. Any implication that no money was spent on long range missiles is not correct. During the previous administration hundreds of millions of dollars were spent on long range intercontinental missiles, one of which is now in operation today.

I might remind the Senator that the Assistant Secretary of Research and Development for the Air Force in this administration resigned in protest at the lack of priority given the entire missile picture. He resigned early in 1956, saying that insufficient time, attention, and money were being given to this important program. So I do not see why we should continue to belabor the question.

I hope that in accordance with the recommendations of the great Governor of the State of New York we go ahead with programs and policies in the defense field beyond what this administration believes proper, because I believe present programs are seriously inadequate.

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from New York, with the approval of the Senator from Louisiana, who has the floor.

Mr. LONG of Louisiana. Mr. President, if we are to have a debate on defense, I should like to have the yielding done on the other side of the aisle.

Mr. DIRKSEN. Mr. President, I yield 1 minute to the Senator from New York. However, I think we should resume our debate on the conference report as soon as possible.

Mr. KEATING. The entire matter was brought up by the effort of the distinguished Senator from Missouri in saying that there is a missile gap, and that it is the fault of the present administration that we have such a missile gap. All that we need to do is to read the words of a great American, whom everyone has learned to respect.

Dr. Wernher von Braun, rocket expert whose Army team developed the Jupiter IRBM, stated on November 10, 1957:

> The United States had no ballistic missile program worth mentioning between 1945 and 1951. These 6 years, during which the Russians obviously laid the groundwork for their large rocket program, are irretrievably lost.
>
> Thus, our present dilemma is not due to the fact that we are not working hard enough now, but that we did not work hard enough during the first 6 to 10 years after the war.

I agree with the distinguished Senator from Missouri that what we need to do is to look to the future, but the RECORD should be clear.

Mr. SYMINGTON. The Senator from New York quotes Dr. Wernher von Braun. We can take various quotations and make a case either way. I say the fact that the Assistant Secretary of Research and Development in 1955 resigned from the missile administration in protest of its slow activity in missiles is more important on this subject than any statement made by Dr. von Braun. The Senator quoted Dr. von Braun. I remember a television program which included the President of the United States, the Secretary of Defense, and Dr. von Braun handled by the Washington Post. On that program Dr. von Braun took a position exactly opposite, before the American people, from the position taken in the quotation the Senator just read.

I was so surprised at his optimistic position expressed at that time that I went to the Secretary of the Army and protested. The Senator from New York will find that the actual figures speak better

than any statement from the various individuals, and tend to support the case with respect to the missile gap. I hope that the Senator will read the testimony of Trevor Gardner before the subcommittees of the Armed Services Committee. I would rather accept his opinion than that of others I know of as to who is responsible for the missile gap. I am sure the Senator believes what he says. Therefore I would hope he will support the position of Governor Rockefeller rather than the present defense policy of the present administration.

Mr. CLARK. Mr. President, will the Senator yield 1 minute to me?

Mr. LONG of Louisiana. I yield.

Mr. CLARK. The Senator from New York has failed to answer three important questions. First, why did not Dwight Eisenhower do something about the missile gap when he was Army Chief of Staff? Second, why did not Charles Wilson do something when he became Secretary of Defense? Third, why does the distinguished Senator from New York disagree so vigorously with the Governor of his own State?

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of 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. 12580 the Social Security Amendments of 1960.

Mr. LONG of Louisiana. How much time remains on the conference report?

The PRESIDING OFFICER. The Senator from Louisiana has 1 hour and 48 minutes remaining; the opponents have 33 minutes remaining.

Mr. CLARK. Mr. President, will the Senator yield 10 minutes to me, or would he prefer to do so later?

Mr. LONG of Louisiana. I shall be glad to yield in a few minutes. The junior Senator from Louisiana is often struck by the discrepancy between that for which we pray in the morning, when the Chaplain guides us in prayer, and that which we vote for during the day; just as he has been impressed by the discrepancy by what we put into our platform and in public pronouncements to the press and the public, as compared with what we actually vote for when we have an opportunity to carry out some of the pronouncements on the floor of the Senate.

The other day I was presiding over the Senate as the Acting President pro tempore when the Chaplain of the Senate, the Reverend Frederick Brown Harris, offered the prayer:

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

Only a few Senators were in the Chamber at that time, but I am sure many of them would like to subscribe to the sentiments of that prayer:

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

I would urge, as we vote on the conference report, that we follow the sentiments of that prayer, because the conference report before us surrenders back 80 percent of what the Senate voted for when it voted that justice be done to the least of them, all our people. Justice for these people can be obtained if we have the courage to reject the conference report and ask for a further conference.

Earlier today, when the Senate convened, a visiting chaplain offered the prayer. He is Dr. Lawrence D. Folkemer, minister of the Lutheran Church of the Reformation in Washington. He prayed:

> Open our eyes to see the wrongs and the woes of our land that cry out to be put right. Give to us a vision of our land as Thou wouldst have it be and as Thou alone canst fashion it.

It would be a sad response to that entreaty to vote today to accept a conference report which surrenders most of the justice, righteousness and charity that the Senate voted for only a few days ago.

In doing so, the Senate would place itself in line with the previous action of the Senate at least three times when it voted to agree to certain welfare amendments, which would have done something for the needy, the poor, the depressed, and later voted to accept a report from the House-Senate conference which dropped out these amendments.

The conference committee has brought back a report which surrenders and strikes out the kind of justice for which the Senate voted. Unfortunately, many of the same Senators who voted to do this justice will proceed to vote to accept the conference report.

It comes with ill grace from some of our Democratic Senators to talk about a Republican-Dixiecrat coalition, because if they vote for the conference report they will be voting for the attitude of some of our more conservative friends plus the view of some of our Republican friends, the most conservative ones of all, when they vote to accept the report, which strikes out about 80 percent of what the majority voted for on the Senate floor.

A Senator this morning quoted a familiar and apt passage from Shakespeare:

> The fault, dear Brutus, is not in our stars,
> But in ourselves, that we are underlings.

The fault is in ourselves that we do not make progress, because too many of us are faint of heart when we fight for what we believe in, and when we send our conferees to conference knowing that we have no strong reason to believe that the conferees will make an all-out fight for it.

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

Mr. LONG of Louisiana. I yield.

Mr. CLARK. What percentage of the benefits given by the House bill were cut out in the conference report?

Mr. LONG of Louisiana. The House bill did not give many benefits, to begin with. So they are not much reduced. The best provision in the House bill, that was a subject in conference, was over the provision that would have reduced the required number of quarters for coverage. It would have made it possible for persons who had worked only one quarter out of every four quarters between 1950 and the present time, or a total of 2½ years, to have been covered under social security. That provision was stricken by the Senate committee and the conference agreed that we include a provision calling for one quarter in every three quarters. By doing so we eliminated from coverage 200,000 people out of 600,000 to whom the coverage would have been extended. In doing this, we eliminated the neediest of the 600,000 people to be included.

In my judgment, the conference report moves entirely in the direction whereby we economize at the expense of the neediest and the most pitiful of all. The House-Senate conference did some fancy economizing here. The bill has been described by Representative FORAND as a sham and a delusion. I will quote from the author of the amendment, describing the bill in the House debate, when he said:

> Personally, I think it is a sham; I think it is a mirage that we are holding up to the old folks to look at and think they are going to get something. I say that because they have to depend upon 50 State governments to enact legislation to authorize them to handle the program that is listed there.

That is the kind of description we have of it. We can with better grace criticize the final product here in the Senate than on the House side, because at least most of what was in the House bill was retained, while most of what was in the Senate bill was taken out.

We heard much talk in the Senate about how we would make it possible for a man to retain what little earnings he made under social security. It sounded good. The bill went to conference, providing that a person could earn $150, a month, whereas previously he could earn only $100 a month, and still retain his social security benefits.

We brought back from conference a measure which would cost 10 percent of what it would have cost to let the person keep some additional earnings. In other words, from a cost point of view, 90 percent of the benefits were extracted by the conference. The report we brought back provided that a person could make an extra $300 per year, provided his social security benefits were reduced by half that amount; and that thereafter every dollar he made would result in a $1 reduction of his social security benefits. So, in effect, he would be working, 100 percent, for the Federal Government. It would amount to the same as a Federal tax of 100 percent on a poor man, for every dollar a person earned over $1,500.

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

Mr. LONG of Louisiana. I yield.

Mr. TALMADGE. I commend the Senator from Louisiana for bringing out that point. Is it not true that the Committee on Finance voted unanimously to permit persons who are retired and are drawing social security to earn up to $1,800 annually rather than the $1,200 which is permitted at present?

Mr. LONG of Louisiana. The Committee on Finance so voted unanimously,

and the Senator from Georgia was one of the Senators who voted that way.

Mr. TALMADGE. Every Democrat and Republican on the Committee on Finance so voted; did he not?

Mr. LONG of Louisiana. The Senator is correct, and there was not a vote against that plan on the Senate floor, unless it might be construed that the two Senators who voted against the passage of the bill were against that provision.

Mr. TALMADGE. As I understand, the conference brought back a compromise which permits a person to earn between $1,200 and $1,500 annually, but will force him to relinquish $1 of every $2 he earns.

Mr. LONG of Louisiana. Out of the first $25 a month he makes he will be required to relinquish $1 out of every $2. Thereafter, he relinquishes it all.

Mr. TALMADGE. Under the terms of the conference report, what will be the maximum a person will be permited to earn now and still draw social security?

Mr. LONG. If we eliminate some of the complicated technicalities under which a person might be able to obtain a little more, the figure would be $1,500. He could earn the first $1,200, as under existing law, and keep that; and he could earn $300 more and keep $150 of that.

Mr. TALMADGE. In other words, a man could earn $1,500 and still receive social security?

Mr. LONG of Louisiana. No. If he earned $1,500, he would be permitted to keep $1,350.

Mr. TALMADGE. Actually, then, the amount limit on earnings of those receiving social security benefits is raised from $1,200 a year to $1,350?

Mr. LONG of Louisiana. Yes.

Mr. TALMADGE. I am glad that the conference did not entirely eliminate the increase. However, I would have much preferred the $1,800 for which the Committee on Finance unanimously voted and which the Senate approved.

I commend the Senator for bringing this point to the attention of the Senate.

Mr. LONG of Louisiana. It is a matter of opinion. Some Senators, including a Senator for whom I know the Senator from Georgia has high regard, said that if this was all we could give the poor old people, then we might just as well have forgotten the whole thing.

If we are simply changing the law to a degree where the employees of the social security program have to stand behind people with a pencil and pad to take its cut every time a person earns 50 cents, we might as well forget the whole thing anyway.

Mr. TALMADGE. I know that many people in my State, in the Senator's State of Louisiana, and in all other States of the Union, who are retired and are drawing modest social security retirement checks, find those amounts are insufficient to live upon. They want to work and perform duties in honest toil so as to increase their income. I cannot understand why Congress will not permit them to do so.

Mr. LONG of Louisiana. The Senator's statement is entirely correct. I thank him for it.

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

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. Is it not true that when these provisions were originally written into the Social Security Act, the cost of living was very much lower; and that the increase in the cost of living in the last 7 years was one reason for including an amendment of the very kind which was written into the Senate bill, but which the conferees have taken out?

Mr. LONG of Louisiana. I agree. Just as a matter of reducing the cost to the Federal Government, a great injustice is done, because if a person receives income from stocks and bonds, if he receives income from annuities; or assume that he is one who holds a private retirement policy, or has any sort of "retirement" income, he can keep it. In other words, if he is receiving a Government retirement check of $200 or $400 a month, or if he is a Senator and is receiving Government retirement pay of $900 a month, he can keep all of that and still draw his social security benefits. In fact, there is no limit to the amount of retirement income a person can draw and still draw social security. But suppose he is a poor fellow who draws a social security check of only $30 a month. Suppose he has a wife, which makes it possible for him to draw an extra $15 a month. There are two people who are living on $45 a month. If he goes out and works for himself and his wife makes an extra $100 a month, from that point forward the Government starts to cut him $1 for every $2 he earns; and after he earns an extra $1,350 net, with the Government taking $150 from a gross of $1,500, then, from that point forward the Government reduces his social security by 100 percent of whatever he earns.

Imagine a man and wife living on an income of $142.50 a month and paying what amounts to a tax of 100 percent. If the same person had a retirement income from a corporation, after he had worked as a corporation executive; or if he had retired and had income from stocks, bonds, or other investments; if he had retirement income from life insurance policies he had taken out, he could receive all the income for which he was not then working, and still draw his full maximum benefit of social security. But that would not be true of the poor devil who has to continue to work for a living. If he continues to work, Uncle Sam gets 100 percent after the first $25, over the amount presently permitted by law.

Mr. TALMADGE. As a matter of fact, such a proposal puts a premium on idleness, instead of providing an incentive to one who wants to continue to work.

Mr. LONG of Louisiana. It continues to carry out the old concept, which is to be only slightly modified, of prompting a man to quit work, to enable a younger person to take his place.

Mr. TALMADGE. No matter how productive he might be.

Mr. LONG of Louisiana. That is fine if that concept is applied to someone who is well able to retire, and has plenty of retirement income. But how about the poor fellow who is expected to retire on $30 a month? Some persons seem to think he can live on $30 a month.

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

Mr. LONG of Louisiana. I yield.

Mr. COOPER. The Senator said the Committee on Finance unanimously voted to raise the limit to $1,800, and that the Senate voted for it. What reasons were ascribed in conference for striking or modifying that particular provision?

Mr. LONG of Louisiana. Fundamental to the whole backdown, the whole march down the hill, the whole 80 or 90 percent surrender, was the House concept that it did not want a situation to arise in which it might be necessary, at any time during the next 2 years, to raise the social security tax.

Mr. COOPER. But was it argued or shown that the change would affect the social security fund from an actuarial standpoint? Would the change have had any effect upon the fund actuarially?

Mr. LONG of Louisiana. Let us consider what this proposal really means. The provision would not have cost anything in this calendar year, because the statute we were amending works on a calendar-year basis. This proposal was the big one, costwise. It was the biggest item of them all. It would have cost 0.19 of the payrolls; in other words, almost two-tenths of 1 percent of the payroll; about $500 million per annum.

If the provision for which the Senate had voted had been adopted, sometime next year it would have been necessary for Congress to vote a small increase in the social security tax. If the conference had agreed to every benefit for which the Senate voted and everything for which the House voted, it would have meant that sometime next year, because very little of the benefits would have become effective before the first of the year, it would have been necessary to provide an increase of one-eighth of 1 percent in the social security tax. That was the basis for the bill the conference committee reported. That is the foundation of the conference report: that any benefits which are provided now must be benefits that can be achieved without providing any increase in the long-range cost of the program, to the extent that an increase in the tax would be required.

Mr. COOPER. Let me say that I believe I have received more letters regarding the social security problem from people who would like to work than I have from any other group. Not only would they like to earn additional money, but they wish to work because they are happier when they are working, and they feel that in that way they are more productive.

I believe this amendment is one of the most important that was adopted by the Senate. I am sorry it has been modified.

Mr. LONG of Louisiana. Some Senators make the point that in terms of the overall economy, this amendment probably would pay for itself, because when these people are at work, they have to

pay excise taxes and hidden taxes on their earnings, and the result is that the income of the Government is increased to that extent.

Mr. President, so far as I know, this amendment was adopted without any protest at all. But 42 Democratic Senators voted to do a lot more than that; and they voted for the tax to pay for it. They voted to increase the present tax by one-half of 1 percent. They wanted to make a start on medical aid; and they would have voted for whatever tax was necessary to cover the cost. In my judgment, if the House were permitted to vote on this proposal, the House would accept it in a moment. But it was surrendered by the conferees just because conservative members of the House group seemed to feel that the conference report should not contain any provision which would mean an increase in the long-range cost of this program.

Then we had a provision which would have permitted persons to retire at age 62. That provision was designed primarily for the benefit of persons who have lost their jobs at or after age 62 and have not been able to find jobs, even though they are still able to do some kinds of light work, and who now are not likely to find employment. Under this provision, they would be allowed to retire at age 62, although with reduced benefits. Theoretically, this provision would not have entailed any additional cost to the program. But, actually, it would seem that there would be some cost to the program as a result of reducing the number of years such persons would be working and earning and contributing to the program. That cost would perhaps be about one-fourth of the cost of the $1,800 limitation.

We know what persons that provision was intended to cover.

The Senator from West Virginia was the principal sponsor of the amendment on this subject. In States where there is much unemployment, many people have used up their unemployment benefits. They have no indication that they can find employment. There is a tendency for them to retire at an earlier age and to accept benefits from 10 to 20 percent lower, provided they can then begin to draw their social security payments. In other words, it will do a man little good to know that he can retire and can draw these benefits at age 65, if he is likely to starve to death before he reaches that age.

So the Senate agreed to the amendment. But in the conference report there is not even so much as a shadow to indicate that the Senate ever acted at all on that matter. That provision was dropped from the conference report on the basis of the concept—which the Senate conferees did not protest—that nothing included in the final bill should increase the cost of social security to such an extent that there would be a requirement to increase the social security tax in the future. So, proceeding on the basis that we were to have a few little bones and scraps here and there, provided they did not increase the social security tax, our conferees yielded on this major provision.

Mr. President, let me refer again to another provision that was thrown back in. It had to do with a House provision that would help low income people achieve at least some assistance. Many persons have not been covered by social security, even though they have paid some social security taxes. The House bill took the position that if a man worked one quarter in every four quarters which expired between 1950 and the present time, and if during that period he was under social security coverage, he could draw some benefits. Of course, in most instances he would be able to draw only the minimum benefit of $30 a month for a single man or $45 a month for a man and wife.

In order to try to squeeze in some of what the House had provided, and still come within the cost limitation, the Senate agreed, to the extent of providing that only one of every three such persons would be included. Generally speaking it can be said that the two-thirds thus included do not need that assistance as much as do the one-third who were dropped out.

PLANNING, DEVELOPMENT, MAINTENANCE, AND COORDINATION OF WILDLIFE, FISH, AND GAME CONSERVATION IN MILITARY RESERVATIONS

Mr. MAGNUSON. Mr. President, will the Senator from Louisiana yield, to permit the appointment of conferees in connection with two other measures?

Mr. LONG of Louisiana. I yield.

Mr. MAGNUSON. I ask that the Chair lay before the Senate a message from the House of Representatives in regard to House bill 2565.

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. 2565) to promote effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MAGNUSON. 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. ENGLE, Mr. BARTLETT, and Mr. COTTON conferees on the part of the Senate.

AMENDMENT OF SHIPPING ACT OF 1916 TO PROVIDE LICENSING OF INDEPENDENT FOREIGN FREIGHT FORWARDERS

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives in regard to House bill 5068.

The PRESIDING OFFICER 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. 5068) to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MAGNUSON. 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 Presiding Officer appointed Mr. PASTORE, Mr. BARTLETT, Mr. ENGLE, Mr. BUTLER, and Mr. SCOTT conferees on the part of the Senate.

Mr. MAGNUSON. I thank the Senator from Louisiana.

SOCIAL SECURITY AMENDMENTS OF 1960—CONFERENCE REPORT

The Senate resumed the consideration of 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. 12580, the Social Security Amendments of 1960.

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

Mr. LONG of Louisiana. Mr. President, it will take me about 5 more minutes to explain the conference report, and then I shall be glad to yield to the Senator from Pennsylvania.

So, Mr. President, as I pointed out a moment ago, there, again, is a major provision on which the Senate conferees yielded, although it could easily have been included in the report unless we had accepted the House idea that we should not take any action that would require an increase in the social security tax sometime next year. In other words, the theory of the conference report is that benefits are all right, provided they do not require more taxes.

Of course, the fourth provision which was surrendered had to do with the effort to make some provision about the disgraceful conditions which exist in the State mental institutions.

I wish to place in the RECORD a chart which shows what the States are doing in that connection. The States cannot be criticized in that regard. Although the conditions which exist in the State mental hospitals are absolutely disgraceful and deplorable, yet without any Federal aid at all, the States are making a real effort in this field.

Mr. CLARK. Some of the States are making a real effort.

Mr. LONG of Louisiana. However, it is hard to be critical. For instance, consider a State such as Alabama. Alabama spends $16 million a year in attempting to provide for the mentally sick who are in these institutions. Yet the cost per patient in Alabama is only $3.05.

Of course, as the Senator from Pennsylvania knows, we have available to us statistics and information which show how horrible are the conditions when the cost per patient is $4.65, or even when the cost per patient approaches $5.

A number of States really make an effort to do something about this situation. Pennsylvania would be a good example. Pennsylvania, which is so ably

represented by the Senator from that State who has been engaging in this colloquy with me, spends $124 million to care for all the mentally sick in that State. Yet the latest figures show that the daily expenditure amounts to a per capita expenditure of only $4.50—just within the range that the Secretary of Health, Education, and Welfare has described as disgraceful.

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

Mr. LONG of Louisiana. I yield.

Mr. CLARK. The Senator from Louisiana is quite correct in regard to the figures about my Commonwealth. But we would not be doing nearly as well as we are now doing if we had not had two successive Democratic Governors who were able to persuade the legislature to increase to an amount substantially greater than it used to be the amount that is spent on those in our State who need medical care. But, even so, I do not think our State is doing all that it should; it should be doing much more.

I recognize the requirement of rule XIX, to the effect that in the course of debate, no Senator shall refer offensively to any State of the Union; and I shall conform to that requirement. But I believe I should point out that unquestionably there are States which should do far more in this respect than they are doing.

Mr. LONG of Louisiana. I thank the Senator from Pennsylvania. In fact, what is happening in these States is typical of the situation prevalent all over the Nation. The provision of greater aid to the mentally sick is of such major importance that certainly it should take precedence over many other programs.

As a matter of fact, in the conference I pleaded that, if need be, it would be proper to decrease to some extent the provisions proposed for hospitalization elsewhere—for instance, perhaps even make a decrease in the area subject to 80 percent matching, or reduce some of the benefits elsewhere, if necessary, in order to make some provision in this field. Certainly in this field there is a crying need; and the Secretary of Health, Education, and Welfare himself has said he has under way a crusade for the provision of greater aid in this field. Yet he fights to the bitter end our attempts to make some provision for the terrific need for additional care in this field, and he suggests that the bill might be subject to a veto if Congress were to do anything about providing aid in this field.

Why? Because this is the field of greatest need. It is a field where States are making a great effort, but are still doing a miserable job for many patients, and a field where, if the Federal Government gets into it, will cost it a lot of money. That being the case, the tendency is to do nothing, because the Federal Government has done nothing. It is said we should leave it to a study next year. I have oftentimes heard the Secretary of Health, Education, and Welfare described as one who wants to go even beyond what the Democrats do—but not now, not now, not now.

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

Mr. LONG of Louisiana. I yield to the Senator from Alaska.

Mr. GRUENING. I wish to commend the Senator from Louisiana, who has presented a potent series of arguments why the Senate should vote against the conference report and send it back for further conference in the hope that we will get a better bill. The conferees have so weakened an already weak bill so as to make it a sham, as one Member of the other body has described it.

Mr. LONG of Louisiana. We should stop saying we are fighting for the underprivileged, the needy, the least of them all, according to Christian concepts, if we first vote to do something about it and then vote to back down. This is the third time in the experience of the Senator from Louisiana that we have voted in the Senate to do something for the needy, and then have had the conferees drop it. In my judgment, these proposals could have been obtained. Yet, after the conferees came back here, many Senators who voted for the amendment agreed to drop it after the Senate conferees yielded as they had done before.

To talk about what we stand for leaves us open to the criticism by the Republicans who say the Democrats are not sincere, that they will talk big, but not to make it stick; they will vote in the Senate to put something in a bill, but will not fight to keep it in.

I do not criticize our conferees. They are reflecting the point of view of their States. But three of our conferees come from two States that do the least in terms of public welfare.

I have in front of me the chart I put into the RECORD the other night. The States are listed in the order of the effort they make in the field of public welfare.

Ordinarily, if a Senator is a Democrat he cannot go on a committee if a Senator from his own State is on that committee. A lot of Senators would like to be on the Appropriations Committee. I would like to be on it. But a colleague from my State is on that committee. Some Members of the Senate would like to be on the Finance Committee, but they cannot be on it because colleagues from their States are on that committee. On the other hand, if a Republican comes from the same State as a Democrat, both of them can be on the same committee. That condition exists in the Committee on Finance. We have two Senators on that committee from the great State of Delaware. In my judgment, if the junior Senator from Delaware represented the State of Louisiana, he would be one of the greatest public welfare advocates in the Senate. Now and then he has voted for public welfare even to the extent of being criticized for it, because such measures would not benefit his State as much as they would other States. Yet as a Senator from Delaware he cannot be expected to take as much interest as Senators from other States. On the conference committee were two Senators from the State of Delaware and one from the State of Virginia. The State of Virginia spends 74 cents per capita in its efforts in the public welfare field. Delaware spends $1.56 per capita.

Mr. CLARK. Mr. President, what does the highest State spend?

Mr. LONG of Louisiana. The State of Colorado spends $21.80. If one tries to arrive at an average, I would say the figure would be about $4.80; and that is just about what the State of Pennsylvania pays.

Mr. CLARK. Mr. President, will the Senator from Louisiana yield me 10 minutes?

Mr. LONG of Louisiana. I yield 10 minutes to the Senator from Pennsylvania.

Mr. CLARK. Mr. President, the Senator from Louisiana, with unassailable logic, has made it very clear, to me at least, why this conference report should be rejected; and I shall vote with him to reject the report.

I should like to summarize briefly my reasons for doing so. I believe the Senator from Louisiana is correct when he says the Senate conferees surrendered in conference. I say that with no invidious connotation to any Member of this body. I am sure our conferees thought what they did was right. But the fact of the matter is that, as a result of this conference, 80 percent of the benefits which were in the bill when the bill left the Senate have been abandoned.

Let me say, in my judgment, this conference report does not meet the standards of the Democratic platform which was adopted in Los Angeles on July 12, 1960. I read from page 32 of that platform:

> For those relatively few of our older people who have never been eligible for social security coverage, we shall provide corresponding benefits by appropriations from the general revenue.

It is true this bill does make some gesture in support of our old people who are not on social security; but, in my judgment, that gesture is entirely inadequate. It might have been close to being adequate if the bill as it left the Senate had been accepted in conference, but it was not. So I find, in my judgment, that pledge in our platform is not met in this conference report.

With respect to the problem of the mentally ill, I think this bill as it comes back from conference also does not meet the Democratic platform; and I read the plank in our platform dealing with mental health:

> Mental patients fill more than half the hospital beds in the country today. We will provide greatly increased Federal support for psychiatric research and training, and community mental health programs, to help bring back thousands of our hospitalized mentally ill to full and useful lives in the community.

Had the Long amendment remained in the bill, I believe we would have gone a long step along the road to meet that plank in the platform.

Does the Senator from Louisiana agree?

Mr. LONG of Louisiana. It would have provided $120 million, which would have been a long step.

Mr. CLARK. And the $120 million is not in the conference report?

Mr. LONG of Louisiana. No; it is left out; not one nickel is provided.

Mr. CLARK. I read from page 33 of the Democratic platform, under the heading, "Special Services":

We shall take Federal action in support of State efforts to bring standards of care in nursing homes and other institutions for the aged up to desirable minimums.

Are not the mental hospitals and the tubercular hospitals, which the amendment of the Senator from Louisiana would have affected, the "other type of institution" where the aged are being taken care of and where the desirable minimums are not in effect?

Mr. LONG of Louisiana. As the Senator knows, in many of the institutions for the mentally ill there have been constructed the so-called geriatric buildings for aged persons whose mental condition is really associated more with old age than it is with any other type of mental illness. I speak of feeblemindedness, for example, or hardening of the arteries in the brain.

Many persons of this sort are today being treated in mental institutions. It might be possible for States to distort the use of the money to build a separate institution, to move the people out and put them somewhere else, in order to get the matching funds to which we refer, but it does seem ridiculous even in such an instance to require the States to change the entire way of doing business. Some States will and some will not. The simple way to do this would be to make the funds available.

Mr. CLARK. In my judgment, most of the States will not. As a member of the Special Committee Dealing With the Problems of the Aged and Aging, under the chairmanship of the distinguished Senator from Michigan [Mr. McNAMARA], I had an opportunity to observe the medical needs of that part of the aging population to which my friend has referred. I assure the Senator from personal knowledge, from my service on the committee, as well as from my former capacity of mayor of Philadelphia, I have seen many helpless older people who, if provided only a little medical care, could be brought back to the situation where they could leave the mental institution and go back to live with their families. These people were being treated entirely on a custodial basis, with no effort at rehabilitation.

If the Senator's amendment had been agreed to in the conference we would have made a real step toward taking care of those unfortunate people.

Mr. LONG of Louisiana. Mr. President, the Senator is correct.

I can understand why the Secretary of Health, Education, and Welfare would be reluctant to go along on a program to provide adequate medical care for the mentally ill. It could become a big program. Of course, in many respects some of the expenditures would result in subsequent savings, as the Senator well knows, because in many cases these people can be cured. I have seen estimates that anywhere from 20 to 50 percent of these people, if they could be treated, could be returned to society as useful citizens, or at least as happy persons in the homes from which they came.

Mr. CLARK. That has been the experience in Pennsylvania.

Mr. LONG of Louisiana. That is what could be done. Those who operate these institutions feel that much could be done even without further research. There is a possibility, of course, that with further research we could do a lot more.

I have some figures in this regard, Mr. President, and I ask unanimous consent that they be printed in the RECORD at this point, in order to show what the States are presently doing in terms of expenditures for medical and hospital care for patients suffering from mental illness. I shall supply that for the RECORD, since this is the only copy I have.

There being no objection, the information is ordered to be printed in the RECORD, as follows:

Latest figures available on expenditures for State mental hospitals and costs per patient

State	Total expenditures	Cost per patient per diem
1. Alabama	$16,383,025	$3.05
2. Alaska	1,100,000	8.00
3. Arizona	2,914,709	4.52
4. California	73,542,922	5.79
5. Colorado	10,189,917	4.39
6. Connecticut	43,416,440	6.86
7. Delaware	2,288,000	4.32
8. Florida	28,527,787	3.96
9. Georgia	10,700,000	2.41
10. Hawaii	2,463,377	5.63
11. Idaho	4,193,500	8.03
12. Illinois	122,491,400	4.93
13. Indiana	44,416,566	5.07
14. Iowa	16,594,200	----------
15. Kansas	9,996,733	6.83
16. Kentucky	17,930,608	3.59
17. Louisiana	11,917,459	3.74
18. Maine	9,732,103	4.55
19. Maryland	20,097,249	4.66
20. Massachusetts	42,717,853	5.16
21. Minnesota	34,982,399	4.35
22. Michigan	40,225,963	----------
23. Mississippi	8,171,361	2.33
24. Missouri	35,704,426	4.24
25. Nebraska	16,571,049	5.71
26. Nevada	1,058,848	4.25
27. New Hampshire	4,614,593	4.86
28. New Jersey	34,616,602	6.36
29. New Mexico	4,033,768	5.48
30. New York	191,569,916	5.65
31. North Carolina	26,376,608	4.24
32. North Dakota	5,109,493	4.30–4.60
33. Ohio	99,758,695	4.60
34. Oregon	17,110,633	4.45
35. Pennsylvania	124,532,547	4.50
36. Puerto Rico	1,925,420	3.25
37. Rhode Island	4,999,560	4.83
38. South Carolina	5,018,494	2.50
39. South Dakota	4,100,000	3.50
40. Tennessee	15,654,192	2.64
41. Texas	41,880,000	3.54
42. Vermont	4,611,000	5.40
43. Virginia	25,976,198	3.31
44. Washington	31,544,500	5.16
45. Wisconsin	15,744,381	8.36
46. Wyoming	2,286,700	4.50

Mr. LONG of Louisiana. If I were to judge the entire Nation by the figures for Louisiana, my impression would be that about 20 percent of the persons in the mental institutions are over the age of 65. Therefore, only about 20 percent of the amount will be subject to matching. If the amendment which I offered had been agreed to, every State would have been in a position to at least double its standard of care, and it would be difficult to say that any State, with the possible exceptions of Wisconsin and Alaska, might be in a position of spending more than is necessary.

I say that because the hospitals of the State of Louisiana are provided about $15.60 for general hospitalization of such persons. We spend about $3.74 for those who are mentally ill.

I made the point that the State of Alaska and the State of Wisconsin have made a real effort to provide adequate care. The standard of care is about $8 per patient in Alaska, while the standard of care for mental illness is only about $4.07 on the average in most States. Of course, Alaska has a high cost of living, as the Senator from Alaska knows. That would somewhat discount the relatively high per capita expenditure which the State makes.

Mr. GRUENING. I thank the Senator for his comment.

Mr. LONG of Louisiana. When we compare this to a hospital cost of $26 per day nationwide, Senators can see that is very low.

Mr. CLARK. Mr. President, I turn to the third reason why I believe the conference report should be rejected. As I understand it, no really serious effort was made to hold to the Senate's position that the earnings criterion for older people should be raised from $1,200 a year to $1,800 a year. I myself have had a bill which would raise the criterion to $2,400 before the Committee on Finance for 2 years. I think this ought to be the absolute minimum. The committee adopted a compromise of $1,800, and then gave most of that away. As the Senator said awhile ago, we end up—oversimplifying the case, perhaps, but realistically—with $1,350.

Mr. President, my friend from Louisiana is correct when he says that was a surrender by the Senate conferees to our friends in the House, who, as I understand it, were quite unwilling to have any bill come from the conference which would increase the social security tax by as much as one-tenth of 1 percent.

The PRESIDING OFFICER. The time of the Senator from Pennsylvania has expired.

Mr. CLARK. Mr. President, will the Senator yield me an additional 5 minutes?

Mr. LONG of Louisiana. I yield 5 minutes to the Senator from Pennsylvania.

Mr. CLARK. I believe the House was wrong in that regard. I believe, with my friend from Louisiana, that if we appointed conferees to go back to conference who really represented the prevailing view in the Senate, we could persuade our friends in the other body to yield on this and on several other points I have raised.

I turn now to the fourth reason why I think the conference report should be rejected. As the Senator from Louisiana has so well said, this bill, when it left the Senate, blanketed under social security coverage 600,000 additional individuals who have been working on a part-time coverage of social security. When the bill came back from the conference the 600,000 had been reduced to 400,000.

In addition, the 200,000 eliminated were the most needy of the entire lot. This seems to me to be the wrong way to approach the problem. It is sort of a "wrong-way Corrigan" approach. If one is going to cut down in conference, for goodness sake, one should cut down those who are the least needy. We should keep the most needy under the terms of the bill, and not cut them out.

That action seems to me to evidence a quite unfortunate lack of compassion.

For these reasons, I shall support the position of the Senator from Louisiana, and I shall vote against the conference report.

Mr. President, I wish to turn to another subject with respect to which I suspect my good friend from Louisiana and I are not in complete accord. I wonder if my friend will permit me 5 minutes from now to complete my comments.

Mr. LONG of Louisiana. I yield to the Senator.

NEED FOR CHANGE IN SENATE RULES

Mr. CLARK. Mr. President, I turn now to the lessons which we should perhaps learn from this debate with respect to the rules of the Senate. Those lessons, I think, are four in number.

In the first place, we should have learned again from this debate what we have learned to our sorrow many times in the 4 years I have served in the Senate: that when we send Senate conferees to conference, regardless of their force, of their vigor, or of their integrity, if they do not believe in the position of the Senate in opposition to the position of the House, we must expect we are going to get a conference report back which is not the kind of compromise which Senators who believe in the position of the Senate would have been able to negotiate had they been the conferees.

Mr. President, I yield to no man in my respect and admiration for the Senate conferees in this case. I point out, however, that the only Senate conferee who refused to sign the conference report was the Senator from Louisiana, and he was the only Senate conferee who supported the position of the Senate.

I suggest, Mr. President, that is not a very sensible way of doing business either in the Senate of the United States or elsewhere. Who would hire a lawyer who did not believe in his client's case to represent him? Who would send somebody who though his side was wrong to negotiate for him in a labor dispute? What sense is there, Mr. President, in sending Senate conferees to deal with House conferees to represent a position of the Senate with which they do not agree?

This argument has been made on the floor many times. Senate precedents are 100 percent in support of the position I have just indicated. If a Senator wishes to make a fuss, or a row, or to make himself unpopular with many of his senior colleagues in positions of great importance in the Senate, colleagues who are serving on committees with whom he would like to work and request to do things for him in the future as they have done in the past, he has to be a pretty brave Senator to do so. Perhaps he would not actually be properly representing the interests of his State if he stood up on the floor of the Senate and demanded that the conferees who are proposed by the chairman of a committee should be rejected and other conferees who support the position of the Senate should be appointed in their place—because in the long run it might hurt his State's interests in the future.

There have been brave Senators of that sort on this floor. I recall reading about an occasion before I came to the Senate when the Senator from Louisiana did just that. But I wish to say to all who may read my remarks that that is not the way to win friends and influence people.

I have had pending in the Senate Committee on Rules and Administration for over a year a proposed rule which would automatically require that a majority of the Senators going to conference must represent the prevailing view of the Senate with respect to matters on which the Senate and House are in disagreement.

That proposed rule has never received a hearing; that proposed rule has never had a discussion. That proposed rule was buried 10 fathoms deep because of what seems to me to be an entirely erroneous position with respect to seniority and an erroneous position with respect to the thought that it might be construed to be an adverse criticism of some of our most dearly beloved and respected Senators.

I say that next year we had better change that rule, if we wish to enact the program of the Democratic Party, which I confidently expect to win the election.

Mr. LONG of Louisiana. As the Senator from Pennsylvania knows, there is no Senate rule that stands between this body and the appointment of conferees who represent the majority position of the Senate.

Mr. CLARK. I have already so stated.

Mr. LONG of Louisiana. Our failure to get such conferees is because of our timidity, not because of the absence of a Senate rule. There is no rule standing in our way. Many times the Senate has insisted that the seniority habit be discarded in favor of a guarantee that the majority of the conferees would be those who could be depended upon to fight to the bitter end for the position of the Senate. I have been here longer than has the Senator from Pennsylvania and I have seen that happen.

Mr. CLARK. The Senator is far younger than I. He has been here many more years than have I. I know that. Let me say that if those who supported the Anderson-Kennedy amendment, which to my deep regret was defeated by a vote of 51 to 44, a fight would have been made for the appointment of conferees who favored the Anderson-Kennedy amendment, there would have been a real row in the Senate. We would have won that fight because the precedents of the Senate support us. There would have been bruised feelings, naturally, but we would have to do it.

I regret very much that the Senator from Louisiana did not choose to make a fight with respect to the conferees when his own amendment was adopted, because he knew very well what would happen to it in conference. Had he done so I would have stood shoulder to shoulder with him in getting proper conferees appointed.

Mr. LONG of Louisiana. When the Senator makes that point, he knows as well as I do that Senators who have senior positions on the Finance Committee have taken the attitude that they would be offended if it were even suggested that they would not fight to the bitter end for an amendment for which they had not voted, once the Senate had instructed them to do so. Advice was asked of Senators, when the conferees proceeded to move to recede and agree to that which was reported to the Senate, and the attitude was that other provisions of the bill that we wished to retain would be jeopardized if we fought to keep that particular provision.

Of course, those Senators had voted for a number of provisions in the bill. The Senator knows what the problem is in that regard.

I say that it is time the Senate started to stand up, when the facts demonstrated by those who offered the amendment are that there is a chance to get it agreed to if a more determined fight were made. I do not know how one can tell a Senator how much effort he should make for something, or how determined he should be in a conference. When I was asked before the final vote on this matter what I thought should be done, I said I thought we should go back and request that the Senate report the difference with the House, and that the House conferees do the same thing and give the House itself the first opportunity it has ever had to vote and express how the House feels about these matters, because the social security bill, as the Senator knows, was brought out under a cloture rule in the House, and they could not vote on the kind of amendment that the Senator had in mind on the House side, could they?

Mr. CLARK. The Senator is correct.

I turn to the second lesson I think we should learn from this debate with respect to the need for changes in the rules of the Senate, and with this I am sure my friend from Louisiana will be in complete disagreement, as will many other Senators.

Last week I proposed a rule which would limit the time which any Senator could hold the floor to 3 hours. I believe that is a sound and wise amendment. I do not believe there is any subject, no matter how important, that comes before the Senate which cannot adequately be discussed by one Senator in 3 hours, and if there are any Senators who agree with him, and if he is unable to make a complete case in 3 hours, his colleagues can make what is left of the case in the 3 hours each which are available to them.

I point out that in ordinary cases which come before the Supreme Court of the United States, cases of infinite complexity, else they would not have reached oral argument in that tribunal, arguments are normally limited to 1 hour on each side. I say that if a great constitutional case can be argued in the Supreme Court of the United States with 1 hour allowed to each side, Members of the U.S. Senate should be able to make their points in a maximum of 3 hours. I point out that if that had been the case in this debate, we would have had a vote on this amendment early Saturday afternoon. We would have had germane debate throughout the entire discussion. In my judgment, not

one vote would have been changed from the way we shall vote at 2 o'clock this afternoon.

In the modern world, with crises breaking overseas almost daily, from Cuba to the Congo, with domestic problems piling up like a logjam in the winter before the ice breaks in the spring, we cannot afford next year to have the Senate held up for indefinite periods of time while speeches made solely for the purpose of delay prevent the Senate from taking action.

So I say that the second lesson we should learn from this debate is the desirability of a rule which would limit the amount of time that any one Senator can hold the floor on any one subject.

The third lesson which I think we can learn from this debate with respect to the rules of the Senate is the desirability of a rule of germaneness. Nothing could have indicated that more aptly than what has happened this morning. Senators are anxious to vote on the conference report. One Senator—one sincere, one honorable, one able Senator, the junior Senator from Louisiana [Mr. LONG]—can keep the Senate from voting on this conference report as long as breath remains in his body and he can stand on his feet, and those of us who honor the Senator from Louisiana, love him, and respect him, know that the Senator has a plentiful supply of breath, and that he can stand on his feet for a very long time. I think I am right in saying that at one point in the history of the Senate he held the record for having held the floor longer than any other Senator in this body, and I suspect that unless we change the rules, he will try to beat that record and again take first place in the senatorial league with respect to how long he can hold the floor.

Mr. LONG of Louisiana. Mr. President, I remind the Senator that I have never been within 12 hours of the record.

Mr. CLARK. Then the Senator having been within only 12 hours of the record, has still spoken on a great many occasions for more than 3 hours, which is the limitation which I would like to see in effect.

Under the present rules the Senator from Louisiana—and he has many friends in that respect—could have indefinitely prevented this matter from coming to a vote if he had wanted to prevent it. So the only way we can get a vote is through his generosity and graciousness—when he finally agreed to cease and desist from preventing a vote coming at 2 o'clock; but it took a unanimous-consent agreement to do it. If we had not agreed to vote at 2 o'clock, a great many Senators would have wanted to talk about something else. As it is, we have already had a little nongermane debate on defense, between the Senator from New York and the Senator from Missouri. I was happy to participate in that debate. As long as the Senate rules are as they are, we might as well live up to them. As long as we have the present Senate rules, I intend to take full advantage of them.

The third lesson we can learn from this debate is the desirability of a rule of germaneness, this is one illustration and good evidence of how nongermane debate can delay action in the Senate. I state again my firm belief that we should have in the Senate a rule of germaneness, as well as a rule limiting debate. If we had these rules, we could cut down the time wasted on the floor by at least 50 percent, and in that way we could do in 3 months what takes 6 months to do now. I hope we will be able to save that much time next year.

Now the fourth lesson which we can learn from this debate is the desirability of having a rule permitting the previous question to be moved after there has been adequate debate on any bill or amendment. Generally speaking, in that regard, 15 hours of debate is sufficient before we should come to the point where a majority of the Senate can determine whether a bill shall be passed or rejected.

I point out that we are getting very close to the 15 hours' time in connection with the pending conference report. It may be that we have exceeded that time.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CLARK. I ask for 3 more minutes.

Mr. LONG of Louisiana. I yield 3 additional minutes to the Senator from Pennsylvania.

Mr. CLARK. If my proposed rule were in effect, and if a majority of Senators should agree with me and should vote to move the previous question, then under my proposed amendment there would still be 4 hours of debate, to be divided equally between the two sides, before a vote could be had on the pending conference report.

I say that this is the only legislative body in the world which is not able to act when a majority of it is ready for action. I must make one qualification in that respect. This body can act in 10 minutes if it wishes to defeat a measure. Any Senator can move to table an amendment. Every Senator and many of the guests in the galleries know the many occasions during this session alone when a motion to table has been used to defeat a measure. At the same time there is no way in the world under the present rules of the Senate by which a majority can get a bill passed for the benefit of the country and for the benefit of the free world. There is no way we can do it under the present rules of the Senate if one Senator objects and is willing to talk indefinitely.

So I point out that the fourth lesson we should learn from the debate is the need to have a rule permitting the previous question to be moved and to have it moved without further debate after a reasonable debate on any amendment, motion, or pending matter has been had. Then if the moving of the previous question results in an affirmative vote, we can still have an hour of debate on each amendment or other matter, and 4 hours on the final passage.

What would the result of moving the previous question have been if it had been invoked in connection with this debate? We would have had the same result as we have obtained by the unanimous consent agreement. But we would have achieved the same result by the vote of the majority of the Senate, not because of the acquiescence of one Member who is either fatigued or thinks he has made the point and is willing to desist.

I shall vote against the conference report. I shall support the Senator from Louisiana if he asks to send the matter back to conference and to appoint other conferees, in the hope that they can have some impact on our friends in the House.

Mr. LONG of Louisiana. Before the Senator leaves the Chamber I hope that he will listen to my reaction to his suggestion. I know he would like to go to lunch.

Mr. CLARK. I will stay if the Senator will make his reply within a reasonable time.

Mr. LONG of Louisiana. I will try to reply in the same amount of time that it took the Senator to make his suggestion.

I do not quarrel with anything the Senator has said except his advocacy of the motion with respect to the previous question.

The Senator from Pennsylvania has made a very fine speech. Unfortunately, he did not have more than five Senators to listen to him. I doubt that of the five there is more than one who has an open mind. I believe that four of the five have already decided how they will vote. The junior Senator from Louisiana is appealing for some help in behalf of the neediest and most desirable cases of them all. I see before me nothing but a sea of empty seats on both sides of the aisle.

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

Mr. LONG of Louisiana. I yield.

Mr. CLARK. If there were five Senators here, I would say that four of them were not listening.

Mr. LONG of Louisiana. It seems to me that one of the good things that can be said for the Senate rules is this: Senators can criticize the junior Senator from Louisiana, as he has been criticized by the press and by the Republican Party, for what he believes in in connection with the conference report. The trouble is that we are too timorous. That includes me, too. We do not fight to do something for the needy, the disabled. We do not vote for what is in our platform. We have surrendered. As far as a man making his fight is concerned, I tried to do my best on Saturday night. Most Senators did not like it. It takes the hide of a rhinoceros to do what I have tried to do. I have been criticized in the press and by Senators. Some Senators have told me—and I do not say this only of Senators who are now serving, but also former Senators, like Burton Wheeler—that if a Senator wishes other Senators to understand what he is trying to say, it is necessary for him to make the speech twice.

It is necessary to make it twice, because only a few are on the floor at a time to hear the Senator, and others do not know that the Senator has even made a speech.

I know I made some headway by making my long speech. I did not expect the support of the Senator from Pennsylvania. I think my speech, or the fire of my speech, perhaps, struck some tinder. I did not know that I would have his vote when I started out.

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

Mr. LONG of Louisiana. I yield.

Mr. CLARK. In my judgment the Senator from Louisiana has made his speech not twice, but four times, each time to an empty Chamber. The first time he made it he convinced the Senator from Pennsylvania.

Mr. LONG of Louisiana. I had a much better representation on the Republican side during the early morning hours of Sunday. Apparently they were trying to keep enough Members here to try to force a vote at that time.

Mr. CLARK. I believe they were all here because they were cooking up a funny telegram to send to the junior Senator from Massachusetts [Mr. KENNEDY].

Mr. LONG of Louisiana. I do not know what the purpose was. I must say that I heard a great deal of laughter coming from the Republican cloakroom while I was standing here making my speech. My guess is that on some occasions the wit and good nature of what they were doing produced more noise in the Chamber than the junior Senator from Louisiana produced on the floor while he was speaking.

Mr. CLARK. It got on the Western Union wires.

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

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. It is good that the Senator from Louisiana has made his speech, even to an empty Chamber, because I feel quite sure, just as he has converted the Senator from Pennsylvania, he has also converted other Senators. I hope the Senator from Pennsylvania will add to his proposed amendment changing the rules of the Senate, an amendment which will make it possible to have Senators listen to so excellent a presentation as that of the junior Senator from Louisiana.

Mr. CLARK. In that regard I invoke the help of the distinguished Senator from Alaska. My thought is that while one can lead a horse to water, it is impossible to make it drink.

Mr. LONG of Louisiana. I ask Senators to consider what they would be doing if they voted against the inclusion of mental cases. I stood on the floor on Saturday night telling about the pitiful condition of these mental cases. We treat a dog better than we treat some of these cases.

When I try to fight for these people, I look across the aisle, and not a single Senator is seated at his desk on the Republican side. Fortunately, there is one good Republican, whose mind is closed against me already, who is occupying the seat of the Presiding Officer, the distinguished Senator from Kansas [Mr. CARLSON]. What chance have I to get a Republican vote?

On the other hand, I see at least one prospect, on the Democratic side of the aisle, so perhaps there is one whom I might persuade to vote with me.

I am not here to ridicule. I shall not take much more time. I simply point out that this is what we are up against when we try to point out the realities of the situation.

Why have all the fine prayers:

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

Nevertheless, we will not vote that way.

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

Mr. LONG of Louisiana. I yield.

Mr. ANDERSON. I would not want the able Senator to refer to me as a prospect. I voted for his amendment. I was one of the conferees who sought to retain it in the bill. I recognize that a good many people thought it might relate to distressed action; but, as I said about another provision, I would not worry about the prospects of this provision at all. I am glad the Senator from Louisiana has brought this situation to the attention of the Senate. I hope that early in the next session of Congress, the Senator's amendment might find its way into a bill and receive consideration in the other House.

Mr. LONG of Louisiana. I am not worrying about that situation. I am talking about the bill as a whole. I think the Senator from New Mexico knows, if he did not know before, that what we have brought back from conference is only about one-quarter of what we voted for in the Senate bill.

Mr. ANDERSON. I think one of the most desirable parts of the entire bill was the part raising to $1,800 the amount a person beyond 65 might earn without great damage to himself or without loss of income. I thought that was a provision which would come back intact from the House. As I recall—and the Senator from Louisiana will correct me if I am wrong—every member of the Senate committee favored the $1,800 amendment. It was presented by the present Presiding Officer, the able Senator from Kansas [Mr. CARLSON]. It was unanimously supported on our side.

In order to show that we were not partisan or narrowminded about this question, we all joined in the effort made to have the amendment of the able Senator from Kansas considered, because he was trying to have adopted something in which we all joined, but as to which we came back from the House almost empty. I think that is unfortunate. I do not know how much the amendment offered by the Senator from Kansas would have cost; but whatever the cost, it was not too much for that particular amendment. I am sorry, indeed, that it did not come back from the conference.

Mr. GRUENING. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. GRUENING. I associate myself with the comments of the Senator from New Mexico. I think the omission of that one provision would justify the Senate in not approving the conference report and sending it back, either with a different set of conferees or with the same conferees, and asking if it would not be possible to restore that provision, which, I agree, is the most important single item in the bill. It is most unfortunate to have omitted the provision which will enable social security recipients to increase their income by working.

Mr. ANDERSON. I can only say that I might differ with the Senator on how I would vote on that particular proposition. After all, some of us believe that even a small concession, when we want a bill might be worth while.

The Senator from Louisiana has brought out so forcefully the situation with respect to tuberculosis hospitals and mental patients that I am certain the Committee on Finance will take a much different view of that situation in the future from what it has taken in the past.

Mr. LONG of Louisiana. This Senator has been around long enough to know that we make great speeches and suggestions to the people of the Nation and tell them about the kinds of things for which we will vote. I have seen great charges made against the breastworks, and have then seen great retreats; great crusades have been followed by great retreats.

The junior Senator from Louisiana would like to point out that it is about time that those who favored the great crusade, which has achieved nothing, proceed to tell the public that they are the ones who led the great retreat.

It is fine to tell a sick man we have voted for him. It is fine to tell someone who cannot get a job that we have voted to assist him.

However, when we lead the retreat from what we have said we would vote for, then I think we ought to say, "My friend, I voted for you when the bill was before the Senate, but in the conference I led the great retreat."

I can say this, however, no Democrat can claim as much credit for the great retreat as can an outstanding Republican I have in mind, the Secretary of Health, Education, and Welfare, Mr. Flemming.

The headline of an article published in the New York Times of April 21, 1959, reads: "Flemming Pleads for Mentally Ill. Says Care Is 'Disgracefully Deficient,' Many Hospitals Only 'Custodial Bases'."

The article continues:

> The Secretary of Health, Education, and Welfare declared today that the mentally ill of the country were receiving "disgracefully inadequate" care and treatment.
>
> Arthur S. Flemming added that the Federal Government had a responsibility to crusade in the field and that it was starting such a crusade.
>
> Many of the country's 277 State and county mental hospitals, he asserted, are "little more than custodial institutions" and "inadequate for even the simplest methods of treatment." The average cost per patient per day, he said, is only $4.07 for care and treatment, that comparing with $26 a day per patient in general hospitals, exclusive of physicians' fees.

That is a statement by the man who led the great retreat, and who recommended against anything of this sort being done, after he had made his great plea and placed himself, across the Nation, in the New York Times and other

large newspapers, as a man who was leading a crusade against disgraceful conditions which existed in State mental hospitals. That is the leader of our retreat.

Now I should like to help to alert Senators to our actions when we say we are for something. I have reference to a book published by the noted Washington cartoonist, Mr. Herblock. He says:

Every once in a while when a Congressman or an entire session of Congress is on the pan, somebody is sure to say, "But they work so hard" or "You don't know how hard they work."

Then he goes on to say:

It's a busy schedule for all of them, even when they're not campaigning for reelection, and I respect their efforts as exhibitions of sheer physical stamina, if nothing else. But that's not what people mean when they rise to the defense of a Congressman by saying he works hard. They mean his work on legislation. And the answer to that is that there's no special virtue in working hard if they're not doing the right kind of work. Better that some of them should stay in bed. You and I work hard, too, and so do those people who engrave the Lord's Prayer on the heads of pins, a mysterious occupation that I've never quite understood, but which at least does nobody any harm.

Unfortunately, some of the Congressmen do harm, and some of the worst ones probably work harder than many of the better legislators. You have to get up pretty early in the morning to fool 150 million people, and stay late at committee meetings, too, if you want to make sure that a good bill is stopped or a bad one is slipped through. And if you're serving some special interests, it probably can be quite a task to get them what they want and still make it look all right to the folks back home. But to the man who's been waiting for a housing bill, let's say, and who finds it still stuck in a committee room when the congressional quitting whistle blows, it's no consolation to know that somebody—or several somebodies—had to work hard to keep it there. And when he comes home to his one-room apartment, he does not tell the little woman and the kiddies, "My, but those poor fellows must have had to work hard to do us out of a better deal than this."

Mr. President, though I may be criticized for keeping the Senate in session all day Saturday and well into Sunday morning, and although I may be criticized for speaking too much in trying to make people understand what is being done concerning the conference report, I have at least accomplished one thing. I have made the conferees work hard to surrender back at least 80 percent of what the Senate proposed. That is some satisfaction. They worked hard to bring back what we see here, when some thought it was going to be extremely easy to do away with what we fought to achieve.

The people get a particularly unfavorable impression of us when they cannot understand why we do not do more to help the workingman.

I do not care to reflect on other Senators. They feel that the Federal Government should not intrude into these fields. Some States are much more interested in economy than they are in social security or public welfare benefits.

The public is most uncharitable and most unkind to us when it sees us advocate that something be done, but then sees that we do so little about it.

For instance, let me refer now to an article from the Washington Post. It refers to my good friend, the Senator from Illinois [Mr. DOUGLAS].

DOUGLAS SCORES "HILL" COALITION

Senator PAUL H. DOUGLAS, Democrat, of Illinois, said yesterday that Democratic presidential candidate JOHN F. KENNEDY should go to the people and denounce the unholy coalition of Republicans and southern Democrats in Congress.

DOUGLAS said KENNEDY should publicly lay the blame on the two groups for the failure of Congress to accomplish much during its current short session.

He also advised KENNEDY to openly call for the coalition to be broken.

DOUGLAS voiced his views in a radio interview, "Radio News Conference," taped for independent stations.

The Illinois Senator said the bobtail congressional session has been a political loss because of obstructionism and negative votes by Republicans and Dixie Democrats.

"But the Democrats of the North and the West will get the blame," he predicted.

DOUGLAS said he was surprised that Senate Democratic leader LYNDON B. JOHNSON, the party's vice presidential candidate, and Speaker SAM RAYBURN did not foresee this would happen. "It's their baby," DOUGLAS added acidly.

Mr. President, one can criticize Republicans and southern Democrats for voting parallel on certain issues. But see what happens when the vote on this conference report comes. See how many so-called liberal Democrats will vote to surrender what they previously voted for. A Senator who does that should not criticize southern Democrats. Here is one southern Democrat who is trying to have the Congress do something about the situation; but I do not have much doubt as to what the result will be. A vote for this conference report will be a vote for a big surrender and a big relinquishment of the things for which the Senate has stood. The Senate voted to do a few things worth doing. The House said that in view of the amount already charged for disability insurance to benefit those above age 50 was sufficient to cover all groups, it would not cause an increase in the charge if all groups were covered. So the House included that provision.

In fact, the bill which came to the Senate from the House would, in the main, not have resulted in any increase in the social security tax. The bill as passed by the House actually provided for little bits and smidgets which could be provided without increasing the social security tax.

Then the Senate proceeded to add some major amendments; and the Senate added more than $1 billion of social security benefits, in addition to what the House has voted. Some Senators then argued that even that was not enough; and, first, our Republican friends offered amendments to do a great deal more in terms of medical care than the Senate actually voted to do.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a tabulation of the additional cost of the Javits amendment, which was voted for by 26 Republican Senators.

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

ESTIMATED ANNUAL COSTS OF JAVITS AMENDMENT

Estimated annual costs under Javits amendment to H.R. 12580 providing for medical services for the aged

	Number of participants [1]	"Minimum" package			"Maximum" package		
		Total Government cost	Federal cost	State cost	Total Government cost	Federal cost	State cost
	Thousands	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*
United States	8,250	$671.8	$320.4	$351.4	$950.4	$462.8	$487.6
Alabama	105	7.6	5.1	2.5	12.1	8.1	4.0
Alaska	2	.2	.1	.1	.2	.1	.1
Arizona	38	3.0	1.7	1.3	4.4	2.5	1.9
Arkansas	85	5.7	3.8	1.9	9.8	6.5	3.3
California	611	60.8	22.8	38.0	70.4	26.4	44.0
Colorado	65	5.0	2.6	2.4	7.5	3.9	3.6
Connecticut	137	14.3	4.8	9.5	15.8	5.3	10.5
Delaware	20	1.8	.6	1.2	2.3	.8	1.5
District of Columbia	28	2.6	1.0	1.6	3.2	1.2	2.0
Florida	257	20.5	11.3	9.2	29.6	16.3	13.3
Georgia	113	8.2	5.3	2.9	13.0	8.3	4.7
Hawaii	17	1.4	.8	.6	2.0	1.1	.9
Idaho	32	2.7	1.6	1.1	3.7	2.2	1.5
Illinois	510	44.1	17.4	26.7	58.8	23.2	35.6
Indiana	253	19.8	9.8	10.0	29.2	14.5	14.7
Iowa	164	$11.0	$6.3	$4.7	$18.9	$10.8	$8.1
Kansas	116	7.7	4.3	3.4	13.4	7.5	5.9
Kentucky	141	10.9	7.2	3.7	16.2	10.7	5.5
Louisiana	61	4.2	2.6	1.6	7.0	4.4	2.6
Maine	62	4.7	2.7	2.0	7.2	4.2	3.0
Maryland	109	8.9	4.2	4.7	12.6	5.9	6.7
Massachusetts	301	29.7	17.8	16.9	34.7	15.0	19.7
Michigan	358	33.8	15.2	18.6	41.3	18.6	22.7
Minnesota	172	14.0	7.6	6.4	19.8	10.8	9.0
Mississippi	65	4.2	2.8	1.4	7.5	5.0	2.5
Missouri	228	16.2	8.4	7.8	26.3	13.6	12.7
Montana	34	2.5	1.3	1.2	3.9	2.0	1.9
Nebraska	80	5.4	3.1	2.3	9.2	5.3	3.9
Nevada	8	.7	.3	.4	.9	.3	.6
New Hampshire	38	3.0	1.6	1.4	4.4	2.4	2.0
New Jersey	320	26.0	10.0	16.0	36.9	14.1	22.8
New Mexico	20	1.6	1.0	.6	2.3	1.4	.9
New York	924	79.8	29.8	50.0	106.4	39.7	66.7

[1] Assumes 75 percent participation by the 11,000,000 persons eligible to participate in the program.

ESTIMATED ANNUAL COSTS OF JAVITS AMENDMENT—Continued

Estimated annual costs under Javits amendment to H.R. 12580 providing for medical services for the aged—Continued

	Number of participants	"Minimum" package			"Maximum" package		
		Total Government cost	Federal cost	State cost	Total Government cost	Federal cost	State cost
	Thousands	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*	*Millions*
North Carolina	152	$9.7	$6.4	$3.3	$17.5	$11.6	$5.9
North Dakota	29	1.9	1.2	.7	3.3	2.1	1.2
Ohio	473	40.1	17.8	22.3	54.5	24.2	30.3
Oklahoma	94	6.4	3.8	2.6	10.8	6.5	4.3
Oregon	104	9.5	4.9	4.6	12.0	6.2	5.8
Pennsylvania	629	44.1	21.4	22.7	72.5	35.1	37.4
Rhode Island	53	5.3	2.6	2.7	6.1	3.0	3.1
South Carolina	68	3.8	2.5	1.3	7.8	5.2	2.6
South Dakota	35	2.2	1.4	.8	4.0	2.6	1.4
Tennessee	137	9.7	6.4	3.3	15.8	10.4	5.4
Texas	287	$23.2	$13.0	$10.2	$33.1	$18.5	$14.5
Utah	30	2.3	1.3	1.0	3.5	2.0	1.5
Vermont	23	1.9	1.1	.8	2.7	1.6	1.1
Virginia	140	9.3	5.4	3.9	16.1	9.4	6.7
Washington	143	14.2	6.7	7.5	16.5	7.8	8.7
West Virginia	94	6.3	4.0	2.3	10.8	6.8	4.0
Wisconsin	224	16.6	8.7	7.8	25.8	13.5	12.3
Wyoming	13	1.0	.5	.5	1.5	.8	.7
Puerto Rico	47	2.1	1.4	.7	5.4	3.6	1.8
Virgin Islands	1	(2)	(2)	(2)	.1	(2)	(2)

[2] Less than $50,000.

NOTE.—In addition to the above costs, for the Kerr-Frear plan, to which the Javits plan would be attached, 1st year estimated costs were $202,000,000.

Therefore, the overall cost of the Javits amendment would be $522,400,000 for the "minimum" package, and $664,800,000 for the "maximum" package.

Mr. LONG of Louisiana. The minimum expectation of the cost of the Javits amendment was $320 million, and the maximum was $462 million. So let us say the average would be $420 million—as the additional cost which would have been entailed by the Javits amendment.

Then the Anderson amendment was offered. Its first-year additional cost was estimated at $720 million supported by 42 Democrats. So 26 Republican Senators and 42 Democratic Senators—or a total of 68 Senators out of the 100—voted for far more than what was called for by the bill as reported by our committee. In other words, those Senators wanted to go much further than that—anywhere from $700 million to $400 million beyond anything called for by the bill as reported by our committee. Apparently that was the position of a great majority of the Members of the Senate.

After they failed to get that much agreed to, the same Senators voted for a bill which provided for benefits totaling $1 billion over and above the cost of the benefits voted for by the House.

Now we see that those who voted for so much, today are willing to settle for about 10 percent of that for which they previously voted. I presume they will try to explain why they voted for the much greater benefits in the first instance, but will not vote for them in the second instance.

Mr. President, how much time remains available to me?

The PRESIDING OFFICER (Mr. Moss in the chair). Twenty-four minutes.

Mr. LONG of Louisiana. How much time remains available to the opposition?

The PRESIDING OFFICER. Thirty minutes.

Mr. LONG of Louisiana. Mr. President, I observe four other Senators in the Chamber, and I do not see any particular point in my using more of the time available to me when the Chamber is virtually empty. So I suggest that the opposition now use some of their time, if they care to do so.

Mr. DWORSHAK. Does that mean that the Senator from Louisiana has used all the time he desires to use?

Mr. LONG of Louisiana. No; but I have used more time than the opposition has. So I suggest that the opposition now proceed to use some of their time; or, if not, I suggest that we have a quorum call, and charge equally to both sides the time required for the quorum call.

Mr. DWORSHAK. I object, because we have an agreement to vote at 2 o'clock, and a quorum call could mean that the vote would be taken later than 2 o'clock, could it not?

Mr. LONG of Louisiana. It could.

Mr. DWORSHAK. I object.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. DWORSHAK. Mr. President, I am prepared to yield 5 minutes to the Senator from New Jersey.

Mr. AIKEN. Mr. President, I suggest the absence of a quorum, if it is agreed that the time required for it shall not be charged to either side.

Mr. DWORSHAK. Mr. President, if the Senator from Vermont will, instead, request that the time required for the quorum call be charged equally to each side——

Mr. LONG of Louisiana. If it is understood that after calling the roll for 10 minutes, the order for the quorum call will be rescinded, then I shall have no objection.

Mr. AIKEN. My purpose is to alert the absent Senators to the fact that there is now no activity here. If the quorum call is begun, after a reasonable time it can be called off.

The PRESIDING OFFICER. Is there objection?

Mr. CASE of New Jersey. Mr. President, is it proposed that the time required for the quorum call be charged equally to both sides?

Mr. AIKEN. No. The purpose is to have the absent Senators notified.

Mr. DWORSHAK. Mr. President, reserving the right to object, let me point out that we have an agreement to vote not later than 2 o'clock. Therefore, if the current debate were to continue beyond 2 p.m., it would be subject to objection.

Mr. LONG of Louisiana. Mr. President, I have no objection to having the time required for a quorum call charged equally to both sides.

The PRESIDING OFFICER. Is there objection to the request that there now be a quorum call, and that the time required therefor be charged equally to both sides? The Chair hears none; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. DWORSHAK. Mr. President, I yield 5 minutes to the Senator from New Jersey [Mr. CASE].

The PRESIDING OFFICER. The Senator from New Jersey is recognized for 5 minutes.

Mr. CASE of New Jersey. Mr. President, several years ago the New Jersey Teachers Pension Fund and the New Jersey Public Employees Pension Fund were integrated with the Federal social security system.

A cardinal feature of the plan by which this integration was accomplished was the so-called "offset" provision. Under this provision, the amount of any social security benefits a member of either of the New Jersey funds became entitled to as a result of his employment as a teacher or public employee in New Jersey would be deducted from the pension such person would otherwise receive from the State Teachers or New Jersey Public Employees Pension Fund.

The integration of our State funds with the Federal social security system required, of course, an affirmative vote of approval by the members of the two New Jersey pension funds. Such approval was given after a period of spirited discussion and thorough explanation of the provisions and implications of the integration plan.

In the course of such discussion, it was explicitly and specifically stated to the teachers and other public employees that, if the integration plan was approved, any of them who considered it in his own interests to do so could avoid the operation of the "offset" provision and receive both the benefits under the social security system and the State pension by retiring from public service before his social security benefits matured as a result of such public service.

The ability to do this was an affirmative inducement to a large number of New Jersey teachers and other public employees to vote for the integration plan.

In addition, many teachers and other public employees of New Jersey have subsequently rendered years of service in the justified expectation that they would be able, in the manner stated, to avoid the effect of the offset provision. So, in a very real sense, the ability to avoid the offset was a part of the consideration for the service rendered by these individuals in their public employment in New Jersey.

In the bill before the Senate, when it originally went before the House, there was a provision shortening the time under which individuals would qualify for social security benefits. The effect of this would be to fully qualify, retroactively, many teachers and other public employees in New Jersey as a result of their public service and thus make it impossible for them to avoid the offset provision to which I have referred.

The Senate Finance Committee took a somewhat different approach but, insofar as male teachers and public employees were concerned, the results would have been the same. So when the bill came before the Senate, the committee very generously agreed to take to conference an amendment offered jointly by my colleague, the Senator from New Jersey [Mr. WILLIAMS] and by me, under which the members of the New Jersey Teachers and Public Employees Pension Funds would be exempted from the provisions of the pending bill.

In conference, Mr. President, the Senate conferees receded and accepted, with modification, the House approach, but the conferees dropped the provisions of the Williams-Case amendment. The result is that under the bill agreed to by the conferees, many teachers and other public employees of New Jersey will lose their right to avoid the effect of the offset provision which they had counted on when they voted for the integration of the Teachers and Public Employees Pension Funds with the social security system.

This question was raised in the House, when the conference report came before the House for action, by Representative CANFIELD, of New Jersey, in a colloquy with Representative MILLS, Chairman of the House Ways and Means Committee. Mr. CANFIELD referred to a letter which Mr. MILLS had written him, explaining the reasons why the House conferees felt that the Williams-Case amendment was undesirable.

I ask unanimous consent to have Representative MILLS' letter appear in full at this point in the RECORD.

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

COMMITTEE ON WAYS AND MEANS,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 26, 1960.

Hon. GORDON CANFIELD,
House of Representatives.

DEAR GORDON: This letter is to inform you, as I promised I would, of the conference action on the social security bill on the Senate amendment relating to teachers and other public employees in the State of New Jersey. This is the provision which you had discussed with me and other House conferees on behalf of yourself and the rest of the New Jersey delegation urging that the House conferees accept the Senate amendment. This amendment was deleted from the bill in conference. You were also interested in an exception in the case of New Jersey if any change was made liberalizing the quarters of coverage requirements.

I am sure you are aware of the fact that on August 23, when the Senate amendment was being discussed in the Senate, Senator KERR, who at that time was handling the bill on the Senate floor, stated at page 17228 of the CONGRESSIONAL RECORD: "I have not had time to digest the amendment; neither have the other members of the committee. However, in view of the fact that they have stated it relates only to New Jersey, I hope it will be accepted and taken to conference. If it is found there to be objectionable, it can be taken out of the bill."

During our discussion of the liberalizations in eligibility requirement in conference the main objection which was raised to adding the changes the New Jersey House delegation were urging was that it was designed to exclude public employees in the State of New Jersey from the liberalizations. Since the social security insurance system is a nationwide system, the eligibility requirements must be the same for all workers throughout the country. The conclusion was reached that this is a matter entirely within the control of the State of New Jersey, and that if the State desires to do so it can change its provisions relating to public employees who are also covered by social security. I hope that you will agree that this is the logical and reasonable way to handle this situation. The Congress in any legislation which it enacts affecting the whole of the United States cannot make exceptions which take into account individual provisions of either public or private pension plans.

I am advised that in 1956 when the provision relating to the age for women to become eligible for benefits was reduced from age 65 to age 62, and certain general liberalizations were made in eligibility requirements, the State of New Jersey did amend provisions of its law relating to public employees in such a way that such employees, both women and men, who had already retired, would not be affected by the liberalizations in these requirements in the Federal law.

The conferees agreed that the above considerations were basic and fundamental and for this reason it was decided that no exception should be made in the case of New Jersey.

I regret that the House conferees were not able to accede to your request, but under the circumstances both in the matter of policy and precedent it appeared that the Senate amendment was undesirable particularly in light of the fact that this is a State matter which can be handled at the State level.

Sincerely yours,

WILBUR D. MILLS.

Mr. CASE of New Jersey. Mr. President, Mr. CANFIELD then asked Mr. MILLS to summarize the reasons for the action of the conference in rejecting the Williams-Case amendment. I read now what Mr. MILLS replied.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. CASE of New Jersey. I ask for 3 minutes.

Mr. DWORSHAK. I yield the Senator only 1 more minute. We are under limited time.

Mr. CASE of New Jersey. Mr. MILLS said:

As I tried to point out in the letter to my friends from New Jersey, this is a matter that I think really involves State law rather than Federal law. We cannot, and at least I do not want us, to get into the habit of making exceptions at the request of individual States to some broad improvement in the Social Security Act. I think the States can more easily adjust their own laws to conform to this program since this is a Federal program.

It is my understanding this is not only the view of Chairman MILLS, but also the view of the experts in the social security system whose offices are located downtown.

I should like to ask the Senator from Delaware [Mr. WILLIAMS] who is a member of the Finance Committee and was one of the conferees on the pending bill, whether that is also his understanding, and whether it represents as well the view of at least a majority of the members of the Senate Finance Committee.

Mr. WILLIAMS of Delaware. Mr. President, if the Senator will yield, I was told that represents the sentiment of the majority of the conferees of the Senate, who felt this was a State matter. I think Chairman MILLS has accurately stated the case.

Mr. CASE of New Jersey. So, in the judgment of the Senator from Delaware, who I know speaks for the majority of the members of the Senate Finance Committee, this should be handled at the State level rather than at the Federal level.

Mr. WILLIAMS of Delaware. The Senator from New Jersey is correct. I cannot imagine the Senate Finance Committee or the House Ways and Means Committee ever acceding to the suggestion that the Federal Government should handle this New Jersey problem which the State of New Jersey can easily, and I believe should, take care of itself.

The PRESIDING OFFICER. The time of the Senator from New Jersey has expired.

Mr. DWORSHAK. Mr. President, I yield 10 minutes to the Senator from Kansas [Mr. CARLSON].

The PRESIDING OFFICER. The Senator from Kansas is recognized for 10 minutes.

Mr. CARLSON. Mr. President, during this debate there has been much discussion of the problems of our mental health programs in Kansas, in other States, and throughout the Nation. Before we agree to the conference report, I wish specifically to mention at least the great progress which has been made in our own State and in the Nation in regard to this problem.

Before I do, I wish to compliment the Senator from Louisiana. I think the Senator has rendered a service in a field about which every Member of the Senate is greatly concerned. I sincerely believe if the distinguished Senator from Louisiana will make a further study, he will find it is not so much a question of money which make these programs work as it is a question of trained people. No matter how much money we provide, we cannot now hire a sufficient number of psychiatrists to do the work,

and we would have great difficulty getting the needed nurses. I am sure every Senator who has been a State Governor knows of that problem. I have had some experience myself in that field. It is not simply a question of dollars, when it comes to working on a program such as this.

Mr. President, I wish to discuss the State of Kansas first. The State of Kansas has gone from the very lowest position among the States of the Nation in the care of the mentally ill to the top. It is only in recent years that we have actually come to grips with this problem. We are now treating patients for mental illness, instead of incarcerating them in hospitals, which in reality, became prisons for the rest of their lives.

I will admit that our State, as well as other States, had that as its only program for many years. We have progressed from that stage to the stage of treatment. In reality, those hospitals became prisons, where such people were committed for the rest of their lives, as the Senator from Louisiana has mentioned on several occasions during the debate.

I think I should mention that we in Kansas are fortunate, in that the Menninger Foundation is located at Topeka and has for many years conducted a program of research and carried on clinical demonstrations which prove that mental illness responds to treatment exactly like physical ailments.

There was a feeling at one time in the Nation that mental illness would not respond to treatment. It does respond to treatment, and that has been proved.

As we observed the effectiveness of the work of the Menninger Foundation, we in Kansas became convinced that their program was good not only for Kansas, but also for the Nation.

In 1947, Kansas decided to do something about its mental health problem, and while I am going to discuss the mental health program from a national standpoint, I also wish to discuss some of the changes that have taken place in Kansas since 1947.

As Governor of the State, I not only took a personal part in the campaign which our citizens and the Kansas Legislature approved, but also took steps necessary to get the program underway.

One of my first official acts was to appoint a commission composed of outstanding doctors and private citizens and to charge them with the responsibility of making recommendations to the Governor and the legislature for changes in our mental health program.

It was fortunate for the State that Dr. Franklin Murphy, former chancellor of Kansas University and at that time director of the Kansas University Medical Center, and Dr. Karl Menninger of the Menninger Foundation, agreed to serve on the committee. They spent much time on this study and report. I think the results speak for themselves.

Kansas has experienced a tremendous change in its State mental institutions. We have advanced from 45th place among the States, in 1948, in per capita expenditures for maintenance, to 10th in 1951—6th in 1952—and 3d in 1955. Our standing has progressively risen since.

Under our present mental health program approximately 80 percent—as a matter of fact, over 80 percent—of those who are admitted to our hospitals are released within 1 year.

In other words, we are treating these people. We are not incarcerating them in the hospitals. We provide mental treatment for mental illness, which gets these people back into society, where they become productive again. This is not only the humane thing, but also the economic thing, to do.

Our State program not only provides outstanding psychiatric and medical care, but also provides for outpatient and at-home treatment.

I believe that Kansas has the only system of State hospitals in the country where there is not a long waiting list—and where people do not have to sit in jail for a week or a month before they can even enter a hospital, where a doctor might see them a month later.

Mr. LONG of Louisiana. Mr. President, will the Senator yield on my own time?

Mr. CARLSON. I am happy to yield to the Senator on my time. I believe I have sufficient.

Mr. LONG of Louisiana. The kind of thing about which the Senator is speaking, in regard to Kansas, is what I should like to see done all over, that and perhaps a little bit more. The State of Kansas recently increased expenditures for this purpose by 600 percent.

Mr. CARLSON. I appreciate that.

Mr. LONG of Louisiana. The Senator is not speaking for the average State, but is speaking for a State which is one of the leaders in this field.

Mr. CARLSON. I appreciate the kind remarks of the Senator from Louisiana, because this is a field with which I am somewhat familiar. As I said, I think the Senator has rendered a service by bringing this to the attention of the country at the present time.

This work can be done by the States. It is not necessarily a question of money. We have to provide psychiatrists, nurses, and trained personnel.

We have been fortunate to have the Menninger Foundation located at Topeka, Kans. We have more people in training than are training in any other place in the Nation. We use them. This has been a great advantage for Kansas.

I thank the Senator.

Mr. President, we are spending our State funds for the treatment of those who become mentally ill rather than for the construction of new buildings in which to confine them permanently. Ours is a program of treatment and cure rather than of incarceration.

That situation prevailed in our State at one time, and I have no doubt it prevails in some States in this country today. We in Kansas are spending our funds for the treatment of those who are mentally ill, rather than for the construction of new buildings into which to confine them permanently.

One of the mistakes we make when we talk about the treatment of the mentally ill is to talk about the building of elaborate hospitals and the spending of large sums of money to provide new and elaborate hospitals. These people can be treated in very nice, modern buildings. We do not need elaborate hospitals for treatment of these people, as is true for treatment of some other illnesses. We have proved that. Ours is a program, in Kansas, of treatment rather than incarceration.

Mr. President, I now wish to talk about the work of the Federal Government.

The Federal Government has a long history of concern with the problems of mental illness, including those of providing appropriate care on both a short term and long term basis for those who develop mental disorders. The formal recognition of these problems within the Public Health Service dates at least from 1928 with the establishment of the Mental Hygiene Division and the program developed by this group which resulted, among other things, in the establishment of two Public Health Service hospitals devoted to narcotic addiction, the causes for which are broadly based in psychological and psychiatric difficulties of the victims.

Work in this field received a tremendous impetus with the passage of the National Mental Health Act—Public Law 487, 79th Congress—which authorized a more intensive program with respect to the problems of prevention, treatment, and rehabilitation of the mentally ill. Since that date and continuing into the present, the National Institute of Mental Health has developed a broad program designed to promote the proper care of mentally ill persons, responsibility for which has traditionally been vested with the States.

Several approaches to this problem can be identified. First, the Institute provides consultation to State mental health authorities through personnel assigned to regional offices of the Department of Health, Education, and Welfare. Through this device, consultation and assistance with respect to State programs concerned not only with prevention but with outpatient and inpatient care is provided. Where regional office personnel encounter problems they are unable to solve, they may call upon other Institute personnel or outside consultants provided through Institute resources and authorities.

Also of great importance is the activity of the Biometrics Branch of the National Institute of Mental Health, which has the responsibility for collecting information concerning patients in mental hospitals in the United States and for conducting related research and investigations concerning them. This group has not only developed excellent reporting of the size and nature of the problem of hospitalized patients through a series of annual comprehensive reports concerning the number and kinds of patients hospitalized in this country, as well as intermediate reports issued currently on a monthly basis, but it has also done intensive analyses of factors associated with length of patient stay, factors related to release from mental hospitals,

and other considerations involving the efficiency and effectiveness of mental hospital operation and management. With the voluntary collaboration of States highly concerned with this problem, a model reporting area has been developed which has led to information and statistics repeatedly shown to have value to those responsible for mental hospitals in understanding the factors associated with successful and unsuccessful treatment of patients. These data have led to many specific studies in individual hospitals, to reformulation of policies with respect to admission and release of patients, and to extensive exploratory studies of new approaches to treatment and management of patients.

The National Institute of Mental Health, utilizing new authority granted by the Congress several years ago, also has developed mental health project grants, which are dedicated to studies of the problem of the treatment and care of patients. Under these grants, awards may be made to test and evaluate new and improved methods of treatment, staffing patterns, and other aspects of hospital operation considered likely to increase efficiency and results and to return people to the community in as short a time as possible.

The mission of mental treatment is to return people to society. As I stated earlier, it is the human thing to do; it is the economic thing to do. These grants may support not only research activities as such, but some of the associated necessary costs of clinical care for the purpose of demonstrating improved methods and techniques leading to the more effective and economical operation of these hospitals.

The hospital survey and construction program—Hill-Burton—also is available for the purpose of financing the construction of mental health inpatient and outpatient facilities, thereby allowing States and communities to secure in terms of their need help in providing adequate facilities for the care of the mentally ill. The initiative for the utilization of these funds rests with the State and community groups, but these funds have been used for this purpose in numerous cases.

The intramural research program of the National Institute of Mental Health is also devoted to studies of the improvement of patient care and includes a large research program conducted under arrangements with St. Elizabeths Hospital devoted to problems in the area of psychopharmacology.

Finally, it should be pointed out that that the grant program and other services supplied through the Psychopharmacology Service Center of the Institute have done much in testing and evaluating the value and effectiveness of the psychiatrically significant drugs—tranquilizers, and so forth—developed during the last several years. These services include not only comprehensive reporting of the status of research work in this field but also grants for the testing and evaluation of drugs on a research basis and services designed to assure adequate analysis of data secured by investigators.

It is felt that this combination of consultation; grants for research, pilot studies, and treatment; construction of facilities; and the provision of data analyzing services, together with the basic information coming out of the general research grant programs and intramural research of the Institute, provide a meaningful and appropriate pattern of activity and concern of the Federal Government with the problems of the hospitalized mentally ill and others requiring treatment. It should finally be added that the training program of the National Institute of Mental Health has, since 1948, made significant contribution to the production of increased numbers of increasingly well trained psychiatric and other mental health personnel.

Before the vote is taken on the conference report, I urge Senators to keep in mind that it is a step in our program for caring for the aged who are physically ill. I have no doubt that it is the beginning of a great program, and in the future the program will be expanded by Congress. It may be expanded into a program such as that suggested by the distinguished Senator from Louisiana in regard to taking care of the mentally ill and those afflicted with tuberculosis. But these are problems that we have left to the States. The States are working in the field now.

I visited informally with the distinguished Senator from Louisiana [Mr. LONG] the other day, and I firmly believe that the adoption of his amendment would not be of assistance to the mentally ill or to those in tuberculosis hospitals at the present time. I can see that if the program were applied only to those over the age of 65, it could upset some programs in the States that are well on the way. I sincerely hope that the Senate this afternoon will vote to approve the conference report.

Mr. DIRKSEN. Mr. President, how does the time record stand?

The PRESIDING OFFICER. Seven minutes remain to the Senator from Illinois; 20 minutes remain to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, I yield 5 minutes to the Senator from Ohio.

Mr. LAUSCHE. Mr. President, I have listened to the comments of the Senator from Louisiana [Mr. LONG], and I wish to commend him on the sincerity of his presentation. I do not mean by that that I contemplate voting for his proposal, but I know that there are substantial aspects of this problem which he discussed with which I am in agreement. I will not attempt to identify them at this time, except to say what I have already said.

I should like to point out that from my study of the Senate version of the bill and the conference recommendation and with the aid of Mr. Myers, who is here representing the Social Security Board, it appears that the Senate version of the bill, if it had been adopted, would have cost $1,720 million. Of that $1,720 million, $1,400 million would have been absorbed through currently sustained finances in the social security service. The balance of $320 million would include old-age assistance care in the amount of $140 million, medical assistance for the aged under the new program in the amount of $60 million, and care to patients in mental and tubercular hospitals in the sum of $120 million.

Thus under the Senate version of the House bill there would have been those three items amounting to $320 million that would have had to have been financed out of the general fund.

Under the conference report, the social security expenditure will be $450 million; the expenditures out of the general fund will be $200 million, or a total of $650 million, as compared to $1,720 million, the difference being $970 million. That is the difference between the cost of the two plans.

I should like to point out certain factors which I believe the citizens of Ohio should know concerning what its position will be in respect to the benefits that it will receive and the cost that it will incur. Ohio will have to expend $1,330,000, to receive $8 million. There are other States that will have to spend much less to receive much more. The Senator from Louisiana and I discussed this matter late Saturday night. For instance, his State, on the basis of the huge expenditures which it has already made, will have to expend $48,000 to receive $13 million.

Mr. LONG of Louisiana. Mr. President, will the Senator yield on my time on that point?

Mr. LAUSCHE. I am glad to yield.

Mr. LONG of Louisiana. In my judgment it is a very misleading and inaccurate chart, for the reason that the chart does not show what the States are now spending. The bill, insofar as the Kerr amendment is concerned, causes the Federal Government to match the States on the expenditures they are already making. The table does not show the amounts the States are now spending and which are matched.

Mr. LAUSCHE. The more a State spends, the more it gets. There is some question on the correctness of that philosophy, because the bill contemplates the principle of "The more you spend the more we will give you." That fundamental question runs into trouble, and I do not believe it is a sound principle, but is a principle which underlies the allocation made by the Federal Government.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield 1 more minute to the Senator from Ohio.

Mr. LAUSCHE. In summary under the conference bill the State of Ohio will receive $7,766,000, providing it spends $1,336,000. This amount of $7,766,000, which it will receive, is a little more than 3½ percent of the $200 million that the Federal Government will expend on a national basis for the 50 States.

However, statistics show that while Ohio will receive 3½ percent, it will have to pay by way of taxes 6 percent of the $200 million, or in other words, $12 million. Thus to receive $7,766,000 it will have to expend $12 million by way of Federal tax, plus $1,336,000 as its

share of the program amounting in all to $13,336,000. Now let us take a look at what the situation would be if the Federal Government would undertake to finance the cost of caring for the mentally sick and the tuberculosis.

The cost for the 50 States would be $120 million. The share of Ohio for financing this program would be $7,200,000, being 6 percent of the total cost.

In return for its $7,200,000 it would receive $1,200,000 being 3½ percent of the total program. Thus it is apparent that Ohio would be far better off if it took care of its own problem even on at greatly liberalized bases.

It would cost Ohio $8,696,000 more than it would receive. I voted for the social security plan. It was not accepted. I shall vote for the conference report, because I believe if the conference report is not approved, we will have no bill at all.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LONG of Louisiana. Mr. President, how much time do we have remaining?

The PRESIDING OFFICER (Mr. CANNON in the chair). Eleven minutes remain to the Senator from Louisiana, and 6 minutes on the other side.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that we may have a quorum call, with 2 minutes being charged to each side. Then we will have the closing arguments of each 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.

Mr. LONG of Louisiana. Mr. President, I have been fighting the conference report for 3 days. I have said that a vote to accept the conference report is a vote for the big backdown. We came back to this session in the belief that we would do something effective to provide medical care for the people. We said we would pass a minimum wage bill. We said we would enact legislation in other fields where legislation is urgently needed. But particularly we said we would do something to provide two major pieces of legislation which would help people.

The Republicans, at their national convention, made the point that the people could not expect anything by listening to the Democrats, who were talking about what they would do for the public. The Republicans said that they would demonstrate at this session that the Democrats talk big but act little. When Democrats vote for the conference report, our Republican friends will demonstrate what they said at their national convention: That we talk big but act little.

Mr. President, we took a House bill, which was passed on the promise that a few benefits could be voted if it was not necessary to increase the tax; a few little bones and scraps could be voted into the program, providing no increase in tax would be necessary now or in the future.

We took the House bill and we put more than a billion dollars of highly desirable and justified benefits into it. We provided many deserved benefits for working people, persons without jobs, persons without hope.

We included a provision to assist States to provide matching payments for the mentally ill.

We included a provision to assist States to make matching payments for general hospitals for the aged.

Those provisions we took to conference.

We entrusted that bill to conferees, three of whom come from States which make the least effort in terms of public welfare expenditures. In other words, one State, represented by the chairman of the conference, is a State which makes the least contribution to public welfare expenditures; two other conferees come from a State which makes the second least contribution to public welfare expenditures. As a result of this, half the Senate conferees came from States which have shown the least interest in the program.

As one of the conferees, it is my judgment that we should have returned to the Senate and reported disagreement or have insisted on our amendments. All we brought back was a provision which retains the Kerr amendment. That is about all we brought back. The conference report waters down the provision that a man may earn more under retirement than previously, a provision which would have cost 0.19 of the payroll, but which now costs 0.02 of the payroll. The conferees have knocked out about 90 percent of that provision.

The provision that a man can get work and earn some money is knocked out 90 percent.

The provision for the group whom the Secretary of Health, Education, and Welfare said the need was the greatest, and for which he led the great crusade, has been knocked out on recommendation of the same gentleman, the Secretary of Health, Education, and Welfare.

The House said they would permit a few additional persons to come under coverage of social security by reducing the number of quarters in which persons could achieve coverage.

We have come back with about two-thirds of the House provision, and about one-third of the people knocked out. One-third, or the most needy of them, have been removed.

I think it is time Senators who reported to the public that they have voted to help retired and sick persons now report to the people that they have voted to knock out those provisions. I am afraid that many of them knew that such provisions would never come back from conference when they voted to send them to conference.

What can we do? We can reject the conference report. We can ask for a further conference, and get it. We can ask the House to vote as we will vote on the conference report, or, if necessary, to report disagreement and give the House the first chance it has had in 2 years to vote in favor of indicating to its committee, one of the most conservative of them all, that the House would like to do something along the lines we have proposed.

If we are so timorous that we will not fight for the things we have said we would fight for; if we back down—and here we are backing down on 80 percent of what we sent to conference—the public cannot expect from us what they expected from us when their votes sent us here to provide for the needy, the disabled, and those who are in need of medical care.

I have placed in the RECORD statements to the effect—and there is no doubt about them—that in many States caged animals are treated better than the average patient in a State mental hospital is treated. I believe I have placed enough corroboration in the RECORD to establish that point.

The provision about the earnings test has been knocked out of the report. Eighty percent of all for which the Senate voted has been left out. We have only a few scraps left.

If Senators want to make a real effort to provide these benefits, I hope they will vote to reject the conference report.

Mr. DIRKSEN. Mr. President, the conferees of the Senate have been very diligent in their work. We can now have a bill which can be effective on the first day of October of this year if we will now accept the conference report already approved by the House and send it to the President for his signature.

Mr. LONG of Louisiana. Mr. President, there is a beautiful rendition of the Dickens Christmas Carol known as "The Stingiest Man in Town." One or two sentences in that poem particularly appeal to me. It is in the scene where Scrooge is dreaming that he is in a very hot place, where everyone drags a chain. Scrooge is quoted as saying:

> I see another fellow,
> He had a great career.
> He used to be so lucky.
> What is he doing here?

Then the voice of the spirit comes to him and says:

> In government he used to be a crooked politician.
> He never did a thing to help the workingman's condition.
> The stand he took on crime and vice was in the wrong direction.
> So when he ran for Paradise he lost the big election.

Our Chaplain has offered prayers, day in and day out, like the following:

> Lord, help us to extend charity to those in need.
> Lord, stay our hands when we attempt to postpone into the future the justice waiting to be done today.

Mr. President, I say the Senate should vote to insist on the inclusion of these provisions, even though they call for a few extra dollars, for they would make it possible to do the great amount of good the Senate has voted to do.

I plead with Senators not to vote for less.

The PRESIDING OFFICER. The hour of 2 o'clock has arrived; and, under the agreement, all time available for debate on the conference report has expired.

The question is on agreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to House bill 12580.

On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. YOUNG of Ohio (when his name was called). On this vote I have a pair with the distinguished Senator from Oklahoma [Mr. KERR], who is temporarily away from the Senate Chamber.

If the Senator from Oklahoma were present and voting, he would vote "yea," in support of the conference report. If I were at liberty to vote I would vote "nay," as I am opposed to the conference report. So I withhold my vote.

The roll call was concluded.

Mr. DODD. Mr. President, I have a pair with the junior Senator from Florida [Mr. SMATHERS]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." I withhold my vote.

Mr. MANSFIELD. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oklahoma [Mr. KERR], the Senator from Michigan [Mr. MCNAMARA], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], and the Senator from Alabama [Mr. SPARKMAN] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is necessarily absent to attend a funeral in the State, and, if present and voting, would vote "yea."

The Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 74, nays 11, as follows:

[No. 314]

YEAS—74

Aiken	Case, S. Dak.	Hart
Allott	Chavez	Hayden
Anderson	Church	Hickenlooper
Beall	Cooper	Hill
Bennett	Cotton	Holland
Bible	Curtis	Hruska
Burdick	Dirksen	Jackson
Bush	Dworshak	Javits
Butler	Eastland	Johnson, Tex.
Byrd, Va.	Ellender	Johnston, S.C.
Byrd, W. Va.	Engle	Jordan
Cannon	Ervin	Keating
Capehart	Fong	Kefauver
Carlson	Frear	Kennedy
Carroll	Gore	Kuchel
Case, N.J.	Green	Lausche
Lusk	Mundt	Scott
McCarthy	Murray	Smith
McClellan	Muskie	Stennis
McGee	O'Mahoney	Symington
Magnuson	Prouty	Talmadge
Mansfield	Proxmire	Wiley
Monroney	Randolph	Williams, Del.
Morse	Saltonstall	Young, N. Dak.
Morton	Schoeppel	

NAYS—11

Bartlett	Long, Hawaii	Thurmond
Clark	Long, La.	Williams, N.J.
Goldwater	Moss	Yarborough
Gruening	Russell	

NOT VOTING—15

Bridges	Hennings	Pastore
Dodd	Humphrey	Robertson
Douglas	Kerr	Smathers
Fulbright	Martin	Sparkman
Hartke	McNamara	Young, Ohio

So the conference report was agreed to.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. DIRKSEN. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to lay on the table the motion of the Senator from Texas to reconsider.

The motion to lay on the table was agreed to.

SECOND SUPPLEMENTAL APPROPRIATIONS, 1961

The Senate resumed the consideration of the bill (H.R. 13161) making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

The PRESIDING OFFICER. Under the previous agreement, the pending question is on agreeing to the mutual security amendments to the second supplemental appropriation bill, en bloc, on which question the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRUENING. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. GRUENING. This morning, when I was discussing the bill with the distinguished majority leader, he said he would permit us to have a separate vote on the change which was made in the original report, with regard to the powers of the Congress in checking on the mutual security appropriations. I think the majority leader should be willing at this time to allow a separate vote on this particular amendment, which would diminish the power of Congress to scrutinize these actions of the Executive in the field of foreign aid.

The PRESIDING OFFICER. The Senator from Alaska has a point of order. Will the Senator state it?

Mr. GRUENING. On page 2 of the report on the second supplemental appropriation bill, the following language is set forth:

Provided, That no part of this appropriation shall be used to initiate any project or activity which has not been justified to the House of Representatives and the Senate.

That was changed in the committee, so that the language now reads:

: Provided, That every project or activity financed from funds made available for the fiscal year 1961 for such assistance and for which an estimate has not been submitted, shall be reported to the Committees on Appropriations of the Senate and the House of Representatives.

That represents a great diminution in the power which was originally conferred upon the Congress. In the first instance, it was necessary for a project or activity to be justified. In the second instance, it is only necessary for the project to be reported. That is almost total nullification of the power of Congress to oppose projects of which it does not approve.

When I spoke to the distinguished majority leader this morning, he said he had no objection to a separate vote on this proposal. I hope he will agree that we should vote on this very important diminution of the power of the Congress.

I believe it is appropriate that we have the vote on such an issue, involving authorizations and appropriations made in such great haste, with blank checks authority given the Executive in the foreign aid field. These projects should be justified, not merely reported. I think it was a great mistake for the committee to weaken that provision and to provide that they need only be reported. I think the word "justified" is a proper word, and the course of action which it directs highly desirable, and I hope the majority leader will allow a vote on this issue.

Mr. JOHNSON of Texas. Mr. President, the Senator did not state the entire case. Did I not correctly understand that the Senator from Louisiana reserved the right to object to the unanimous consent request, after consultation with the Senator from Alaska, and after reading the language withdrew the objection? Is that true?

Mr. GRUENING. Not quite. It is true in substance, but I understood from the able majority leader's statement at that time that something had been put into the bill by the conferees which in effect would strengthen or at least preserve the Congress' control.

Mr. JOHNSON of Texas. I pointed to the language, and the Senator read it. I shall not insist. If the Senator wishes to take the time of the Senate on this, he can do so. The language will be in conference anyway. There is the House version. This is the Senate version. The two versions will be in conference as it is.

Mr. GRUENING. I have no desire to delay the Senate.

Mr. JOHNSON of Texas. I had the impression that the Senator from Louisiana, with the knowledge and consent of the Senator from Alaska, withdrew the objection.

Mr. GRUENING. I think that was probably due to a misunderstanding on my part.

Mr. JOHNSON of Texas. The provision will be in conference.

Mr. GRUENING. I have no desire to delay the Senate, but the issue is important. Perhaps many Senators wish to vote for the appropriation amendments in the bill. I shall not be among them. Other Senators, of whom I am

one, may not wish to see the power of the Congress diminished. If we could have a separate vote on the amendments there might be a different result.

If the Senator assures me that this will come up in the conference——

Mr. JOHNSON of Texas. It will be in conference. The House has one version and the Senate has another version.

Mr. LONG of Louisiana. Mr. President——

Mr. CASE of South Dakota. Mr. President, I make a point of order. The rollcall had begun.

The PRESIDING OFFICER. A point of order was raised, and therefore considered by the Chair. The point of order is not well taken.

There is a unanimous consent agreement that the Senate proceed to vote.

Mr. GRUENING. I yield to the Senator from Louisiana.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

SEVERAL SENATORS. Regular order.

The PRESIDING OFFICER. Senators will take their seats.

Mr. GRUENING. Mr. President, if I have the floor, I yield to the Senator from Louisiana.

The PRESIDING OFFICER. The Senator from Alaska does not have the floor at this time. The point of order has been stated and has been determined by the Chair not to be well taken.

The Senate will proceed, under the unanimous-consent agreement with the yea-and-nay vote.

Mr. GRUENING. Discussion of the point of order has scarcely been exhausted. Perhaps the Senator from Louisiana wishes to make another point of order.

The PRESIDING OFFICER. The point of order is not debatable. The regular order has been called for.

The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. Will the Chair state to the Senate the question?

The PRESIDING OFFICER. This is a vote on the mutual security amendments to the second supplemental appropriation bill. The vote is on the amendments en bloc, in accordance with the unanimous-consent agreement previously made.

Mr. RUSSELL. Mr. President, a further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. When was the unanimous-consent agreement entered into?

The PRESIDING OFFICER. It was agreed to earlier in the day.

The rollcall was concluded.

Mr. MANSFIELD. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oklahoma [Mr. KERR], the Senator from Michigan [Mr. MCNAMARA], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

On this vote, the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Alabama would vote "nay."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Arkansas would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Virginia would vote "nay."

I further announce that, if present and voting, the Senator from Tennessee [Mr. GORE], the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. HENNINGS], and the Senator from Michigan [Mr. MCNAMARA] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 56, nays 31, as follows:

[No. 315]

YEAS—56

Aiken	Dirksen	McCarthy
Allott	Dodd	McGee
Anderson	Engle	Magnuson
Bartlett	Fong	Monroney
Beall	Green	Morse
Bennett	Hart	Morton
Bridges	Hayden	Mundt
Burdick	Hickenlooper	Muskie
Bush	Holland	Prouty
Butler	Jackson	Randolph
Cannon	Javits	Saltonstall
Carlson	Johnson, Tex.	Scott
Carroll	Keating	Smith
Case, N.J.	Kefauver	Symington
Case, S. Dak.	Kennedy	Wiley
Church	Kuchel	Williams, N.J.
Clark	Lausche	Yarborough
Cooper	Long, Hawaii	Young, Ohio
Cotton	Lusk	

NAYS—31

Bible	Goldwater	O'Mahoney
Byrd, Va.	Gruening	Proxmire
Byrd, W. Va.	Hill	Russell
Capehart	Hruska	Schoeppel
Chavez	Johnston, S.C.	Stennis
Curtis	Jordan	Talmadge
Dworshak	Long, La.	Thurmond
Eastland	McClellan	Williams, Del.
Ellender	Mansfield	Young, N. Dak.
Ervin	Moss	
Frear	Murray	

NOT VOTING—13

Douglas	Humphrey	Robertson
Fulbright	Kerr	Smathers
Gore	Martin	Sparkman
Hartke	McNamara	
Hennings	Pastore	

So the mutual security amendments were agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 3, after line 2, to insert:

"MUTUAL SECURITY

"Defense support

"For an additional amount for defense support, as authorized by section 131(b) of the Mutual Security Act of 1954, as amended, $65,000,000."

On page 3, after line 7, to insert:

"TECHNICAL COOPERATION

"For an additional amount for technical cooperation, as authorized by section 304 of the Mutual Security Act of 1954, as amended, $22,000,000."

On page 3, after line 11, to insert:

"SPECIAL ASSISTANCE

"For an additional amount for special assistance, as authorized by section 400(a) of the Mutual Security Act of 1954, as amended, $26,000,000."

On page 3, after line 15, to insert:

"GENERAL ADMINISTRATIVE EXPENSES

"For an additional amount for general administrative expenses, as authorized by section 411(b) of the Mutual Security Act of 1954, as amended, $2,000,000."

On page 3, after line 19, to insert:

"DEVELOPMENT LOAN FUND

"For an additional amount for advances to the Development Loan Fund as authorized by section 203, $75,000,000, to remain available until expended.

"The limitation on the amount available for administrative expenses of the Development Loan Fund covering the categories set forth in the fiscal year 1961 budget estimates for such expenses is $2,150,000.

"Funds appropriated under each paragraph of title I of the Mutual Security and Related Agencies Appropriation Act, 1961 (other than appropriations under the head of military assistance), including unobligated balances continued available, the respective funds appropriated by this Act, and amounts certified pursuant to section 1311 of the Supplemental Appropriation Act, 1955, as having been obligated against appropriations heretofore made for the same general purpose as such paragraph, which amounts are hereby continued available for the same general purpose, may be consolidated in one account for each paragraph.

"The proviso in the paragraph headed 'Technical Cooperation, General Authorization' in title I of the Mutual Security and Related Agencies Appropriation Act, 1961, is amended to read as follows: '*Provided*, That every project or activity financed from funds made available for the fiscal year 1961 for such assistance and for which an estimate has not been submitted, shall be reported to the Committees on Appropriations of the Senate and the House of Representatives.'

"The limitation on the amount available for expenses of the Office of the Inspector General and Comptroller, as established by section 533A of the Mutual Security Act of 1954, as amended, is $1,762,000."

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the amendments were agreed to.

Mr. DIRKSEN. Mr. President, I move to lay on the table the motion to reconsider.

The motion to lay on the table the motion to reconsider was agreed to.

Mr. GORE subsequently said: Mr. President, while talking with some constituents in the room adjoining the Senate Chamber, I inadvertently missed the vote on the amendments affecting mutual security a moment ago. Had I been present and voting, I would have

voted "yea." I am sorry I inadvertently missed the vote.

Mr. MORSE subsequently said: Mr. President, at this time I would like to make a few comments upon the amounts provided in the pending bill for the Forest Service and the Bureau of Land Management for the reseeding and reforestation of burned-over acreages.

Mr. President, I was very pleased that the committee, as shown on pages 4 and 13, of Senate Report 1915 on the second supplemental appropriation bill recommended that the full amounts requested by the administration be restored to the bill.

It should be pointed out, however, that the estimates submitted by the administration are for substantially less than what is actually needed in comparison with the acreage which has been destroyed. I am informed that on Forest Service land alone there are now in excess of 320,000 acres which need to be rehabilitated. At a cost of approximately $10 per acre this would indicate a need of $3,200,000 for rehabilitative work on the forest lands. If this estimate of the cost per acre is correct, an amount in the neighborhood of $2,400,000 more than the administration requested could be profitably used by the Forest Service.

I have great sympathy for the difficulty in which the committee finds itself when it is proposed that budget estimates be exceeded. I know that the revered and distinguished Senator from Arizona [Mr. HAYDEN], who deserves the title of Mr. Conservation, is most sympathetic to the problems faced as the result of these devastating fires. I recall with pleasure that during my testimony before him, which may be found on page 108 of the Senate hearings on H.R. 13161, he corroborated my recommendation that reseeding operations be started as soon as possible in order that fullest advantage may be taken of the ash as a growing medium for the seed to be planted under the reforestation program.

I would hope that he would also be able to agree with me that the ultimate future costs of rehabilitation work will be greater because we are not providing the money now.

Mr. President, as I said, I can appreciate the difficult position that the committee finds itself in as the result of the minimal request of the administration. It therefore becomes even more important, in my judgment, for the committee to stand firmly behind the amounts submitted in the pending bill during the conference with the House. The amounts are not large but the importance of providing the full estimates to both the Forest Service and Bureau of Land Management is urgent and justifiable.

Mr. President, I wish to compliment the distinguished and able Senator from Arizona, the chairman of the Appropriations Committee, who with his colleague, has performed a public service in providing funds for needed capital outlay items in the District of Columbia.

I am particularly pleased that the committee supplied funds for construction of the District schools. It is my understanding that construction funds were made available to the full extent of the budget estimates.

It is also my understanding that construction funds were made available to relieve the serious housing shortage at Junior Village. As I recall it, the average daily population at Junior Village in the month of June 1960 was 448, although the capacity of the cottages was only 241.

Again, I wish to express my appreciation to the chairman of the committee and to his colleagues for the splendid work they have done on the supplemental appropriations bill as it pertains to the District of Columbia items. I have every confidence that the chairman and has associates, in conference, will be able to make their views, which are the views of the Senate, prevail. There is a great need in the District for these schools and Junior Village structures to serve the children of the District.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time on the supplemental appropriations bill.

Mr. DIRKSEN. I yield back the remainder of my time.

Mr. JOHNSON of Texas. I understand that the vote now comes on the passage of the supplemental appropriation bill. Is that correct?

The PRESIDING OFFICER. That is correct. The question on the passage of the bill. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Oklahoma [Mr. KERR], the Senator from Michigan [Mr. MCNAMARA], the Senator from Rhode Island [Mr. PASTORE], the Senator from Virginia [Mr. ROBERTSON], the Senator from Florida [Mr. SMATHERS], the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I also announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

On this vote, the Senator from Illinois [Mr. DOUGLAS] is paired with the Senator from Alabama [Mr. SPARKMAN]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Alabama would vote "nay."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from Arkansas would vote "yea," and the Senator from Florida would vote "nay."

On this vote, the Senator from Minnesota [Mr. HUMPHREY] is paired with the Senator from Oklahoma [Mr. KERR]. If present and voting, the Senator from Minnesota would vote "yea," and the Senator from Oklahoma would vote "nay."

On this vote, the Senator from Rhode Island [Mr. PASTORE] is paired with the Senator from Virginia [Mr. ROBERTSON]. If present and voting, the Senator from Rhode Island would vote "yea," and the Senator from Virginia would vote "nay."

I further announce that, if present and voting, the Senator from Indiana [Mr. HARTKE], the Senator from Missouri [Mr. HENNINGS], and the Senator from Michigan [Mr. MCNAMARA] would each vote "yea."

Mr. KUCHEL. I announced that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 67, nays 21, as follows:

[No. 316]

YEAS—67

Aiken	Dodd	Magnuson
Allott	Dworshak	Mansfield
Anderson	Engle	Monroney
Bartlett	Fong	Morse
Beall	Gore	Morton
Bennett	Green	Moss
Bible	Hart	Mundt
Bridges	Hayden	Murray
Burdick	Hickenlooper	Muskie
Bush	Holland	O'Mahoney
Butler	Hruska	Prouty
Byrd, W. Va.	Jackson	Randolph
Cannon	Javits	Saltonstall
Carlson	Johnson, Tex.	Scott
Carroll	Keating	Smith
Case, N.J.	Kefauver	Symington
Case, S. Dak.	Kennedy	Wiley
Church	Kuchel	Williams, N.J.
Clark	Lausche	Yarborough
Cooper	Long, Hawaii	Young, N. Dak.
Cotton	Lusk	Young, Ohio
Curtis	McCarthy	
Dirksen	McGee	

NAYS—21

Byrd, Va.	Goldwater	Proxmire
Capehart	Gruening	Russell
Chavez	Hill	Schoeppel
Eastland	Johnston, S.C.	Stennis
Ellender	Jordan	Talmadge
Ervin	Long, La.	Thurmond
Frear	McClellan	Williams, Del.

NOT VOTING—12

Douglas	Humphrey	Pastore
Fulbright	Kerr	Robertson
Hartke	McNamara	Smathers
Hennings	Martin	Sparkman

So the bill (H.R. 13161) was passed.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to table was agreed to.

Mr. HAYDEN. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ROBERTSON, Mr. MAGNUSON, Mr. HOLLAND, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. MUNDT conferees on the part of the Senate.

Mr. RUSSELL. Mr. President, I respectfully ask to be excused from service on the conference committee on the bill. I was a member of the conference on the mutual security bill, and after a full and free conference, the Senate conferees unanimously agreed to the original figures in the conference bill. I do not feel that I could now represent the Senate's new viewpoint and support this effort to restore items already handled through the ordinary legislative process. As a matter of fact, I could not face the Members of the House after signing the original conference report and seriously

insist that they reverse their position only a day or two after the original conference. Therefore, I ask to be excused.

The PRESIDING OFFICER. Without objection, the Senator is excused.

Mr. HAYDEN. Mr. President, in view of the fact that the Senator from Georgia [Mr. RUSSELL] has declined to serve as a conferee on the supplemental appropriations bill, I ask unanimous consent that the Senator from Texas [Mr. JOHNSON] be named to serve in his place.

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

Mr. McGEE subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD, immediately following the vote on the second supplemental appropriation bill, a statement I have prepared relative to moneys appropriated to rehabilitate recently burned forest areas; a letter from me to Dr. Richard E. McArdle, Chief of the U.S. Forest Service, dated August 29, 1960; and a table taken from page 20 of the record of the Interior and Insular Affairs Committee hearing on Senate Joint Resolution 95.

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

STATEMENT BY SENATOR McGEE

The administration's request for $1,300,000 to be added to the funds expendable by the Forest Service during this fiscal year is a matter of great interest to those of us who have large national forests in our States.

Of this sum, $800,000 is to be expended to rehabilitate and restore forest and range lands in 11 Western States. We on the Appropriations Committee have been aware for some time that it was necessary to take steps to develop better methods for fire prevention and control and more systematic and thorough reforestation of recently burned-over lands.

The administration has been invited by Senator HAYDEN for the last 2 fiscal years to request funds which would be adequate to carry out its own program for the national forests. The refusal of the administration to request these funds despite the committee's invitation seems to be part of a pattern which has held true for the last 7 fiscal years.

I should like to ask that a table taken from page 20 of the record of the Interior and Insular Affairs Committee hearing on Senate Joint Resolution 95 be printed at this point in my remarks, together with the totals for the columns in the table. This table shows the difference between the Forest Service request to the Agriculture Department for reforestation funds, the Department's request to the Bureau of the Budget, the President's request to Congress, and the amounts appropriated by Congress. Over these fiscal years the Forest Service has requested $21,281,000 for reforestation. This request has been chopped to just over $15 million with the Department, further limited to about $14.5 million by the Bureau, and raised to just over $18 million by Congress.

These figures are cited to show that the record of the administration has been one of consistent diminution of the efforts on the part of the Forest Service to provide adequate funds for reforestation and rehabilitation of our precious forest lands. The record also shows the consistent efforts of Congress to increase expenditures and get the job done.

It is gratifying that the administration has finally in this summer of tragic forest fires realized that we need more money for this purpose. Their request, however, is too little and too late to do any good and is, therefore, no more than a pitiful admission of what we have long known—that the administration is not really interested in the conservation of our vital natural resources.

Yesterday I wrote to Dr. McArdle, head of the Forest Service, and to Mr. Woozley, Director of the Bureau of Land Management, to request the facts and figures with regard to the ravaging fires which have destroyed so many thousands of acres of our national forests this summer. I should like to ask that my letter to Dr. McArdle be printed at this point in the RECORD in order that the concern of Congress may be made perfectly clear.

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
August 29, 1960.

DR. RICHARD E. MCARDLE,
Chief, U.S. Forest Service,
U.S. Department of Agriculture,
Washington, D.C.

DEAR DR. MCARDLE: The reports that this year there have been far more serious fires affecting the land your agency administers than in any recent period have given me a great deal of concern. During a recent visit to my home State, I had the opportunity to learn of the very serious inroads on our timber and land resources which have been and are being made by fire. Such losses are acute in any State, but in Wyoming not only our present economy, but our future capacity to provide the jobs and the standard of living which we require are very seriously jeopardized by this situation.

As you know, I have expressed my views on the need for a more thorough program of fire prevention and land rehabilitation on many occasions. Just a few months ago, working with a number of my colleagues, I attempted to have funds added to the Forest Service's appropriation so that we could develop better methods for fire prevention and control and more systematic and thorough reforestation of recently burned-over lands. The Forest Service itself, in requesting a supplemental appropriation to rehabilitate recently burned-over land from the fires which have lately occurred, has given recognition to the severity of the situation which confronts us.

It is my belief that although the expenditure of these funds is justified, such stopgap appropriations do not really meet the Nation's need. It is becoming more obvious with each passing day that the program for the national forests, with its contemplated expenditures, must be carried out and that only when we appropriate funds adequate to perfom the long-range tasks of more efficient fire prevention and more thorough rehabilitation of recently burned-over lands will we be fulfilling our obligation to the more numerous generations which will follow ours.

As an aid to my understanding of the problem, I should like to request the following information for fires either causing damage in excess of $10,000 or costing more than $10,000 to extinguish. I should like to have this information furnished not only for Wyoming, but for each of the other States which have been afflicted, and also to have national totals.

It would also be desirable to have one report which covers the period from January 1, 1960, to June 30, 1960, and a second report commencing with July 1, 1960, and covering the period through August 30, 1960. It would be a very real convenience if these reports could be prepared by September 15 and a complete report for the second half of 1960 finished by January 15, 1961.

1. The date and location of the fire.
2. The cause.
3. The reasons for the fire becoming so large.
4. The cost to extinguish the fire.
5. The resulting losses:
(a) Watershed damage and value.
(b) Timber volume including young or unmerchantable timber and value.
(c) Grazing use and value.
(d) Recreation use and value.
(e) Other uses and value.
(f) Total losses.
6. The cost of rehabilitating the land to full productivity (not merely to return the land to its previous condition if this was unsatisfactory).
7. The ability of your agency to rehabilitate the lands based upon funds requested for the pertinent fiscal year.
8. The additional rehabilitation which is possible with the funds provided by Congress beyond the January 1960 budget request.
9. The future annual losses in land use and revenues if rehabilitation is not undertaken.
10. Specific suggestions of steps needed to:
(a) Reduce the incidence of and damage from fires.
(b) Insure prompt restoration of the soil and its resources to full productivity.

Sincerely yours,

GALE W. MCGEE,
U.S. Senator.

Year	Forest Service request to Agriculture Department	Department's request to Budget Bureau	President's request to Congress	Appropriated by Congress
1955	$1,492,000	$637,000	$637,000	$1,049,612
1956	1,577,000	1,046,000	1,046,000	1,389,700
1957	1,512,000	1,406,000	1,406,000	2,058,000
1958	3,371,000	2,414,600	2,414,000	2,414,000
1959	2,914,000	2,941,000	2,412,000	3,162,000
1960	4,650,000	3,297,000	3,255,000	3,455,000
1961	5,765,000	3,465,000	3,465,000	4,730,000
Total	21,281,000	15,206,600	14,635,000	18,258,312

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 3416. An act to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out the Temporary Unemployment Compensation Act of 1958;

S. 3835. An act 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 one-hundredth 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; and

S. 3867. An act to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia.

The message also announced that the House had agreed to the amendment of the Senate to the amendment of the House to the bill (S. 2575) to provide a health benefits program for certain retired employees of the Government.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the

amendment of the House to the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes.

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 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.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 270) to amend title 38, United States Code, to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

BIRTHDAY ANNIVERSARY OF SENATOR DWORSHAK, OF IDAHO

Mr. DIRKSEN. Mr. President, in the remaining time, I must call attention to the fact that when I was in the House of Representatives, there came to the 76th Congress a very vigorous and distinguished editor and publisher from the State of Idaho, for whom, since that time, I have had an enduring affection, deep devotion, and high esteem. We served together on the House Committee on Appropriations. We have served together on the Senate Committee on Appropriations. Few people have addressed themselves with so much conviction, so much zeal, so much earnestness, and so much devotion to the public business as has HENRY DWORSHAK, the distinguished senior Senator from Idaho.

He distinguished himself in the service of his country, in the American Expeditionary Force in World War I. We were soldiers together. He became commander of the American Legion in the State of Idaho. For 20 years he was an editor and publisher, and has long pursued those things of community, State, and national interest with an unselfishness and a devotion unequaled by anyone.

So today, and since he is old enough not to be vain about it, I salute, on his 66th birthday, a great Member of the U.S. Senate.

Mr. President, under the unanimous-consent request, I believe all time has expired. However, if there is a minute remaining, I should like to suggest——

The PRESIDING OFFICER. The Senator from Louisiana has 2 minutes remaining.

TRIBUTE TO SENATOR MURRAY

Mr. STENNIS. It was with a deep sense of personal loss that I learned of JIM MURRAY's decision to retire from the Senate at the end of this session.

We will miss him, but we will long remember our association with him, our common experiences, and the solid leadership he always exhibits in advocating programs close to his heart. The programs he has supported, and in most instances they have been adopted, were ones worthy of devotion and support. His efforts for conservation, for agriculture and industry have been magnanimous and fruitful—for the things he advocates concern the welfare of our people, even unborn generations—and he has been a towering example of consistency and solidity in the Senate.

For a quarter of a century here, he has been a leader in worthwhile, patriotic, and humanitarian causes. His long period of unselfish service is an inspiration—his personal friendship a treasured experience.

Humane, solid, consistent, and devoted are words that come to mind when we think of JIM MURRAY's career of Senate service.

His dedicated service to the people of America made his service to the people of Montana stronger. We know of his deep affection to his fellow Montanans, and by electing him to the Senate for five consecutive terms, the people of Montana have demonstrated their affection for him.

I want to join with others here in wishing him Godspeed and many, many more years of happiness and satisfaction with a job well done.

ADDRESS BY DR. T. KEITH GLENNAN, ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Mr. WILEY. Mr. President, the exploration of space—a relatively new experience in the life of man—has become one of the most significant events to mark world history in recent times.

As a new venture, it has inordinate importance to our national prestige and progress.

By concentration of human and natural resources, the Soviet Union, also has made some admirable accomplishments in space.

Despite a later start by the United States, however, I am convinced—based upon the best information available—that the United States is moving ahead in this field.

As a new endeavor, it is necessary, of course, to expand public understanding of our program and its objectives—if we are to elicit the necessary foundation of support.

Recently, Dr. T. Keith Glennan, Administrator, National Aeronautics and Space Administration, speaking before the Fifth AFBMD–STL Aerospace Symposium on "Ballistic Missile and Space Technology," reviewed what I believe is sound philosophy for achievement in space.

Reflecting a realistic approach to advancement in this field, I ask unanimous consent to have Dr. Glennan's informative address printed in the RECORD.

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

ADDRESS BY T. KEITH GLENNAN, ADMINISTRATOR, NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Gentlemen, in Mr. Le Galley's letter giving me information on the program for this symposium, he included a sentence which ran thusly—"We would like to have you select your own topic but would like to suggest that it be in the general field of the accomplishments of NASA to date and the role of NASA in the future." With that wide-open charter, I decided to avail myself of the freedom of choice offered me. Accordingly, I am going to make a valiant effort to avoid one of the pitfalls that so frequently swallow up a speaker like myself when he faces an audience composed of experts in the chosen topic. This noon, I propose not to speak about the space business in the sense of what NASA has done and plans to do—these are matters that have been recounted many times and widely reported. Rather, I intend to do some "thinking out loud" with you, about some matters that are, I really believe, of fundamental importance to all America as we press forward in our program of space exploration and utilization.

Preparation of this paper began a couple of weeks ago. As a matter of fact, it was the evening of the 14th that I began the task of putting my thoughts on paper. But it wasn't until I was well along with the first draft that I realized what a coincidence there was in the timing: August 14, 1960 was the second anniversary of the day when I appeared before members of the Special Committee on Space and Astronautics of the U.S. Senate to expose myself to their consideration of my fitness as the President's nominee to head up the legislatively assured but as-yet-unborn National Aeronautics and Space Administration.

On that occasion, Senator JOHNSON observed, "If you are confirmed, I am not certain whether congratulations or commiserations will be in order." And then he went on to predict, "This position is in no sense a sinecure." In the 2 years since, I've never had reason to quarrel with the Senator's assessment of what was needed.

One more bit of reminiscing about that Senate hearing. I had very recently returned from a brief visit to the Soviet Union where, in company with six other college presidents, I had seen something of their system of higher education. It was natural, then, that we should get into a discussion of the importance that the Soviets have placed on education generally and on higher education and research and development particularly. At that time I said—I've refreshed my memory by referring back to the published hearings—"the Soviet educational system is not one which I think we should admire. It is a pragmatic system. It is set up to serve their purposes, the kind of program which the Government establishes. They are not making education available to everyone in the higher educational field at all. They are educating the people that they need. They are not concerned with the individual one little bit.

"They are concerned only with fulfilling the aims set up by the Council of Ministers."

And I went on to say that the most vivid impressions I had carried away from my short visit to Russia and middle Asia were—first, their ability to control the application of the energy and thoughts of the Soviet people and, second, the high degree of motivation and dedication evident in the attitude of every person and in every activity with which we had experience. As I told the Senate committee, "We need more of that kind of dedication in this country."

We continue to need a kind of individual and informed dedication throughout the fiber and muscle of our national being. In this space business, I say proudly and I believe with complete accuracy, we do have people—hundreds upon hundreds of them—who possess an impressive kind of dedication to the performance of their tasks. Certainly, these dedicated workers include men in uniform as well as civilians. They are to be found in every segment of our national space effort. But there is and will continue to be need for many more such people who are willing to participate effectively, unselfishly, and, at times, at some real cost to themselves.

Out of my experience over the past 2 years, I have come to feel very strongly about the importance, the essentiality, of prosecuting our space activity as a genuinely national effort. In January of this year I summed up my conviction as follows:

"The Nation's space exploration program is not and should not be the subject of partisan politics. The rockets that launch our satellites do not bear the insignia of the Republican Party or that of the Democratic Party. They do not carry the name of one of the military services or the name of my Agency—the National Aeronautics and Space Administration. They carry only these words—United States.

"They represent the genius, the labor and the devoted efforts of the citizens of this Nation, regardless of religion, color or political affiliation. They represent the tax dollars of all the people—your dollars and mine.

"I assert then, that the Nation's program of space exploration is, and by its very nature should be, the responsible concern of all of our people." And I could have added, that such responsible military men as Gen. Thomas D. White, Air Force Chief of Staff, have shown by word and deed, that they share in this conviction.

Thomas E. Murray, with whom I served nearly a decade ago on the Atomic Energy Commission, has written, "I have seen the two faces of the atom—one fierce, the other benevolent." Respecting activities in space, there are also two kinds of activity, one to serve military needs for a variety of operational support systems and the other essentially nonmilitary. There is a distinction, but there is also a similarity of purpose; both, by the very nature of our way of life, are designed to strengthen our national role as a world leader in the search for lasting peace. Together, they mutually support our national purpose—the preservation of a society of free men acting in a responsible way to improve the conditions of life for all of our fellow human beings.

Ironically, the U.S.S.R. has seemingly done a quite good job of convincing much of the world, especially among the so-called neutralist or uncommitted nations, that most of what we in America have so far accomplished in space has been military and thus intrinsically evil. I say, ironically, because the Soviets themselves have proved masters at the space-bunkum game, "now you see it, now you don't—now it's military, now it's not."

William Sargent, of London, internationally known for his studies in psychological medicine, suggests that the Russian efforts to be on both sides of the fence simultaneously are entirely deliberate. "The fact remains that," and now I quote Dr. Sargent, "Russian propaganda has for some time now been showing a quite fascinating and consistent pattern, very reminiscent of Pavlov's method of breaking down his conditioned dogs by the scientific application of positive and negative conditioning signals.

"For instance, when the first sputnik was launched by Russia, and a state of world excitement and tension had been created by this great scientific feat, we were first of all told by Russia that it had no military significance, and then almost immediately afterward that this achievement meant most parts of America could now be destroyed at will.

"Then we were again reassured," Dr. Sargent says, "that this experiment and the research leading up to it were part of a peace-loving Russia's contribution to the International Geophysical Year; but later we were again reminded that it also meant a total revolution in all modern ideas of global warfare."

Dr. Sargent notes further that as a consequence of this "long bombardment of conflicting signals * * * some sections of the British and American public and press alike showed temporarily much the same sort of bewildered confusion, increase in generalized anxiety and suggestibility, and even the tendency to hysteria that was also seen in Pavlov's animal experiments."

To all of which I say, "amen." Every time the Russians have launched a space experiment, there has been a frightful clamor about how "far behind" we are in the United States. And every time we have had space success in America—and recently, we have had a number of really significant successes—there has been a flurry of self-congratulation about how handsomely we have already "caught up."

You who are here today know better than anyone else that what we're engaged in isn't any Saturday afternoon ball game with the outcome to be measured in runs, hits, and errors. But, unfortunately, the public—and included here are many well-meaning people who certainly should be better informed—continue to equate Russian and American accomplishments in space technology as a contest wherein the relative position of the opposing rivals can be charted, inning by inning, just by keeping a score card.

Earlier this month, one of our hosts—Dr. Reuben F. Mettler, executive vice president of Space Technology Laboratories—performed a chore similar to mine today. His rostrum was in Washington, and one comment he made bears upon this vital matter:

"No doubt that the Russians have selected space development as an area to display technological development and to impress other nations, and they have acted cleverly. The United States has not done sufficiently well in this respect. It has been frequently stated that the United States should not engage in space stunts—I agree with that—but that does not mean that we should fail to recognize that space experiments properly publicized and properly explained abroad are important to us.

"We shouldn't be ashamed to be first.

"If we fail to appear as the technological leader to other nations, there is the danger that the Soviets may succeed in convincing the world that their system of government has intrinsic advantages which all nations should copy."

So far as I am concerned—and I would expect total agreement from this audience—there is no question whatsoever but that space technology and space exploration make up the internationally most visible, internationally most vital, area where the United States must excel. And I believe, most sincerely, that excelling will be achieved only by deeds accomplished—not by "hairy" statements of things to come that border on the irresponsible—statements made usually to stake out a claim to a particular area or in response to pressures within an organization, either civilian or military, for representation in a particular field of effort.

What was first necessary to determine, even before we could make the attempt to excel, is what we wanted to accomplish and how we proposed to do it. Perhaps it would be well to state again for the record the convictions which have guided me as we have developed a program of space exploration for the Nation. Resisting, for the most part, the strong and at times widely expressed clamor for so-called "spectacular firsts—space stunts," as Dr. Mettler termed them—we have held to the belief that a broadly based program of investigations would bring us the real leadership position in this field even though some years might, and probably would, elapse before we realized that goal. It has been my contention that really significant accomplishments—"spectacular firsts," if you will—must occur from time to time if we pursued such a program with vigor and determination. And in the meantime, we would be building solidly that body of information that would permit achievement of our ultimate long-range goals—the development of operating systems of benefit to mankind and manned flight through space to other parts of our solar system.

While I would have to admit that had we had available to us, in the past 2 years, a launch vehicle of very high thrust we would have found it more difficult to adhere to this philosophy, I contend that only by pursuing such a program will we gain—within a reasonable time and on a basis of sustained effort, funded on an adequately generous basis over many years—will we gain and retain that position of leadership we all so much desire. No one could wish more than I that we had photographed the other side of the moon first, but I contend that the very real promise of successful accomplishment of our objectives in meteorology and improved long-range weather forecasting, of global telephone and television communications, and of reliable navigational systems will bring to this Nation the long-range and sustaining satisfactions of responsible leadership and citizenship in this world of conflicting ideologies.

One remembers the old adage that runs—a man is not without honor save in his own community. Tiros I, Pioneer V, Echo I, Transit I and II, and the satisfying and important results of the Discoverer XIII exercise have been acclaimed by the rest of the world as evidence of the strength and solid purposes of the United States in this competition. Indeed, the editorial comment abroad now suggests a consensus that we do, in fact, lead the world in these activities. Even in our own country, there seems to be some inclination to stop downgrading our efforts as confused, too little and too late. I happen to hold strongly the opinion that in the things that count and will count in the struggle between communism and freedom—in the things that count and will count as solid contributions to the betterment of man's material well-being the world over—we have achieved the leadership position. But we will continue to have that position only so long as we keep our eyes on these long term and, at times, seemingly diffuse goals of achieving across-the-board competence in the space field.

And the stakes in this competition are high. Our excelling in space technology will surely provide great benefits in what one of the wisest men of our time has called "the decisiveness of the present moment in history." That man was Dr. Charles Malik, Lebanese diplomat and former President of the United Nations Assembly.

Mr. Malik spoke in June at colonial Williamsburg in Virginia during the annual celebration of the 50 days of 1776 which have become known as the prelude to independence. What he said was deeply sobering, strangely moving, and wonderfully inspiring.

As I said, Dr. Malik is from the Middle East, and so it may be pertinent to identify his own position respecting the United States vis-a-vis the U.S.S.R.: "I view the decisiveness of the present moment in history as consisting in a life-and-death struggle between international communism, not only or even primarily as an economic system, but as a total outlook on life, and the rest of the world, especially the Western World, and in the Western World especially the United States of America; and because of my knowledge of its ultimate positive values * * * I range myself wholly on the side of the West, despite its many imperfections, mistakes, failures, and sins."

It is Dr. Malik's passionate conviction, one in which I share, that, and I quote, "Putting aside the question of vision, softness of living, and unity of effort among the diverse factors involved, there is no doubt whatsoever that, by any standard of measurement,

the material and human resources of North and South America, of Western Europe, of Japan, of Australasia, and of as much of Africa (and there is no reason why all of Africa should not be included) and Asia as may be persuaded to cooperate, can be so marshaled and coordinated as to outdo the Communist domain, in any field of human endeavor, by a ratio of at least five to one. It is all therefore a question of vision, overcoming the softness of life, and inducing the necessary unified effort. The free world has nobody and nothing to blame but itself if it cannot so order its house as to beat communism in every realm."

Lester B. Pearson of Canada, also a former president of the United Nations Assembly, assesses the situation as follows: "We are living in an era of towering material and scientific achievement, along with a stubborn refusal to accept, in political action, the implications of that achievement. It is a desolate thought that, in the field of cooperation for world peace, we are not far beyond the tribal in our hopes and fears, in our policies and practices. Man can now receive a message from a gadget 8 million miles away in outer space (I digress, to update Mr. Pearson's statement which he made before all the returns were in. The final message was from 22.5 million miles out)—a gadget whose course around the sun he has determined. But a message across a curtain is blocked or misinterpreted or misunderstood.

"Humanity can—as we are so often told—be lost in the chasm created by this imbalance. This is no holiday from history. It is the time when man's destiny is to be decided. It is a time of challenge to our resolve—and our right—to survive."

Gentlemen, we have our work to do. Let us be courageous, responsible, and at the same time, daring in what we have to do. And let us, no less, be thankful for our opportunity to serve * * * all mankind.

EXECUTIVE COMMUNICATIONS, ETC.

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

INCREASED TARIFFS ON LEAD AND ZINC

A letter from the Assistant Secretary of State, transmitting a telegram from the Acting Minister of Foreign Relations of Peru, to the Secretary of State, relating to prospective legislation to increase U.S. tariffs on lead and zinc (with accompanying papers); to the Committee on Finance.

REPORT OF NATIONAL COMMISSION FOR UNITED NATIONS EDUCATIONAL, SCIENTIFIC, AND CULTURAL ORGANIZATION

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

CERTIFICATION OF ADEQUATE SOIL SURVEY AND LAND RECLASSIFICATION, LA FERIA DIVISION, LOWER RIO GRANDE REHABILITATION PROJECT, TEXAS

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, that an adequate soil survey and land reclassification has been made of the lands in the La Feria division, lower Rio Grande rehabilitation project, Texas, and that the lands to be irrigated are susceptible to the production of agricultural crops by means of irrigation (with an accompanying paper); to the Committee on Interior and Insular Affairs.

REPORT ON OROVILLE-TONASKET UNIT, CHIEF JOSEPH DAM PROJECT, WASHINGTON

A letter from the Secretary of the Interior, transmitting, pursuant to law, a report on the Oroville-Tonasket unit, Okanogan-Similkameen division, Chief Joseph Dam project, Washington (with accompanying papers); to the Committee on Interior and Insular Affairs.

APPRECIATION OF OKINAWA FOR U.S. ECONOMIC ASSISTANCE

A letter from the Chief of Legislative Liaison, Office of the Secretary of the Army, transmitting a resolution of the chairman of Central District Shi-cho-son Assembly Chairmen's Association of Okinawa, for U.S. economic assistance (with accompanying papers); ordered to lie on the table.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

H.R. 8156. An act for the relief of Jack Kent Cooke (Rept. No. 1933).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

H.J. Res. 721. Joint resolution for the relief of certain aliens (Rept. No. 1926).

By Mr. HAYDEN, from the Committee on Rules and Administration, without amendments:

S. 3846. A bill to establish a National Armed Forces Museum Advisory Board of the Smithsonian Institution, to authorize expansion of the Smithsonian Institution's facilities for portraying the contributions of the Armed Forces of the United States, and for other purposes (Rept. No. 1932);

S. 3901. A bill to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing (Rept. No. 1931);

H.J. Res. 311. Joint resolution authorizing the erection of a statue of Taras Shevchenko on public grounds in the District of Columbia (Rept. No. 1930);

S. Res. 354. Resolution amending S. Res. 243 authorizing the Committee on Interstate and Foreign Commerce to investigate certain matters within its jurisdiction (Rept. No. 1927);

S. Res. 355. Resolution amending Senate Resolution 244 authorizing the Committee on Interstate and Foreign Commerce to undertake a study of transportation policies in the United States (Rept. No. 1927);

S. Res. 360. Resolution authorizing the printing of the "Legislative History of the Committee on Foreign Relations, U.S. Senate, 86th Congress," as a Senate document;

S. Res. 362. Resolution to print "Strengthening Free World Security," as a Senate document;

S. Res. 363. Resolution to print additional copies of certain hearings on "U.S. Foreign Policy";

S. Res. 368. Resolution providing additional funds for the investigation of antitrust and monopoly laws and their administration (Rept. No. 1929);

S. Res. 374. Resolution 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 (Rept. No. 1928);

S. Res. 379. Resolution to authorize the printing for the use of the Committee on the Judiciary 2,000 additional copies of Senate Report No. 1834, 86th Congress, 2d session, entitled "The Insurance Industry—Aviation, Ocean Marine, and State Regulations"; and

S. Con. Res. 115. Concurrent resolution to print additional hearings on Senate Resolution 94, relating to the compulsory jurisdiction of the International Court of Justice.

AMENDMENT OF WAR CLAIMS ACT OF 1948, TO PROVIDE COMPENSATION FOR CERTAIN WORLD WAR II LOSSES—SUPPLEMENTAL AND INDIVIDUAL VIEWS (S. REPT. NO. 1934)

Mr. JOHNSTON of South Carolina. Mr. President, from the Committee on the Judiciary, I report favorably, with amendments, the bill (H.R. 2485) to amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses, and I submit a report thereon, together with the supplemental views of the Senator from New York [Mr. KEATING] and the Senator from Michigan [Mr. HART], and the individual views of the Senator from Missouri [Mr. HENNINGS], the Senator from Colorado [Mr. CARROLL], and the Senator from Michigan [Mr. HART]. I ask unanimous consent that the report, together with the supplemental and individual views, be printed.

The PRESIDING OFFICER (Mr. Moss in the chair). The report will be received, and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from South Carolina.

COMMITTEE SERVICE

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 380) electing a member on the part of the Senate to the Joint Committee on Printing and the Joint Committee on the Library, which was placed on the calendar, as follows:

Resolved, That Mr. MARTIN be, and he is hereby, elected a member on the part of the Senate of the Joint Committee on Printing and the Joint Committee on the Library.

MARY E. PASCO

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 381) to pay a gratuity to Mary E. Pasco, which was placed on the calendar, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Mary E. Pasco, widow of John Pasco, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of his death, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

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

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MAGNUSON, from the Committee on Interstate and Foreign Commerce:

Arthur L. Wardwell, and sundry other persons, for permanent appointment in the Coast and Geodetic Survey; and

John A. Packard, and sundry other persons, to be chief warrant officers in the U.S. Coast Guard.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. YOUNG of North Dakota:

S. 3905. A bill for the relief of Dr. Fang Luke Chiu; to the Committee on the Judiciary.

By Mr. MOSS (for himself and Mr. HAYDEN):

S. 3906. A bill for the relief of Howard B. Schmutz; to the Committee on the Judiciary.

By Mr. O'MAHONEY (for himself, Mr. KEFAUVER, Mr. BIBLE, and Mr. MORSE):

S. 3907. A bill providing for the regulation of rates for all forms of casualty insurance including fidelity, surety and guaranty bonds and for all forms of fire, marine and inland marine insurance, except as herein provided, and to rating and advisory organizations within the District of Columbia; to the Committee on the District of Columbia.

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

By Mr. CASE of New Jersey:

S. 3908. A bill to provide means for the Federal Government to combat interstate crime and to assist the States in enforcement of their criminal laws; to the Committee on the Judiciary.

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

By Mr. O'MAHONEY (for himself, Mr. MCGEE, Mr. ALLOTT, and Mr. CARROLL):

S. 3909. A bill to provide for the construction, operation and maintenance of the Savery-Pot Hook Federal reclamation project, Colorado-Wyoming; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT:

S. 3910. A bill for the relief of Mrs. Takimi Yamada; to the Committee on the Judiciary.

By Mr. LONG of Hawaii:

S.J. Res. 222. Joint resolution providing a government for American Samoa; to the Committee on Interior and Insular Affairs.

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

RESOLUTIONS

COMMITTEE SERVICE

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 380) electing a member on the part of the Senate to the Joint Committee on Printing and the Joint Committee on the Library, which was placed on the calendar.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

MARY E. PASCO

Mr. HAYDEN, from the Committee on Rules and Administration, reported an original resolution (S. Res. 381) to pay a gratuity to Mary E. Pasco, which was placed on the calendar.

(See the above resolution printed in full, which appears under the heading "Reports of Committees.")

COPYING AND PRESENTATION OF CERTAIN EVIDENCE IN THE CASE OF UNITED STATES AGAINST SALLY T. HUCKS ET AL.

Mr. MCCLELLAN submitted a resolution (S. Res. 382) authorizing the copying of certain evidence for presentation in the case of the United States against Sally T. Hucks and others, and authorizing the appearance of Senator JOHN L. MCCLELLAN and certain staff members of the Permanent Subcommittee on Investigations of the Committee on Government Operations, which was considered and agreed to.

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

EXTENSION OF BIRTHDAY GREETINGS TO PRESIDENT EISENHOWER AND FORMER VICE PRESIDENT JOHN NANCE GARNER

Mr. YARBOROUGH submitted a resolution (S. Res. 383) extending greetings to President Eisenhower and former Vice President John Nance Garner on the occasion of their coming birthdays, which was referred to the Committee on the Judiciary.

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

REVISION OF INSURANCE RATE REGULATORY LAWS IN THE DISTRICT OF COLUMBIA

Mr. O'MAHONEY. Mr. President, on behalf of the Senator from Tennessee [Mr. KEFAUVER], the Sentor from Nevada [Mr. BIBLE], the Senator from Oregon [Mr. MORSE], and myself, I introduce a bill relating to the revision of the insurance laws of the District of Columbia.

The studies of insurance which have been made in the United States, not only by the Antitrust and Monopoly Subcommittee since 1958, but also 15 years ago by the Senate Judiciary Committee following the decision of the Supreme Court in the South-Eastern Underwriters case of June 5, 1944, have indicated the necessity for immediate action in the revision of the insurance rate regulatory laws in the District of Columbia. This is true because the present District of Columbia fire insurance rate law was enacted before the Congress, as a result of the above-mentioned Supreme Court decision, passed the well-known McCarran-Ferguson Act on March 9, 1945, now generally known to the industry as Public Law 15 of the 79th Congress.

This law, while maintaining State regulation, also made it clear that it was the desire of Congress and the Chief Executive which approved the Act, to protect the insurance-buying public from combinations designed to raise insurance rates by members of the insurance industry, in violation of certain of the antitrust laws.

The bill I offer today on behalf of myself, Mr. KEFAUVER, as chairman of the Antitrust and Monopoly Subcommittee, Mr. BIBLE, and Mr. MORSE, is intended to preserve competition in the insurance industry in the District of Columbia. It does not in any respect atttempt to reverse the policy of State regulation, but deals only with the fire and casualty insurance rate laws of the District of Columbia. This is accomplished in this proposed bill by taking full advantage of all the revelations of the last 15 years in the insurance industry, to protect the public.

It is, of course, not my intention to seek action upon this measure at this session of Congress. It is being presented largely as a result of the rate studies which have been concluded by the Antitrust Subcommittee. The interest in the matter is so great that I felt it necessary to have the bill introduced now, so that Members of Congress and the public may know the conclusions reached, at the completion of our rating studies.

COMPETITION SHOULD BE CHIEF ARBITER OF RATES

In the McCarran-Ferguson Act, nothing was said with respect to the establishment of rating bureaus by the industry. But our studies have shown that rating bureaus have been established in such a manner throughout the United States as to provide the means by which some companies may use the rate bureaus to prevent competitive rivals from reducing rates to a more satisfactory level. The ability of such insurance companies to be free to provide less costly insurance for the public is the very heart of competition. Accordingly, it is the purpose of this measure to make the free play of competition the chief arbiter over the rate level at which fire and casualty insurance will be sold in the District of Columbia. It is necessary to do this, because the present District of Columbia Fire Insurance Act, which requires all insurers to be members of the rating bureau, is frequently used as an argument to avoid the intent and purpose of Congress in enacting the McCarran Act.

The bill which I am introducing today would repeal the District of Columbia laws of June 1, 1944, regulating fire insurance rates, and of May 20, 1948, regulating casualty rates, and would substitute therefor a single consolidated law. While the measure places chief reliance upon competition in the determination of rates, it nevertheless recognizes the vital importance of the Insurance Superintendent's office, and fortifies his authority in the areas where it should properly be exercised.

The present District of Columbia fire rate law was enacted just 4 days before the Supreme Court decided the South-Eastern Underwriters case. In that decision the Supreme Court declared for the first time that insurance is interstate

commerce, and thus is subject to the regulatory power of Congress. The Court held that the practices of the South-Eastern Underwriters Association and 198 member companies were subject to the Sherman Antitrust Act. The case was aimed at the coercive practices of the rating bureau in seeking to compel uniformity of rates and to boycott and engage in other acts of intimidation and coercion in order to compel other insurers to do business on its terms.

When the Antitrust and Monopoly Subcommittee began its study, in 1958, of the effectiveness of State insurance regulations following the enactment of Public Law 15, the subcommittee emphasized that its paramount concern was to determine whether competition has been permitted to flourish in the manner contemplated by the framers of that act. It was natural, therefore, that the subcommittee would devote considerable attention to the manner in which insurance rates were regulated by the various State laws.

RATE HEARINGS OF ANTITRUST SUBCOMMITTEE

An extensive series of hearings was conducted by the subcommittee in 1959, at which time the subcommittee heard testimony from spokesmen representing all the major points of view in both industry and Government. These rate hearings were a major part of the broad study of insurance conducted by the subcommittee over which I have served as chairman, at the designation of the Senator from Tennessee [Mr. KEFAUVER]. Contemporaneously with these hearings, the staff of the subcommittee was assembling, by means of questionnaire and otherwise, a vast body of empirical data which would aid the subcommittee in determining the nature and extent of competition throughout the various States. The hearings and the study have not produced any substantial support for an overall revision of our national policy for the regulation of insurance by substituting Federal power for State power. Nevertheless, in the course of the study it became evident that there were basic defects in the kind of rate regulation which has evolved in the States. Some of the basic defects noted in these State laws were found to exist in the regulatory system in the District of Columbia.

During the subcommittee's hearings, the principal criticism of the various State laws regulating rates was directed at the provisions which made membership in rating bureaus mandatory and limited competition to cumbersome deviation procedures. It is important to note that the rating bureaus were organized by the industry, not by the States. The testimony clearly showed that in the enforcement of such laws, the position of the bureau on rates received preferred treatment. Bureau rates occupied a paramount position, and deviators seeking to sell insurance at a lower rate had a special burden in justifying their positions. The District of Columbia fire rate law provides for the organization of a single rating bureau, and declares that—

All such companies now or hereafter authorized to transact such business in the District shall be members of such bureau (35 D.C. Code 1404).

It is interesting to note that the casualty-rate law enacted after the McCarran Act did not contain a similar provision requiring all companies to join a rating bureau.

I feel it is vital that the Congress indicate its unequivocal opposition to laws which are diametrically opposed to the principle of free competition by making membership in rating bureaus compulsory. Under such laws, rate competition becomes a sham, for they become a price-fixing device, and the means provided for independence of action offers only a token gesture to the traditional American concept of free enterprise.

COMPULSORY MEMBERSHIP IN RATE BUREAUS ELIMINATED

In proposing a change in the District of Columbia laws, I was primarily motivated by a desire to remove this restrictive, noncompetitive feature of the District fire-rate law. However, in introducing this bill I felt that it was advisable that we now propose to correct not only these basically objectionable features, but also to propose the kind of rate-regulatory law which generally offer the greatest opportunity for the full expression of competition in the determination of rates. Therefore, the bill which I am now introducing represents, in my view and in that of our expert staff, the most enlightened approach to fire and casualty rate regulation. It embodies the conclusions which have been arrived at after laborious exploration of all facets of this rate-regulation problem.

Over the past 15 years there has been considerable controversy concerning the kind of rating laws which conform with the spirit of the McCarran Act. Proponents of these restrictive mandatory rating-bureau laws have argued with considerable effect that Congress had given its sanction to such laws by enacting the District fire-rate law. While it is true this law was passed a few days before the South-Eastern Underwriters case, the fact that Congress has not changed the law in the intervening years has furnished opponents of free competition a formidable argument. I am confident that in enacting the McCarran Act, Congress did not intend to give its sanction to such laws, for I was a participating Member of that Congress. In any event, I deem it essential that Congress now repeal this objectionable provision in the District law, and set the issue forever at rest.

The National Association of Insurance Commissioners—NAIC—has formally presented its views to the subcommittee. In addition, a number of State insurance commissioners from States representing divergent approaches to rate regulation testified during the hearings. As a result of these hearings, a special subcommittee of the NAIC undertook to review fire and casualty rating laws by conducting a series of hearings in different parts of the country. The work of this subcommittee is still in progress, and it is expected that a report will be made at the next semiannual meeting of the NAIC. At the meeting of the NAIC subcommittee on May 30, 1960, in San Francisco, Calif., the National Association of Independent Insurers submitted a draft of a proposed fire and casualty rating law. This draft bill embodies the approach to rate regulation which I have always considered sound. The essential principles upon which this bill is founded are, in my opinion, in the public interest. However, I have found it necessary to make substantial changes in this bill in accordance with the results of our subcommittee's study. These changes are designed to provide a greater measure of freedom of action than that provided in the NAII bill. Moreover, this bill clothes the superintendent of insurance with greater authority over the activities of advisory organizations and other insurance groups which have utilized their power to dominate the rating processes and to restrict competition.

ADHERENCE RULES ELIMINATED

The bill authorizes the formation of rating bureaus by the industry, and provides for licensing and other careful regulation by the Insurance Superintendent of their operations. However, membership in such rating organizations is wholly optional; and neither directly nor indirectly would the bill attempt to compel membership in such rating organizations. Furthermore, unlike the draft bill of the NAII, this bill would prevent rating organizations from adopting any rules or engaging in any practices requiring either members or subscribers to agree to adhere to the rates filed. While an insurer may satisfy its obligations to make rate filings by becoming a member or subscriber of a rating organization, any such member or subscriber may make its own independent rate filings for any kind of insurance or subdivision or class of risk or a part or combination of such kind, subdivision, or class of risk. Section 5 (d) specifically provides that a rating organization shall have authority to make a filing on behalf of any member or subscriber only where specifically authorized in writing by such member or subscriber. Therefore, if a member or subscriber does not so authorize a bureau to make a rate filing, said insurer, whether a member or a subscriber to such rating organization, may then make its own independent rate filing.

DEVIATION SECTION NOT NEEDED

The 12-year experience with the all-industry rate bill in both the fire and casualty fields has clearly demonstrated that the provisions for deviations, particularly since they necessitate annual renewals, have unnecessarily delayed, and in some cases prevented, the public from enjoying rate reductions. As this bill is drawn, there is no need for any deviation section. The bill resolves the thorny question of deviation by eliminating provisions in the rating bill which made deviation necessary. Members or subscribers have full authority to withhold authorization from the rating bureau to make rate filings and to file their own independent rates. Furthermore, under such an approach, there is no need for a minority appeals section. While under the all-industry rate bills, the minority appeals section was intended to provide another avenue for com-

petition, it has in effect become obsolete, and has seldom been utilized.

While I find the compulsory membership and deviation provisions in the District fire rate law fundamentally objectionable, I should point out that under the present Superintendent of insurance in the District of Columbia we have had an enlightened administration of the act, which has tended to minimize the harmful effect of these provisions. The Superintendent of insurance in the District of Columbia has not fallen under the control of the rating bureau. While fire-rate filings independent of the bureau are not possible under the statute, he has adopted a liberal policy in approving deviations. Nevertheless, it is a fact that during the 5-year period from 1953 to 1957, the bureau opposition to deviations in the District of Columbia was far higher than in any State of the Union. The bureau opposition to deviations in the District of Columbia was approximately 12 percent of the total filed. Throughout the United States, bureau opposition to deviations was less than 1 percent of the total. Of course, it should be noted that in only nine cases during this period did the District Superintendent uphold the bureau and disapprove the deviation. The minutes of the rating bureau are replete with references to the consideration by the bureau of deviations, and to the opposition filed by the bureau with the Superintendent to many of these deviations. For example, the report of the executive committee for April 25, 1957, states that:

> Your committee processed 94 requests from member companies for new and renewal deviations of bureau rules, rates, or forms. Your committee authorized management to protest to the insurance department the granting of 20 of these requests for deviations. Of the 20 deviations opposed, 12 were approved by the insurance department over the bureau's objections, 4 were denied, with 4 pending. There were 12 withdrawals of deviations due to the adoption of new rules, rates or forms by the bureau.

It is perfectly clear from these minutes that the bureau considers it to be its responsibility under the law to note its opposition whenever it is deemed appropriate. Since the law permits fire deviations to remain in effect for only 1 year, with the requirement that affirmative justification be made at the end of such period, the rating bureau possesses great potential power in thwarting or slowing up such deviations, thus restricting competition. It is apparent that under a statute which gives the rating bureau so much authority over competitive rate filings there is great danger for abuse. Subsequent Superintendents of insurance may not be as independent as as the present incumbent. Under such a statute, a weak Superintendent might be a pliable tool in the hands of the rating bureau.

NO REASON FOR SEPARATE RATE LAWS

Recent developments in the insurance field indicate that there is no longer any logical reason for separate laws for fire and for casualty insurance. Especially has this become true since the development of multiple-line underwriting. The wide public acceptance of the homeowners policy and other package policies including fire and casualty coverage has outmoded separate fire and casualty rate laws. For this reason, it seemed that the most sensible solution was to repeal the fire and casualty laws in the District, and to substitute a consolidated law incorporating what history and experience have indicated are the best features of the various rate regulatory laws.

RATE FILINGS BUT NO PRIOR APPROVAL REQUIRED

In its broad outline, this bill approaches most closely the California-type regulatory law. However, unlike the California law, the bill requires every insurer to make with the Superintendent a rate filing, together with all necessary supporting data. The rate becomes effective immediately upon filing with the Insurance Superintendent. While the bill reposes sole responsibility in each insurer for the making of rates, the Insurance Superintendent retains comprehensive powers to review these filings and to disapprove them in accordance with the procedures set forth, whenever he finds them to be excessive, inadequate, or unfairly discriminatory. Fundamental to this bill is the requirement that rates become effective automatically upon filing, without the necessity of any affirmative action by the Superintendent. Since insurance is not a public utility, it should not be treated as one. The proper level of rates which best serves the public interest should, to the extent possible, be determined in the marketplace.

The role of the Superintendent in the rating field should be only to review rates which are, in effect, to determine whether the standards of "excessive, inadequate, or unfairly discriminatory" have been complied with. In limiting the Superintendent's authority to review and disapprove rates which do not meet the standards of the act, the bill, as the NAII so aptly stated, preserves the status of the insurance commissioner "as a regulator who can set aside the insignificant and unimportant to concentrate on those matters which deeply affect the citizens of his State." Since this bill emphasizes the proper regulatory functions of the Insurance Superintendent's office, it was deemed essential that every insurer be required to file his rates and supporting data, so that the Superintendent would have available the needed regulatory tools. The essential dignity of the office and the functions to be performed demand that rates be at his disposal for inspection at all times, without the necessity of going to company officials to request the data when deemed necessary.

The all-industry fire and casualty bills were not designed to operate as prior approval statutes—that is to say, laws which make ineffective the mere filing of rates until the Superintendent approves; but because of the unfortunate language in which they were cast, they have in fact degenerated into prior approval statutes. However, the present District fire-rate law in no uncertain terms requires that rates must first be approved by the Superintendent before they become effective. The casualty rate law is more ambiguous, and provides that "rates may become effective immediately upon filing or at such future time as the company or rating organizations making them may specify." If the provisions of the fire-rate law were enforced in their literal sense, the administrative burdens upon the insurance Superintendent would be enormous. It would require that the Superintendent devote a great percentage of resources of staff and time to reviewing and examining and testing a vast volume of rate filings, including manuals, classifications, rules, and supporting statistical data. It is apparent that the Superintendent in fact is not employing his resources of staff and time in this fashion. The bill which I am introducing would thus bring the law into conformity with what is now realistically possible under the existing practice. It is expected that by thus relieving the Superintendent's office of any responsibility over the multiplicity of duties involved in prior approval, the bill will free supervisory personnel to work on major regulatory problems.

BRITISH ATTITUDE TOWARD RATE REGULATION

When the chairman of the committee of Lloyd's of London testified before this subcommittee on June 16 of this year, the subcommittee was privileged to receive a lucid statement of the British philosophy toward rate regulation. British experience has sought to keep supervisory officials out of the techniques and mechanics of ratemaking. This is based on the British concept that competition among insurers will protect the public on rate levels. British regulatory laws, on the other hand, emphasize the need of careful safeguards for solvency. The bill which I am introducing today adopts a similar philosophy in reliance upon competition in the ratemaking field. It presupposes that the office of the superintendent will be utilized to a much greater extent in making careful examinations of insurers and organizations, in order to be alert to unsound operations which threaten insolvency, and otherwise to protect the public.

RATING BUREAUS SHOULD NOT BE AGGRIEVED PERSONS

The subcommittee's rate hearings strongly indicated that State rating laws have been perverted to thwart free competition, through the "aggrieved persons" provision. Under such provision, competitors, and in particular rating bureaus, have won recognition as aggrieved parties in hearings and appeals on rate filings. The result has been considerable harassment of insurers seeking to reduce rates by companies which did not welcome such competition. Insurance commissioners have been needlessly burdened by such proceedings, and the courts have been busy litigating such issues. The evil is compounded where competitors through rating bureaus are permitted to pool their resources in opposing their more venturesome competitors. Such mischievous provisions in rating laws have served no purpose other than to frustrate or delay the healthy processes of competition. A decision by

the U.S. Court for the District of Columbia in January 1957, in a proceeding involving opposition to a 10-percent fire rate cut by the insurance companies of North America, has been construed by many as recognizing the right of a rating bureau to be an aggrieved party to a lawsuit contesting a reduction in rates. One of the purposes of the bill I am introducing is to strip from the rating bureau and from any competitor company the right to have status as an aggrieved party in any hearing or suit involving a competitor's rate filing.

The bill permits only the filer or a policyholder to be an aggrieved person and thus become a party in interest in a hearing or appeal from the Superintendent's ruling. Of course, any person, including rating bureaus, should be permitted in good faith to bring to the Superintendent's attention facts providing reasonable grounds for him to believe that such filing does not comply with the standards of the act. This bill permits any person in good faith to file with the Superintendent a written request stating reasonable grounds for the holding of a hearing on any rate filing. The bill makes it optional with the Superintendent whether to call a hearing after receiving such a complaint, but makes it mandatory for a hearing to be held before the Superintendent can issue an order that a rate does not conform with the requirements of the act.

STANDARDS FOR RATEMAKING

The bill adopts the same standards for making rates as those contained in the present fire and casualty rate laws. These are the same standards generally adopted by the States throughout the country. However, the bill I am introducing does contain definitions of "excessive" and "inadequate" which are not now found in the existing District law. The bill adopts the California-Missouri definition of the term "excessive."' In thus defining "excessive," these States took the lead in recognizing the role of competition as a regulator against excessive rates.

In defining inadequate rates the bill declares:

No rate shall be held to be inadequate which upon reasonable assumptions of prospective loss and expense experience will not produce an underwriting loss.

This definition establishes a reasonably clear standard by which the Superintendent may test the adequacy of any rate.

TIGHTER SUPERVISION OF ADVISORY ORGANIZATIONS

This subcommittee gave considerable attention, during its rate hearings, to consideration of the importance and influence of advisory organizations. It was found that a number of such advisory organizations exercised a profound influence over rate levels. Furthermore, it was noted that these advisory organizations, operating on both a regional basis and a national basis, had concentrated power and responsibility in the hands of a relatively small group who largely operated out of the insurance district of New York City. Very clear evidence was obtained by the staff of the subcommittee that the offices of these advisory organizations have, in fact, been employed in an effort to restrict and otherwise delay competitive rate filings. It was also manifest that the State insurance departments were not sufficiently aware of all the activities engaged in by these advisory organizations, which so vitally affect the ratemaking processes. While the rating bureaus themselves were subject to regular, periodic investigations, these advisory organizations had not been subjected to the same careful examinations.

The proposed consolidated law would require all such advisory organizations to file considerable data with the Superintendent of Insurance, including all recommendations submitted by such advisory organizations to insurers or other organizations. In addition, the bill would require advisory organizations to maintain full and complete minutes of all board, committee, and subcommittee meetings, as well as the membership meetings. By requiring the maintenance of such records, and by requiring the Superintendent to conduct periodic examinations of such advisory organizations, the bill seeks to bring all of the activities of these organizations under strict supervision of the Superintendent of Insurance. The bill expressly prohibits such organizations from engaging in certain activities, including prohibitions against rules or programs having the effect of requiring insurers to adhere to rates or of preventing insurers from acting independently. The Superintendent of Insurance is then clothed with adequate authority to proceed against advisory organizations for acts or practices which are unfair or unreasonable. The definition of advisory organizations is deliberately made broad in order to include any trade association or other insurance organization which may seek to exercise influence or control over the making of rates.

I firmly believe that the bill I am offering today represents a constructive effort to remedy basic defects which have developed over the past 16 years in the ratemaking processes in the District of Columbia. Of course, I am not wedded to the language of every provision of this bill. Careful hearings will be required to obtain the views of all interested parties. I regret that I shall not be a Member of the Senate next year when this work will be done. In the crucible of public hearings, many defects of language and form in proposed legislation are exposed. I offer this bill as a working model on which such hearings may be conducted, and in the hope that the basic philosophy underlying this approach to rate regulation will be ultimately written into the law. In conclusion, I should point out that this bill deals only with the rate regulation sections of the District of Columbia Insurance Code, and does not affect in any way the other broad body of the insurance law.

Mr. President, I ask unanimous consent that a copy of the bill may be printed in the RECORD after my remarks.

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

The bill (S. 3907) providing for the regulation of rates for all forms of casualty insurance including fidelity, surety, and guaranty bonds and for all forms of fire, marine, and inland marine insurance, except as herein provided, and to rating and advisory organizations within the District of Columbia, introduced by Mr. O'MAHONEY (for himself and other Senators), was received, read twice by its title, referred to the Committee on the District of Columbia, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAWS REPEALED.—Chapter 224, sections 1–9 inclusive, 58 Stat. 267–269, Public Law 78–327, June 1, 1944, "An Act to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes", (35–1401 through 1409 inclusive, District of Columbia Code); and chapter 324, sections 1–10 inclusive, 62 Stat. 242–247, Public Law 80–541, May 20, 1948, "An Act to provide for regulation of certain insurance rates in the District of Columbia and for other purposes", (35–1501 through 1510 inclusive, District of Columbia Code), are hereby repealed.

SEC. 2. PURPOSE OF ACT.—The purpose of this Act is to promote the public welfare by regulating insurance rates to the end that they shall not be excessive, inadequate or unfairly discriminatory and to encourage reasonable competition among insurers and to permit and regulate but not require cooperative action among insurers, as to rates, rating systems, rating plans and practices and other matters within the scope of this Act. This Act shall be liberally interpreted to carry into effect the provisions of this section.

SEC. 3. SCOPE OF ACT.—This Act applies to all forms of casualty insurance including fidelity, surety, and guaranty bonds, to all forms of fire, marine, and inland marine insurance, and to any combinations of any of the foregoing, on risks or operations in the District of Columbia except:

(a) Reinsurance, other than joint reinsurance to the extent stated in section 14;

(b) Accident and health insurance;

(c) Insurance against loss of or damage to aircraft, including accessories and equipment, or against liability, other than workmen's compensation and employers' liability, arising out of the ownership, maintenance, or use of aircraft;

(d) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine insurance policies;

(e) Inland marine risks which are not made by a rating organization and which by general custom of the business are not written according to manual rates or rating plans;

(f) Insurance issued to self-insurers and insuring against loss in excess of at least $10,000 resulting from any one accident or event, except when rates therefor are made by a rating organization.

SEC. 4. MAKING OF RATES.—Rates shall be made only by insurers or rating organizations and in accordance with the following provisions:

(a) Rates shall not be excessive, inadequate, or unfairly discriminatory.

No rate shall be held to be excessive unless (1) such rate is unreasonably high for the insurance provided, and (2) a reasonable degree of competition does not exist in the area with respect to the classification to which such rate is applicable.

No rate shall be held to be inadequate which upon reasonable assumptions of

prospective loss and expense experience will not produce an underwriting loss.

(b) To the extent applicable, consideration shall be given to the following factors:

(1) As a guide to reasonable assumptions as to prospective experience:

a. Past loss experience, if any, of the filer or other insurers or advisory or rating organizations, within or without this state;

b. Past countryside expense experience, if any, and those expenses, if any, especially applicable to this jurisdiction, of the filer or other insurers or advisory or rating organizations;

c. Any combination of any of the foregoing factors;

d. Catastrophe and conflagration hazards, if any;

(2) The judgment of the filer and its interpretation of any data relied upon;

(3) A reasonable margin for underwriting profit and contingencies;

(4) Dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers;

(5) All other factors, including trend factors, deemed by the filer to be relevant.

(c) The expense provisions included in the rates for use by any insurer or group of insurers may differ from those of other insurers or groups of insurers with respect to any kind of insurance or subdivision or class of risk, or a part or combination of any of the foregoing for which separate expense provisions are applicable

(d) Manual, minimum, class rates, rating schedules or rating plans may be made and adopted. Risks may be grouped by classifications for the establishment of rates and minimum premiums. Classification rates may be modified under rating plans to produce rates for individual risks. Classification of risks, and rating plans used in modification of classification rates may be based upon any differences among risks deemed by the filer to have a probable effect upon losses or expenses.

(e) Uniformity among insurers in any matters within the scope of this section is not required or prohibited.

SEC. 5. RATE FILINGS.—(a) Each insurer shall file with the Superintendent of Insurance, hereinafter referred to as Superintendent, every manual of classifications, rules and rates, and every minimum rate, class rate, rating plan, rating schedule and rating system and any modification of the foregoing it intends to use within the District of Columbia, and shall indicate the character and extent of the coverage involved. The filing shall automatically become effective upon the date of filing.

Such filing shall be accompanied by the information upon which the filer supports such filing. The filer may incorporate by reference into its filing by specific designation all or part of any existing filing and supporting information and any other relevant information upon which the filer supports such filing. The filer may incorporate by reference into its filing by specific designation all or part of any existing filing and supporting information and any other relevant information or material in the Superintendent's possession which is open to public inspection.

A filing and any supporting information shall be open to public inspection the date it becomes effective.

(b) Any insurer may satisfy its obligation to make any such filings by becoming a member of, or a subscriber to, a licensed rating organization which makes such filings, and by authorizing the Superintendent to accept such filings on its behalf; provided that nothing contained in this Act shall be construed as requiring any insurer to become a member of or a subscriber to any rating organization, or as preventing any insurer, while a member or subscriber to a rating organization, from making its own rate filing for any kind of insurance or subdivision or class of risk, or a part or combination of any of the foregoing, for which it does not elect to authorize the rating organization to make filings on its behalf.

(c) Any insurer which is a member of or subscriber to a rating or advisory organization may use the rates, rating systems, underwriting rules or policy or bond forms of such organization, either consistently or intermittently, but, except as provided in Sections 13, 14 and 15, shall not agree with any other such member or subscriber or rating or advisory organization or others to adhere thereto.

(d) Any insurer which is a member of or subscriber to a rating organization may make its own rate filings for any kind of insurance, or subdivision, or class of risk, or a part or combination of any of the foregoing. No rating organization shall have authority to make any filing on behalf of any insurer which is a member of or subscriber to such rating organization except as authorized in writing by such member or subscriber, which authority may be supplemented, modified or revoked, in whole or in part, at any time by such member or subscriber at its option.

(e) Under such rules and regulations as he shall adopt the Superintendent may, by written order, suspend or modify the requirement of filing as to any kind of insurance, subdivision or combination thereof, or as to classes of risks, the rates for which cannot practicably be filed before they are used. Such orders, rules and regulations shall be made known to insurers and rating organizations affected thereby. Such rates shall be subject to the provisions of Section 4.

(f) Upon the written application of the insured, stating his reasons therefor, filed with the Superintendent, a rate in excess of that provided by a filing otherwise applicable may be used on any specific risk.

(g) Upon the effective date of this Act it shall be mandatory for every insurer to make or issue a policy or contract only in accordance with filings which are effective for said insurer or in accordance with subsections (e) and (f) of this section.

SEC. 6. RIGHT OF INSURED TO REVIEW OF MANNER IN WHICH A FILING HAS BEEN APPLIED TO HIM.—Any insured may in writing request his insurer to review the manner in which its filing has been applied with respect to insurance afforded him. Any such insured aggrieved by the failure or refusal of an insurer to make such review and to grant appropriate relief within thirty days after such request is received may file a written complaint and request for hearing with the Superintendent, specifying the grounds relied upon. If the complaint charges a violation of this Act and the Superintendent finds that the complaint was made in good faith and that the complainant would be aggrieved if the violation is proven, he shall hold a hearing upon not less than ten days' written notice to the complainant and to the insurer stating the grounds of the complaint. If after such hearing he finds the complaint justified he shall order the matter complained of to be corrected within a reasonable time and not less than twenty days after a copy of his written order has been mailed to or served upon the insurer complained against.

SEC. 7. DISAPPROVAL OF FILINGS.—(a) Upon his own motion, or upon written complaint of a policyholder to whose policy a filing is applicable, if such complaint is made in good faith and on his own behalf, and states reasonable grounds, or upon written request by any person, if such request is made in good faith and on his own behalf and states reasonable grounds, the Superintendent, if he shall have reason to believe that any filing is not in compliance with the applicable provisions of section 4(a) of this Act, may, in his discretion, hold a hearing upon not less than ten days' written notice to the rating organization or insurer which made the filing in issue specifying the items and matters to be considered and stating in what manner and to what extent noncompliance is alleged to exist. No other matter or subject shall be considered at such hearing. Only the rating organization or insurer which made such filing and such complaining policyholder, if any, may be parties to any such hearing or to any judicial appeal resulting therefrom.

(b) If after such hearing the Superintendent finds that any filing is not in compliance with the applicable provisions of section 4(a) of this Act, he may issue an order which shall be in writing to the insurer or rating organization which has been subject to hearing specifying in what respects such noncompliance exists and stating when, within a reasonable period and not less than ninety days after such order, the further application of such filing by such insurer or rating organization to contracts of insurance made thereafter shall be prohibited.

(c) No manual of classifications or rules, and no minimum rate, class rate, rating plan, rating schedule or rating system, or any modification of any of the foregoing, which has been filed pursuant to section 5 of this Act shall be disapproved if the rates thereby produced meet the requirements of section 4 of this Act.

SEC. 8. RATING ORGANIZATIONS.—(a) A "rating organization" is an individual, partnership, corporation, or unincorporated association, other than an insurer, located within or without the District of Columbia, who or which has as its primary object and purpose, the making of rates, rating plans, rating systems, or rules relating thereto. The government of a rating organization shall be vested in its members and it shall not be subject to the direction or control of any other rating organization, bureau, association, corporation, company, individual, or group of individuals.

(b) No rating organization shall conduct its operations in the District of Columbia without first securing a license. Any rating organization may make application for and obtain a license if it shall meet the requirements set forth in this Act. Every such rating organization shall file with its application (1) a copy of its constitution, its articles of agreement or association, or certificate of incorporation, and of its by-laws, rules and regulations governing the conduct of its business which shall include a provision requiring the maintenance of full and complete minutes of all board, committee, and subcommittee meetings as well as the meeting of its members, and all rules and regulations that include the basis of assessments of members and subscribers and charges for services to insurers and organizations; (2) a list of its members and subscribers; (3) the name and address of a resident of this jurisdiction upon whom notice or orders of the Superintendent or process affecting such rating organization may be served; and (4) a statement of qualifications as a rating organization. It shall thereafter notify the Superintendent promptly of any changes in any of the foregoing.

(c) If the Superintendent finds that the applicant is competent, trustworthy, and otherwise qualified to act as a rating orgzanization and that its constitution, articles of agreement or association, or certificate of incorporation, and its bylaws, rules and regulations governing the conduct of its business conforms to the requirements of law, he shall issue a license specifying the kind of insurance or subdivision or class of risk, or a part or combination of any of the foregoing, for which the applicant is authorized to act as a rating organization. Every such application shall be granted or denied in whole or in part by the Superintendent within sixty days of the date of its filing with him. If

the application is denied in whole or in part the Superintendent shall notify the applicant of the reasons for such denial. Licenses so issued shall remain in effect for three years unless sooner revoked or suspended by the Superintendent. The fee for such license shall be $250. Licenses issued pursuant to this section may be suspended or revoked by the Superintendent, after hearing upon at least ten days' notice, in the event the rating organization ceases to meet the requirements of this Act.

(d) "Member" of a rating organization means an insurer, entitled to participate in its management. Subject to the approval of the Superintendent, rating organizations may make reasonable rules governing eligibility for membership.

(e) Subject to rules and regulations which have been approved by the Superintendent as reasonable, each rating organization shall permit any insurer, not a member, to be a subscriber to its rating services for any kind of insurance or subdivision or class of risk, or a part of combination of any of the foregoing, for which it is authorized to act as a rating organization. Each rating organization shall furnish its rating services without discrimination to its members and subscribers for providing such services, but any rate or rates of assessment shall be applied uniformly to all members and subscribers and no subscriber shall be required to pay any assessment for classes of business for which it does not subscribe to the rating bureau. The reasonableness of any rule or regulation in its application to subscribers, or the refusal of any rating organization to admit an insurer as a subscriber, shall, at the request of any subscriber or any such insurer, be reviewed by the Superintendent at a hearing held upon at least ten days' written notice to such rating organization and to such subscriber or insurer. If the Superintendent finds that such rule or regulation is unreasonable in its application to subscribers, he shall order that such rule or regulation shall not be applicable to subscribers. If the rating organization fails to grant or reject an insurer's application for subscribership within thirty days after it was made, the insurer may request a review by the Superintendent as if the application had been rejected. If the Superintendent finds that the insurer has been refused admittance to the rating organization as a subscriber without justification, he shall order the rating organization to admit the insurer as a subscriber. If he finds that the action of the rating organization was justified, he shall make an order affirming its action.

(f) Every rating organization shall notify its members and subscribers in writing of every proposed change in its constitution, its articles of agreement or association or certificate of incorporation, or its by-laws, rules or regulations, which affects or may affect them. The Superintendent shall upon written request in good faith by any such member or subscriber review any such proposed change. If the Superintendent finds after hearing, on at least ten days' notice to the rating organization and each such complaining member or subscriber, that such proposed change is unreasonable or is not in compliance with the requirements of this Act, he may disapprove it in whole or in part.

(g) No rating organization shall adopt any rule or exact any agreement the effect of which would be to prohibit or regulate the payment of dividends, savings or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members or subscribers.

(h) No rating organization shall have or adopt any rule or exact any agreement, or formulate or engage in any program the effect of which would be to require any member or subscriber or other insurer to utilize some or all of its filing services, or to adhere to its rates, rating plans, rating systems, underwriting rules, or policy or bond forms, or to prevent any insurer from acting independently.

(i) Cooperation among rating organizations or among rating organizations and insurers in ratemaking or in other matters within the scope of this act is hereby authorized, provided the filings resulting from such cooperation are subject to all the provisions of this act which are applicable to filings generally. The superintendent may review such cooperative activities and practices and if, after a hearing on at least ten days' written notice to the parties involved, he finds that any such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or otherwise inconsistent with the provisions of this act, and requiring the discontinuance of such activity or practice.

(j) Any rating organization may subscribe for or purchase actuarial, technical, or other services, and such services shall be available to all members and subscribers without discrimination.

SEC. 9. ADVISORY ORGANIZATIONS.—(a) Every group, association or other organization of insurers, or of their officers or employees, whether located within or outside the District of Columbia, which is neither a rating organization as defined in this act nor subject to regulation under sections 13, 14, or 15 of this act, and which engages in any activity affecting in the District of Columbia any matter or practice regulated, permitted or prohibited by this act, shall be known as an advisory organization.

(b) Every advisory organization shall file with the Superintendent (1) a copy of its constitution, its articles of agreement or association or its certificate of incorporation and of its bylaws, rules and regulations governing its activities, which shall include a provision requiring the maintenance of full and complete minutes of all board, committee and subcommittee meetings, as well as the meetings of its members, (2) all recommendations submitted to any rating organization or insurer, trade organization, other advisory organization, (3) a list of its members, (4) the name and address of a resident of the District of Columbia upon whom notices or orders of the Superintendent or process issued at his direction may be served, and (5) an agreement that the Superintendent may examine such advisory organization in accordance with the provisions of section 10 of this Act.

(c) No advisory organization shall (1) make any actual determination of rates or otherwise perform the functions of a rating organization as defined in section (8) of this Act, or (2) direct or control the policies or activities of any rating organization.

(d) No advisory organization shall have or adopt any rule or enact any agreement or formulate or engage in any program, the effect of which would be to require any member or subscriber or other insurer to adhere to any rates, rating plans, rating systems, underwriting rules, or policy or bond forms, or to prevent any insurer from acting independently.

(e) If, after a hearing, the Superintendent finds that any advisory organization has engaged in any act or practice which is unfair or unreasonable or which may have the effect of substantially lessening competition, or is otherwise inconsistent with the provisions of this Act, he may issue a written order specifying in what respects such act or practice is unfair or unreasonable or may have the effect of substantially lessening competition or is otherwise inconsistent with the provisions of this Act, and requiring the discontinuance of such act or practice.

(f) No insurer which makes its own filing nor any rating organization shall support its filings by statistics or adopt ratemaking recommendations, furnished to it by an advisory organization which has not complied with this section or with an order of the Superintendent involving such statistics or recommendations issued under subsection (e) of this section.

SEC. 10. EXAMINATIONS.—(a) The Superintendent shall, at least once every five years, make or cause to be made an examination of each licensed rating organization and advisory organization, and may, as often as he may deem it expedient, make or cause to be made an examination of each group, association or other organization of insurers which engages in joint underwriting or joint reinsurance pursuant to Section 14 of this Act, to ascertain whether the applicable provisions of this Act have been complied with. In lieu of any such examination the Superintendent may accept the report of an examination made by the insurance supervisory official of any State.

(b) The officers, managers, agents and employees of any such organization, group or association may be examined at any time under oath and shall exhibit all books, records, accounts, documents or agreements governing its method of operation, together with all data, statistics and information of every kind and character collected or considered by such organization, group or association in the conduct of the operations to which such examination relates.

(c) No fee or assessment covering any part of the cost of any examination authorized by this Act shall be levied against or charged to the organization, group or association examined.

SEC. 11. RATE ADMINISTRATION.—(a) The Superintendent shall promulgate or approve reasonable rules and statistical plans, reasonably adapted to each of the rating systems on file with him, which may be modified from time to time and which shall be used thereafter by each insurer in the recording and reporting of its loss and countrywide expense experience, in order that the experience of all insurers may be made available at least annually. Such rules and plans may also provide for the recording and reporting of expense experience items which are specially applicable to this jurisdiction and are not susceptible of determination by a prorating of countrywide expense experience. In promulgating or approving such rules and plans, the Superintendent shall give due consideration to the rating systems on file with him and, in order that such rules and plans may be as uniform as is practicable among the several States, to the rules and to the form of the plans used for such rating systems in other jurisdictions. No insurer shall be required to record or report its loss experience on a classification basis that is inconsistent with the rating system filed by it. The Superintendent may designate one or more rating organizations or other agencies, or both, to assist him in gathering such experience and making compilations thereof, and such compilations shall be made available, subject to reasonable rules approved by the Superintendent, to insurers and advisory and rating organizations.

(b) In order to further efficient administration of rate regulatory laws, the Superintendent and every insurer, rating organization, advisory organization, or statistical agency may exchange information and experience data with insurance supervisory officials, insurers, rating organizations, advisory organizations, or statistical agencies in this jurisdiction and other States, and may consult with them with respect to ratemaking and the application of rating systems.

(c) The Superintendent may make reasonable rules and regulations necessary to effect the purposes of this Act.

SEC. 12. FALSE AND MISLEADING INFORMATION.—No person or organization shall will-

fully withhold information required to be submitted by this Act, from or knowingly give false or misleading information to, the Superintendent, or to anyone designated by the Superintendent pursuant to this Act. A violation of this section shall subject the one guilty of such violation to the penalties provided in section 16 of this Act.

SEC. 13. INSURERS WITH COMMON OWNERSHIP OR MANAGEMENT: MATTERS RELATING TO CO-SURETY BONDS.—With respect to any matters pertaining to the making of rates, rating plans or rating systems, the preparation or making of insurance policy or bond forms, underwriting rules, surveys, inspections and investigations, the furnishing of loss or expense statistics or other information and data, or carrying on of research, two or more admitted insurers having a common ownership or operating in this jurisdiction under common management or control, are hereby authorized to act in concert between or among themselves the same as if they constituted a single insurer, and to the extent that such matters relate to co-surety bonds, two or more admitted insurers executing such bonds are hereby authorized to act in concert between or among themselves the same as if they constituted a single insurer.

SEC. 14. JOINT UNDERWRITING AND JOINT REINSURANCE.—(a) Every group, association, or other organization of insurers which engages in joint underwriting shall be subject to all the provisions of this Act and, every group, association, or other organization of insurers which engages in joint reinsurance shall be subject to sections 10, 14, and 16 to 19 of this Act.

(b) If, after a hearing, the Superintendent finds that any activity or practice of any such group, association, or other organization is unfair or unreasonable or may have the effect of substantially lessening competition, or is otherwise inconsistent with the provisions of this Act, he may issue a written order specifying in what respects such activity or practice is unfair or unreasonable or may have the effect of substantially lessening competition, or is otherwise inconsistent with the provisions of this Act, and requiring the discontinuance of such activity or practice.

SEC. 15. ASSIGNED RISKS.—Agreements may be made among insurers with respect to the equitable apportionment among them of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods and such insurers may agree among themselves on the use of reasonable rates or rate modifications for such insurance, such agreements to be subject to the approval of the Superintendent.

SEC. 16. PENALTIES FOR NONCOMPLIANCE WITH FINAL ORDERS OF THE SUPERINTENDENT.—(a) The Superintendent may, if he finds that any person or organization has violated any provision of this Act, impose a penalty of not more than fifty dollars ($50) for each such violation, but if he finds such violation to be willful he may impose a penalty of not more than five hundred dollars ($500) for each such violation. Such penalties may be in addition to any other penalty provided by law. A series of acts constituting the same offense shall be treated as a single violation.

(b) The Superintendent may suspend the license of any rating organization or insurer which fails to comply with an order of the Superintendent within the time limited by such order, or any extension thereof which the Superintendent may grant. The Superintendent shall not suspend the license of any rating organization or insurer for failure to comply with an order until the time prescribed for an appeal therefrom has expired or if an appeal has been taken, until such order has been affirmed. The Superintendent may determine when a suspension of license shall become effective and it shall remain in effect for the period fixed by him, unless he modifies or rescinds such suspension, or until the order upon which such suspension is based is modified, rescinded or reversed.

(c) No penalty shall be imposed and no license shall be suspended or revoked except upon a written order of the Superintendent, stating his findings, made after a hearing held upon not less than ten days' written notice to such person or organization or insurer specifying the alleged violation.

SEC. 17. HEARINGS AND JUDICIAL REVIEW.—(a) Any person, firm or corporation aggrieved by any order, ruling, proceeding or action of the Superintendent may contest the validity of such order, ruling, proceeding, or action in any court of competent jurisdiction by appeal or through any other appropriate proceedings, as provided under section 35-1348 and 1349, provided however that the provisions of Section 7(a) of this Act shall be applicable to any hearing or judicial appeal or proceeding in connection with an order issued under this section.

(b) No order, ruling or decision of the Superintendent of Insurance that a rate is excessive or inadequate in violation of Section 4(a) of this Act, nor of any court rendered upon judicial review of any such order, ruling or decision of the Superintendent of Insurance shall affect any insurance contract or policy which was in force prior to the effective date of such order, ruling or decision.

SEC. 18. CONSTITUTIONALITY.—If any section, subsection, subdivision, paragraph, sentence or clause of this Act is held invalid or unconstitutional, such decision shall not affect the remaining portions of this Act.

SEC. 19. EFFECTIVE DATE.—This Act shall take effect 120 days after its enactment.

Mr. MORSE. Mr. President, I shall always be proud that my name appears as a cosponsor on the insurance rate bill which the Senator from Wyoming [Mr. O'MAHONEY] has introduced this afternoon. I want to say for the record that the Senate has just seen a man who, I think, will go down in American Senate history as probably the most effective and the most able advocate of protecting the free enterprise system in this country of any man who has served in the Senate.

We often hear reference to the phrase "trust buster," but in my judgment the Senator from Wyoming [Mr. O'MAHONEY] personifies the meaning of the phrase "trust buster."

When I think of the great record the Senator from Wyoming has made through the years of noble service in the Senate on this issue, I am particularly proud to have my name associated with the bill he is introducing this afternoon.

I want to assure the Senator we intend to carry on. In my judgment, this bill opens the door to another investigation long overdue in this country, and that is an investigation of the many problems caused by the American insurance combine in this country at the present time. In my judgment, the American insurance industry has been getting by with practices that are not in the public interest and are deserving of an early investigation.

The senior Senator from Oregon intends, in the next session of Congress, to do what he can to open the doors for such an investigation, because the senior Senator from Oregon is a strong defender of the institution of insurance; but here again we find that certain practices, when constant viligance is not being maintained, have crept into the insurance fraternity in this country that need to be looked into by the Congress of the United States. As far as I am concerned, this is the beginning of an investigation in this field.

Mr. O'MAHONEY. I thank the Senator.

Mr. McGEE. I want to join in the comments made this afternoon on the proposal of my senior colleague from Wyoming [Mr. O'MAHONEY]. I think it is significant that in the closing moments of the 86th Congress he is still pressing for legislation which is more than antitrust; it is that which epitomizes his whole public career—it is propeople.

In that connection, I ask unanimous consent that a compilation of the legislative product of the senior Senator from Wyoming's [Mr. O'MAHONEY] long public career, prepared by the Legislative Reference Service of the Library of Congress, be included in the RECORD at this point, along with comments of my own that bear upon that same matter.

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

LEGISLATIVE RECORD OF THE HONORABLE JOSEPH C. O'MAHONEY, SENATOR FROM WYOMING

The Legislative Reference Service of the Library of Congress has prepared a list of the public laws originating in bills introduced or cosponsored by Senator JOSEPH C. O'MAHONEY during his service in the Senate, which began on January 3, 1934.

As lengthy as it is, it does not include the almost countless amendments which he has sponsored and which have been enacted into law. I call attention to several so, taken with the list of bills, the range of his endeavors as well as his legislative skill may be more properly assessed.

Without attempting any particular order, I mention first the O'Mahoney amendment to the McCarran Insurance Act of 1945. The McCarran Act provides generally for the State regulation of insurance but Senator O'MAHONEY, to assure that regulation by the States could not be used as a device to escape the Federal antitrust laws with respect to boycott, coercion or intimidation, secured the adoption of an important amendment. It provided expressly that insurance activities involving boycott, coercion, and intimidation would continue to fall within the scope of the Sherman Act. This amendment has been used by the courts to strike down a boycott in the insurance business. Judge J. Skelly Wright, of the Federal District Court for the Eastern District of Louisiana, dismissed the argument of the boycotters in these terse words: "The legislative history of [the O'Mahoney amendment] affirms what its language so plainly says." The Supreme Court has confirmed Judge Wright's decision (*U.S. v. New Orleans Insurance Exchange*, 148 Fed. Supp. 915 and 355 U.S. 22) and boycotts in the insurance field are now clearly subject to the antitrust laws.

In another area of our national life affairs would be far different if the Department of Defense would bestir itself to implement fully the O'Mahoney amendment to the Defense Appropriation Act of 1952 which authorizes a unified supply system for items of common use among the armed services. Hundreds of millions of dollars, various studies have shown, could be saved for the public if the armed services could be required to set aside their rivalry in this field. While some progress has been made there is still ample ground for the Department of Defense to cover before the intent of the O'Mahoney amendment is fully realized.

With respect to the development of water power and irrigation I call attention to the O'Mahoney-Hayden amendment to the Department of the Interior appropriation bill for 1939. This important amendment provides that the revenues from the public power projects shall be available, after the costs of the powerplants, including interest, have been recovered, for the retirement of part of the costs of developing irrigated land.

Another mark which Senator O'MAHONEY has inscribed on the statutes is the O'Mahoney-Milliken amendment to the Flood Control Act of 1944. That amendment is highly important for the semiarid States of the Far West for it preserves for them their priority on the beneficial uses of water for "domestic, municipal, stock water, irrigation, mining, or industrial purposes."

I should report that under slightly different circumstances the list prepared by the Legislative Reference Service would include the revision of the Mineral Leasing Act sent to the President on August 24, 1960. The impetus for this legislation came from the introduction of S. 2181 by Senator O'MAHONEY on June 15, 1959. An emergency feature of this bill was enacted into law on September 21, 1959 (Public Law 86-294). In this session Senator O'MAHONEY returned to the task of revising the Mineral Leasing Act by introduction of S. 2983. Before the Senate Committee on Interior and Insular Affairs could act, the House had passed H.R. 10455 and Senator O'MAHONEY insisted that the Senate Committee use the House bill for the text of its proposals.

The list prepared by the Legislative Reference Service of the Library of Congress is appended to this statement.

LIST OF PUBLIC LAWS SPONSORED OR COSPONSORED BY THE HONORABLE JOSEPH C. O'MAHONEY DURING HIS CAREER IN THE SENATE (73D CONG.–86TH CONG.)

I. SENATOR O'MAHONEY SOLE SPONSOR

Seventy-third Congress

Public Law 241, approved May 21, 1934 (S. 2568): Grants a leave of absence to settlers of homestead lands during the years 1932, 1933, and 1934.

Public Law 373, approved June 16, 1934 (S. 3723): Amends the Mineral Lands Leasing Act of 1920 with reference to oil- or gas-prospecting permits and leases.

Seventy-fourth Congress

Public Law 12, approved February 21, 1935 (S. 932): Postpones the effective date of certain restrictions respecting airmail contracts.

Public Law 64, approved May 22, 1935 (S. 1776): Grants a leave of absence to settlers of homestead lands during the year 1935.

Public Law 297½, approved August 21, 1935 (S. 3311): Amends an act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920 (41 Stat. 437; U.S.C. title 30, secs. 185, 221, 223, 226), as amended.

Public Law 488, approved April 10, 1936 (S. 3761): Authorizes the Secretary of the Interior to patent certain land to the town of Wamsutter, Wyo.

Public Law 817, approved June 26, 1936 (S. 2712): Promotes the efficiency of the Bureau of Engraving and Printing.

Public Res. No. 109, approved June 19, 1936 (S.J. Res. 276): Modified and extends the act entitled "An act to include sugar beets and sugarcane as basic agricultural commodities under the Agricultural Adjustment Act, and for other purposes," approved May 9, 1934, as amended.

Seventy-fifth Congress

Public Law 346, approved August 24, 1937 (S. 2682): Authorizes the Secretary of the Interior to issue patents to States under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), subject to prior leases issued under section 15 of the said act.

Public Law 471, approved April 7, 1938 (S. 3105): Amends the Commodity Exchange Act, as amended, to extend its provisions to wool and other agricultural commodities traded in for future delivery.

Public Law 615, approved June 15, 1938 (S. 3416): Provides for the addition of certion lands to the Black Hills National Forest in the State of Wyoming.

Public Law 674, approved June 20, 1938 (S. 3415): Purchases certain private lands within the Shoshone (Wind River) Indian Reservation.

Public Resolution 113, approved June 16, 1938 (S.J. Res. 300): Creates a temporary national economic committee.

Seventy-sixth Congress

Public Law 187, approved July 17, 1939 (S. 2336): Authorizes an exchange of lands at the Fort Francis E. Warren Military Reservation, Wyo.

Public Law 397, approved August 11, 1939 (S. 878): Amends the act of August 29, 1937 relating to prospecting permits.

Public Law 431, approved March 14, 1940 (S. 2843): Grants easements of Indian lands of the Wind River or Shoshone Indian Reservation, Wyo., for dam site and reservoir purposes in connection with the Riverton reclamation project.

Public Law 726, approved July 8, 1940 (S. 2915): Relates to rentals in certain oil and gas leases issued under authority of the act of February 25, 1920, as amended.

Public Resolution 12, approved April 26, 1939 (S.J. Res. 90): Amends the joint resolution approved June 16, 1938, entitled "Joint resolution to create a Temporary National Economic Committee."

Public Resolution 109, approved December 16, 1940 (S.J. Res. 306): Extends the time for submitting the final report of the Temporary National Economic Committee.

S. 1898 (H.R. 5076 passed in lieu of Mr. O'Mahoney's bill which became Public Law 97, approved May 31, 1939): Authorizes further relief to water users on U.S. reclamation projects and on Indian reclamation projects.

Seventy-seventh Congress

Public Law 131, approved June 25, 1941 (S. 879): Relates to certain Carey Act lands in Wyoming.

Public Law 151, approved July 3, 1941 (S. 178): Authorizes the Secretary of the Interior to issue oil and gas leases on certain lands.

Public Law 679, approved July 27, 1942 (S. 2362): Relates to the jurisdiction over certain lands in the Isle Royale National Park.

Public Law 832, approved December 24, 1942 (S. 2239): Encourages the discovery of oil and gas on the public domain during the continuance of the present war.

S. 2915 (H.R. 7841 passed in lieu which became Public Law 817, December 18, 1942): Relates to the administration of grazing districts.

Seventy-eighth Congress

Public Law 192, approved November 28, 1943 (S. 364): Authorizes the Secretary of the Interior to settle certain claims.

Public Law 290, approved April 5, 1944 (S. 1243): Authorizes the construction and operation of demonstration plants to produce synthetic liquid fuels from coal and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation.

Public Law 336, approved June 13, 1944 (S. 1335): Amends the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain, as amended.

Public Law 442, approved September 27, 1944 (S. 2111): Provides for the extension of certain oil and gas leases.

Seventy-ninth Congress

Public Law 39, approved April 24, 1945 (S. 37): Amends sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes.

Public Law 150, approved July 14, 1945 (S. 911): Authorizes the conveyance of certain lands to the city of Cheyenne, Wyo.

Public Law 502, approved July 11, 1946 (S.J. Res. 160): Amends the act of March 22, 1946, for the purpose of correcting the description of the small parcel of land authorized to be conveyed to the State of Wyoming by such act.

Public Law 506, approved July 13, 1946 (S. 680): Encourages and protects small oil refineries by extending preference to such refineries in disposing of royalty oil under the Mineral Lands Leasing Act.

Public Law 602, approved August 2, 1946 (S. 1235): Authorizes the use of the funds of any tribe of Indians for insurance premiums.

Eightieth Congress

S. 134 (H.R. 2161 passed in lieu which became Public Law 443, approved March 15, 1948): Amends the act entitled "An act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil shales, agricultural and forestry products, and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes," approved April 5, 1944 (58 Stat. 190).

Eighty-first Congress

Public Law 120, approved June 23, 1949 (S.J. Res. 55): Prints the monthly publication entitled "Economic Indicators."

Public Law 462, approved March 18, 1950 (S. 493): Extends the benefits of the Vocational Education Act of 1946 to the Virgin Islands.

Public Law 548, approved June 15, 1950 (S. 1719): Amends section 3 of the act of Congress approved June 28, 1906, relating to the Osage Indians of Oklahoma.

Eighty-second Congress

S. 5 (H.R. 6578 passed in lieu which became Public Law 448, approved July 3, 1952): Provides for research into and demonstration of practical means for the economical production, from sea or other saline waters, or from the atmosphere (including cloud formations), of water suitable for agricultural, industrial, municipal, and other beneficial consumptive uses.

Senate Joint Resolution 151 (H.J. Res. 430 passed in lieu which became Public Law 447, approved July 3, 1952): Approved the Constitution of the Commonwealth of Puerto Rico which was adopted by the people of Puerto Rico on March 3, 1952.

Eighty-fourth Congress

Public Law 887, approved August 1, 1956 (S. 3970): Provides for the termination of Federal supervision over the property of the Wyandotte Tribe of Oklahoma and the individual members thereof.

Public Law 921, approved August 2, 1956 (S. 3968): Provides for the termination of Federal supervision over the property of the Peoria Tribe of Indians in the State of Oklahoma and the individual members thereof.

Public Law 943, approved August 3, 1956 (S. 3969): Provides for the termination of Federal supervision over the property of the Ottawa Tribe of Indians in the State of Oklahoma and the individual members thereof.

Public Law 980, approved August 6, 1956 (S. 3386): Amends the joint resolution entitled "Joint resolution to establish a commission for the celebration of the 100th

anniversary of the birth of Theodore Roosevelt," approved July 28, 1955.

Eighty-sixth Congress through July 2, 1960

Public Law 86-47, approved June 17, 1959 (S. 949): Incorporates the Ladies of the Grand Army of the Republic.

Public Law 86-294, approved September 21, 1959 (S. 2181): amends the Mineral Leasing Act of February 25, 1920.

II. SENATOR O'MAHONEY'S NAME FIRST IN LIST OF SPONSORS

Seventy-fifth Congress

Public Law 616, approved June 15, 1938 (S. 3417): For the relief of the State of Wyoming.

Seventy-sixth Congress

Public Law 238, approved July 27, 1939 (S. 1878): Provides for the distribution of the judgment fund of the Shoshone Tribe of the Wind River Reservation in Wyoming.

Seventy-eighth Congress

Public Law 212, approved December 22, 1943 (S. 1576): Provides for the extension of certain oil and gas leases.

S. 1933 (H.R. 4833 passed in lieu which became Public Law 345, approved June 20, 1944): Extends, for 2 additional years, the provisions of the Sugar Act of 1937, as amended, and the taxes with respect to sugar.

Eightieth Congress

Public Law 85, approved May 31, 1947 (S. 854): Amends section 502(a) of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes."

Public Law 164, approved July 31, 1945 (S. 1270): Relates to the payment of subsidies by the Commodity Credit Corporation and the Reconstruction Finance Corporation.

Public Law 696, approved August 8, 1946 (S. 1236): Promotes the development of oil and gas on the public domain and on lands acquired for the Appalachian National Forest.

S. 1821 (H.R. 4462 passed in lieu which became Public Law 887, approved July 2, 1948): Authorizes the conveyance of certain lands in Park County, Wyo., to the State of Wyoming.

Eighty-first Congress

Public Law 37, approved April 6, 1949 (S. 790): Grants the consent of the United States to the Upper Colorado River Basin Compact.

Public Law 132, approved June 28, 1949 (S. 55): Authorizes completion of construction and development of the Eden project, Wyoming.

Public Law 330, approved October 6, 1949 (S. 2085): Amends the Employment Act of 1946 with respect to the Joint Committee on the Economic Report.

Public Law 474, approved April 19, 1950 (S. 2734): Promotes the rehabilitation of the Navajo and Hopi Tribes of Indians and a better utilization of the resources of the Navajo and Hopi Indian Reservations.

Public Law 787, approved September 14, 1950 (S. 3409): Establishes a new Grand Teton National Park in the State of Wyoming.

Public Law 832, approved September 25, 1950 (S. 3136): Authorizes the Secretary of the Interior to transfer to the town of Mills, Wyo., a sewage system located in such town.

Public Law 600, approved July 3, 1950 (S. 3336): Provides for the organization of a constitutional government by the people of Puerto Rico.

Eighty-second Congress

Public Law 231, approved October 30, 1951 (S. 1311): Grants the consent of Congress to a compact entered into by the States of Montana, North Dakota, and Wyoming relating to the waters of the Yellowstone River.

S. 2658 (H.R. 5698 passed in lieu which became Public Law 331, approved May 8, 1952): Amends the act of September 25, 1950, so as to provide that the liability of the town of Mills, Wyo., to furnish sewerage service under such act shall not extend to future construction by the United States.

Eighty-fourth Congress

Public Law 278, approved August 9, 1955 (S. 2087): Amends the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, so as to permit per capita payments to the individual members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming, to be made quarterly.

Public Law 283, approved August 9, 1955 (S. 2339): Authorizes the Secretary of the Interior to include capacity to serve the town of Glendo, Wyo., in a sewerage system to be installed in connection with the construction of Glendo Dam and Reservoir.

Public Law 794, approved July 25, 1956 (S. 3397): Amends section 3 of the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, for the purpose of extending the time in which payments are to be made to members of the Shoshone Tribe and the Arapahoe Tribe of the Wind River Reservation in Wyoming.

Public Law 960, approved August 3, 1956 (S. 3467): Authorizes the conveyance of tribal lands from the Shoshone Indian Tribe and the Arapahoe Indian Tribe of the Wind River Reservation in Wyoming to the United States.

Public Law 1026, approved August 8, 1956 (S. 3879): Supplements the antitrust laws of the United States, in order to balance the power now heavily weighted in favor of automobile manufacturers, by enabling franchise automobile dealers to bring suit in the district courts of the United States to recover compensatory damages sustained by reason of the failure of automobile manufacturers to act in good faith in complying with the terms of franchises or in terminating or not renewing franchises with their dealers.

Eighty-fifth Congress

Public Law 85-269, approved September 2, 1957 (S. 2377): Amends chapter 223, title 18, United States Code, to provide for the production of statements and reports of witnesses.

Public Law 85-297, approved September 4, 1957 (S.J. Res. 18): Authorizes and requests the President to issue a proclamation in connection with the centennial of the birth of Theodore Roosevelt.

Public Law 85-498, approved July 3, 1958 (S.J. Res. 159): Authorizes and requests the President to proclaim July 4, 1958, a day of rededication to the responsibilities of free citizenship.

Public Law 85-698, approved August 21, 1958 (S. 2069): Amends section 27 of the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of coal on the public domain.

Public Law 85-933, approved September 6, 1958 (S. 1864): Authorizes an increase in the membership of the Board of Appeals of the Patent Office; provides increased salaries for certain officers and employees of the Patent Office.

Eighty-sixth Congress through July 2, 1960

Public Law 86-450, approved May 6, 1960 (S. 1751): Places in trust status certain lands on the Wind River Indian Reservation in Wyoming.

III. SENATOR O'MAHONEY A COSPONSOR BUT NAME NOT FIRST

Seventy-fourth Congress

Public Law 298, approved August 22, 1935 (S. 2361): Fixes the compensation of registers of district land offices.

Seventy-eighth Congress

Public Law 155, approved September 29, 1943 (S. 1223): Fixes the compensation of the Recorder of Deeds of the District of Columbia and the Superintendent of the National Training School for Girls.

Public Law 346, approved June 22, 1944 (S. 1767): Provides Federal Government aid for the readjustment in civilian life of returning World War II veterans.

Seventy-ninth Congress

Public Law 231, approved November 30, 1945 (S. 1459). Provides for the extension of certain oil and gas leases.

Public Law 375, approved May 3, 1946 (S. 1757): Broadens the scope and raises the rank of the veterans' preference provided for in the Surplus Property Act of 1944.

Public Law 304, approved February 20, 1946 (S. 380): Establishes a national policy and program for assuring continuing full employment in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government.

Eightieth Congress

S. 1028 (H.R. 2956 passed in lieu which became Public Law 245, approved July 25, 1947): Amends the Natural Gas Act approved June 21, 1938, as amended.

Eighty-first Congress

Public Law 265, approved August 24, 1949 (S.J. Res. 3): Provides that any future payments by the Republic of Finland on the principal or interest of its debt of the First World War to the United States shall be used to provide educational and technical instruction and training in the United States for citizens of Finland and America books and technical equipment for institutions of higher education in Finland.

Public Law 464, approved March 21, 1950 (S. 3159): Grants the consent and approval of Congress to a compact entered into by the States of Idaho and Wyoming relating to the waters of the Snake River.

Eighty-second Congress

Public Law 48, approved June 15, 1951 (S. 872): Furnishes emergency food aid to India.

Public Law 133, approved August 30, 1951 (S. 950): Amends the act authorizing the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapaho Tribes of the Wind River Reservation for the purpose of extending the time in which payments are to be made to members of such tribes under such act.

Public Law 591, approved July 18, 1952 (S. 3333): Vests title in the United States to certain lands and interests in lands of the Shoshone and Arapaho Indian Tribes of the Wind River Reservation and to provide compensation therefor.

Eighty-fourth Congress

Public Law 76, approved June 16, 1955 (S. 265): Amends the acts authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such acts to 320 acres.

Public Law 77, approved June 16, 1955 (S. 266): Authorizes the Secretary of the Interior to transfer certain property of the U.S. Government (in the Wyoming National Guard Camp Guernsey target and maneuver area, Platte County, Wyo.), to the State of Wyoming.

Public Law 94, approved June 28, 1955 (S. 67): Adjusts the rates of basic compensation of certain officers and employees of the Federal Government.

Public Law 275, approved August 9, 1955 (S. 1917): Authorizes the construction within Grand Teton National Park of an alternate route to U.S. Highway 89, also numbered U.S. 187 and U.S. 26, and the conveyance thereof to the State of Wyoming.

Public Law 287, approved August 9, 1955 (S. 2049): Provides recognition of the 50th anniversary of the Devils Tower National Monument, Wyo., the first national

monument established by the President of the United States pursuant to the Antiquities Act of 1906; authorizes the addition of certain land to the monument; and permits land exchanges.

Public Law 485, approved April 11, 1956 (S. 500): Authorizes the Secretary of the Interior to construct, operate, and maintain the Colorado River storage project and participating projects.

Public Law 664, approved July 9, 1956 (S. 2913): Extends for 2 years the Advisory Committee on Weather Control.

Eighty-fifth Congress

Public Law 85-76, approved July 1, 1957 (S. 768): Designates the east 14th Street highway bridge over the Potomac River at 14th Street in the District of Columbia as the Rochambeau Memorial Bridge.

Public Law 85-97, approved July 11, 1957 (S. 1396): Amends section 6 of the act approved July 10, 1890 (26 Stat. 222) relating to the admission into the Union of the State of Wyoming by providing for the use of public lands granted to said State for the purpose of construction, reconstruction, repair, renovation, furnishing, equipment, or other permanent improvement of public buildings at the capital of said State.

Public Law 85-184, approved August 28, 1957 (S. 1556): Grants the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri and its tributaries as they affect such States.

Public Law 85-283, approved September 4, 1957 (S. 1996): Approves the contract negotiated with the Casper-Alcove Irrigation District, to authorize its execution, provide that the excess-land provisions of the Federal reclamation laws shall not apply to the lands of the Kendrick project, Wyoming.

Public Law 85-348, approved March 17, 1958 (S. 1086): Grants the consent and approval of Congress to a Bear River Compact, and for related purposes.

Public Law 85-427, approved May 29, 1958 (S. 2557): Amends the act granting the consent of Congress to the negotiation of certain compacts by the States of Nebraska, Wyoming, and South Dakota in order to extend the time for such negotiation.

Public Law 85-523, approved July 15, 1958 (S. J. Res. 12): Provides for transfer of right-of-way for Yellowtail Dam and Reservoir, Hardin unit, Missouri River Basin project and payment to Crow Indian Tribe in connection therewith.

Public Law 85-651, approved August 14, 1958 (S. 1748): Adds certain lands located in Idaho and Wyoming to the Caribou and Targhee National Forests.

Public Law 85-699, approved August 21, 1958 (S. 3651): Makes equity capital and long-term credit more readily available for small-business concerns.

Public Law 85-726, approved August 23, 1958 (S. 3880): Creates a Civil Aeronautics Board and a Federal Aviation Agency, to provide for the regulation and promotion of civil aviation in such manner as to best foster its development and safety, and provides for the safe and efficient use of the airspace by both civil and military aircraft.

Public Law 85-780, approved August 27, 1958 (S. 3203): Amends the act of August 15, 1953 (ch. 509, 67 Stat. 592; Public Law 284, 83d Cong., 1st sess.), to revest title to the minerals in the Indian tribes, to require that oil and gas and other mineral leases of lands in the Riverton reclamation project within the Wind River Indian Reservation shall be issued on the basis of competitive bidding only.

Public Law 85-826, approved August 28, 1958 (S.J. Res. 201): Authorizes the chairman of the Joint Committee on Atomic Energy to confer a medal on Rear Adm. Hyman George Rickover, U.S. Navy.

Public Law 85-889, approved September 2, 1958 (S. 4088): Approves a repayment contract negotiated with the Heart Mountain Irrigation District, Wyoming, and authorizes its execution.

S. 3406 (H.R. 11086 passed in lieu which became Public Law 85-366, approved April 4, 1958): Amends the Agricultural Adjustment Act of 1938, as amended, with respect to wheat acreage history.

Senate Joint Resolution 79 (H.J. Res. 287 passed in lieu which became Public Law 85-33, approved May 16, 1957): Permits the Secretary of the Interior to continue to deliver water to lands in the Heart Mountain division, Shoshone Federal reclamation project, Wyoming.

Eighty-sixth Congress through July 2, 1960

Public Law 86-3, approved March 18, 1959 (S. 50): Provides for the admission of the State of Hawaii into the Union.

Public Law 86-107, approved May 23, 1959 (S. 726): Amends section 11 of the Clayton Act to provide for the more expeditious enforcement of cease-and-desist orders issued thereunder.

Public Law 86-444, approved April 29, 1960 (S. 2434): Revises the boundaries and changes the name of the Fort Laramie National Monument, Wyo., to Fort Laramie National Historic Site.

Public Law 86-448, approved May 5, 1960 (S.J. Res. 150): Permits the Secretary of the Interior to deliver water to lands in the third division, Riverton Federal reclamation project, Wyoming.

Mr. McGEE. Mr. President, in the Washington Post this morning Mr. Drew Pearson devoted his entire "Washington Merry-Go-Round" column to a moving tribute to my senior colleague, JOSEPH C. O'MAHONEY, who will be retiring at the end of this term after many years of outstanding and distinguished service in this body.

As Mr. Pearson points out, there has been no one more devoted to the welfare of the little man, the average citizen, the John Doe of America. JOE O'MAHONEY's vigorous career in the U.S. Senate has been one marked by extraordinary physical effort and mental drive, and it is characteristic of this outstanding legislator that even a serious stroke which he suffered nearly a year ago was incapable of restricting his dedication to actively respresenting his constituents, his ideals, and the interests of our Nation. I ask unanimous consent that the column be included in the RECORD.

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

O'MAHONEY ENDING LONG CAREER

(By Drew Pearson)

An old man will roll his wheelchair out on the Senate floor today to introduce his last piece of legislation. He is JOSEPH C. O'MAHONEY, senior Senator from Wyoming, 76 years old, frail, feeble, but still fighting after 43 years of helping to grind out the laws of the Nation.

The bill O'MAHONEY will introduce will be in keeping with his long career as a public servant. It will call for the abolition of the insurance ratemaking body of the District of Columbia on the ground that it has become a means of guaranteeing high rates to insurance companies rather than giving fair rates to the public.

Shortly after that bill is introduced and his last speech is made, JOE O'MAHONEY will begin packing up his files and correspondence from room 232 in the Senate Office Building, a room which he has occupied almost ever since he came to Washington in 1917 to work for Senator John Kendrick, Democrat, of Wyoming.

On the bookcase of that office is a peculiar piece of wood which illustrates the greatest contribution JOE O'MAHONEY has made to his country—battling against big business monopoly.

FIRST MONOPOLY CASE

The wood is a cross section of a water main, the first ever laid in Manhattan. Behind it lies the story of the first monopoly case in the United States and later the duel in which Aaron Burr killed Alexander Hamilton.

"Back in the early days of the Republic," O'MAHONEY told me when I dropped in to see him, "Vice President Aaron Burr was trying to set up a bank in New York—then the capital of the United States. But Alexander Hamilton, the first Secretary of the Treasury and founder of the Republican Party, had arranged the law so that no rival bank could be established in New York.

"Finally," explained the Senator, "the yellow fever epidemic hit New York and there was no water. People died by the thousands. So Aaron Burr established a company to build a water main and provided in its charter: 'This company may engage in any other business not contrary to the laws of New York.'

"When the charter came up before John Jay, then Governor of New York, Alexander Hamilton opposed it on the ground that it could start competition for his bank. But John Jay pointed out, 'There's a yellow fever epidemic in New York and we've got to have water.' He signed the charter.

"That," said O'MAHONEY, "was the way Aaron Burr was able to establish free banking competition in New York. He established the Bank of Manhattan."

And one of the prize possessions which O'MAHONEY will soon pack up is the 12-inch cross section of tree trunk in the very center of which is a hole two inches wide, through which water was first brought to the people of New York.

BEETLE-BROW PROBER

O'MAHONEY's own battle against monopoly has been confined to more recent American history. During the heydey of the Roosevelt New Deal he served as chairman of the Temporary National Economic Committee which hauled the big insurance companies, the big food chains, and the big industrial combines on the carpet.

In 1948 when Harry Truman was running for reelection, O'MAHONEY was seriously considered as his running mate, but was vetoed by Truman's friends Ed Flynn and Howard McGrath, both Catholics, because O'MAHONEY was a Catholic. They were afraid religion would hurt the ticket.

And in the next election—1952—JOE lost his Senate seat in the Eisenhower landslide. Whereupon he did what few defeated Senators have the heart or nerve or energy to do. At the age of 70 he ran again in 1954 and won.

He won despite the fact that he had defended Owen Lattimore, the Johns Hopkins professor pilloried by McCarthy; and despite the fact that he was called a pro-Red for so doing. Having won, JOE came back to the Senate where he had previously acquired great seniority, and began all over.

He began, however, with the same old fire in his blue eyes, the same old determination blazing out from under his bushy eyebrows. Among other things, he focused attention on the Dixon-Yates contract, wanted to know why New York Life and Metropolitan Life, two insurance companies which he had once investigated, were putting up $99 million of their policyholders' money for the highly speculative Dixon-Yates venture. Thanks in part to O'MAHONEY, Dixon-Yates was canceled.

And today, JOE O'MAHONEY, now in a wheelchair, but with fire still in his blue eyes, will wheel himself out on the Senate floor to introduce his last legislation—the curtailment of insurance rate bodies because they protect the insurance companies, not the public.

COMBATING OF INTERSTATE CRIME

Mr. CASE of New Jersey. Mr. President, I introduce, for appropriate reference, a bill to provide means for the Federal Government to combat interstate crime, and to assist the States in the enforcement of their criminal laws. I ask unanimous consent that the text of the bill be printed in the RECORD at at this point.

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

The bill (S. 3908) to provide means for the Federal Government to combat interstate crime and to assist the States in enforcement of their criminal laws, introduced by Mr. CASE of New Jersey, was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TO PROHIBIT TRAVEL IN INTERSTATE COMMERCE TO AID RACKETEERING ENTERPRISES, INTERSTATE TRANSPORTATION OF WAGERING PARAPHERNALIA AND THE TRANSMISSION OF CERTAIN GAMBLING INFORMATION IN INTERSTATE COMMERCE

SEC. 101. Chapter 95 of title 18, United States Code, is amended (a) by adding the following new sections at the end thereof:

"SEC. 1952. Interstate travel and the use of communication facilities in interstate or foreign commerce to aid racketeering enterprises.

"(a) Whoever travels in interstate or foreign commerce or uses communication facilities in interstate or foreign commerce to—

"(1) promote, manage, establish, carry on, or facilitate the promotion, management, establishment or carrying on of a racketeering enterprise; or

"(2) distribute the proceeds of any racketeering enterprise; or

"(3) commit any crime of violence to further the activities of any racketeering enterprise;

shall be fined not more than $10,000 or imprisoned for not more than five years or both.

"(b) As used in this section the term 'racketeering enterprise' means any person, group or organization engaged in unlawful gambling, liquor, narcotics or prostitution activities, or in extortion or bribery.

"(c) Investigations of liquor and narcotics racketeering enterprises shall be conducted in accordance with chapter 80 of the Internal Revenue Code of 1954, as amended.

"SEC. 1953. Interstate transportation of wagering paraphernalia.

"Whoever except a common carrier in the usual course of its business carries or sends in interstate or foreign commerce any records or paraphernalia used or intended or designed for use in (a) bookmaking; or (b) wagering polls with respect to a sporting event; or (c) in a numbers, policy, bolita or similar game shall be fined not more than $10,000 or imprisoned for not more than five years or both."; and

(b) by adding the following items to the analysis of the chapter:

"Sec. 1952. Interstate travel to aid racketeering enterprises."

"Sec. 1953. Interstate transportation of wagering paraphernalia."

Mr. CASE of New Jersey. Mr. President, in recent years citizens throughout the land have been shocked and outraged by revelations of the growth of organized criminal activities stretching across State lines and threatening the well-being of communities in every corner of the Nation. Like some giant octopus, feeding primarily on gambling, liquor, narcotics or prostitution activities, organized crime reaches out its ugly tentacles seeking new prey.

There can be no question, to my mind, of either the need or the responsibility of the Federal Government to take direct action against organized interstate crime. Unfortunately, at the present time the means available to the Federal Government are very limited. What is urgently needed is legislation to provide Federal jurisdiction for both investigation and prosecution in this field.

This is essentially what my bill would do. It would utilize the power conferred on Congress to regulate interstate and foreign commerce to make certain illegal activities a Federal crime and thus make available the investigative and legal resources of the Federal Government in the fight against this evil.

Specifically, my bill would make it a crime for any person to travel interstate or to use communication facilities in interstate or foreign commerce to aid racketeering enterprises. Such aid would include travel to promote, manage, establish or carry on a racketeering enterprise, to distribute the proceeds of a racketeering enterprise or to commit a crime of violence to further a racketeering enterprise. Also prohibited would be interstate transportation of wagering paraphernalia, including records or equipment used in bookmaking, wagering polls, numbers policy, bolita or a similar game.

It has long been obvious that the day of the individual professional gambler or organized gang, locally controlled and operating in a relatively confined area, is gone. Today careerists in crime are highly professionalized, highly organized, and far more difficult to halt. Time and again local law enforcement efforts are frustrated by inability to do more than hack away at an isolated tentacle, leaving untouched the central body and brains of the criminal conspiracy. Indeed, in too many instances no real enforcement effort is made. Sometimes this is because local law enforcement agencies have themselves been corrupted. Sometimes it occurs because local officials feel powerless to act effectively against the evil they know exists.

Whatever the explanation, the effect is always corrosive. Whether it is willingly or unwillingly done, to condone the flouting of law inevitably has a corruptive effect on those charged with responsibility for maintenance of law and order. Public respect for law, vital to our whole society, diminishes, and lawlessness and violence are invited in every aspect of our lives.

Rightly, those who confront the possibility of such a situation in their own communities are deeply disturbed. In my own State, charges have been made of widespread illegal activities in Camden, a part of the Philadelphia metropolitan area. The results of one grand jury investigation deepened the concern of citizens there. For while the grand jury returned several indictments, they were confined to a few individuals in the police force of the city of Camden. No indictment was returned against a member of the underworld.

At the present time the ability of the Federal Government to proceed effectively against persons engaged in illegal gambling, liquor, narcotics or prostitution activities, is limited. The Wagering Tax Act does provide some help to States in enforcing local gambling statutes. But tax collection is fundamentally different from law enforcement and court experience has domonstrated the limited usefulness of the act as a weapon against crime. Far greater assistance should and can be provided. In any case, existing Federal law does not meet the direct responsibility of the Federal Government in this field. For in many regards, only the Federal Government can combat effectively the criminal conspiracies, covering at least several States, known to exist.

This Congress is, of course, near adjournment. But the introduction of my bill will, I hope, help to focus public attention on the need for legislation and thus pave the way for early action next year to provide the weapon needed to enable both the State and the Federal Governments to attack more effectively illegal activities that strike at the heart of a law-abiding society.

Mr. KEATING. Mr. President, will my distinguished colleague yield?

Mr. CASE of New Jersey. I am happy to yield.

Mr. KEATING. I commend my distinguished colleague from New Jersey for his proposed legislation. It is in line with his long-standing effort to combat the criminal elements in our country. The Senator has a long record of interest in this type of legislation.

As my colleague knows, I have introduced proposed legislation to make it a Federal crime to use the facilities of interstate commerce to commit specified local crimes. In many cases local law-enforcement officials simply are not able to cope with interstate criminals organized on a national basis. This bill would permit the effective arm of the Federal Bureau of Investigation and of other Federal investigative agencies to go to work at the outset against such crimes and this would be very helpful.

I shall be glad to work with my distinguished colleague. Probably it will not be possible in the present session of Congress to have such legislation enacted, but I shall certainly work with my colleague in the next Congress to try to bring about some hearings and some definite and positive action in this field.

History demonstrates that when the Federal Government has been able to step into criminal activities, to a large extent they have been curbed. We have seen that with respect to motor vehicle thefts; to lotteries, as a result of the lottery act; to the white slave traffic; and to kidnaping; as well as other activities.

I am very happy my colleague from New Jersey has focused attention on this very pressing problem again.

Mr. CASE of New Jersey. I thank the Senator from New York. I am aware of the interest the Senator has taken in this particular problem, and of the bill he has introduced. I commend him for doing so.

I appreciate deeply the Senator's assurance of support to the common effort we intend to make. I am sure my colleague will agree that the average citizen of America has no idea whatever how limited is the Federal power in this area. The average citizen would be shocked to realize that the Federal Government in most cases has no power at all, so far as investigation is concerned, and particularly so far as prosecution is concerned.

The average citizen thinks that anything which is a crime locally is a crime if conducted over State borders. This is not so, Mr. President. There are limitations on the Federal Government in most areas, except for the specific ones for which legislation has been provided, as mentioned by my colleague from New York. That is an aid to law enforcement under the wage and tax laws. In both cases the Federal Government has to use the tax officials and not the Federal Bureau of Investigation.

The Federal Government has no power of prosecution except with respect to the rather limited penalties under the two laws.

My colleague from New York and I seek to make it clear that the Federal Government has a right to go into these areas, because we would specifically make Federal crimes of these activities involving travel, communication, or transportation across State lines.

CONSTITUTION OF AMERICAN SAMOA

Mr. LONG of Hawaii. Mr. President, on April 27, 1960, a constitutional convention chosen by the people of American Samoa formally approved a constitution which it had drafted after several months of earnest consideration. On that same day the document was approved by the Secretary of the Interior of the United States, pursuant to an executive order directing him to act, in harmony with applicable law, for the administration of civil government in American Samoa.

I now introduce a joint resolution which would adopt and approve this constitution on behalf of the Congress. It is late in the session to take action on the joint resolution, but during the legislative interim period consideration can be given to it and to the new constitution by the Interior and Insular Affairs Committee. That committee has been authorized to study the political, economic, and social needs of American Somoa. I should think that the committee would want to give careful consideration to the governmental structure established by this constitution and to see how it serves the needs of the Samoan community. Thought should be given as to the desirability of drafting a more detailed organic act for American Samoa and the reactions of the people of Samoa to this idea should be ascertained.

I introduce the resolution for appropriate reference.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred.

The joint resolution (S.J. Res. 222) providing a government for American Samoa, introduced by Mr. LONG of Hawaii, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

EXTENSION OF BIRTHDAY GREETINGS TO PRESIDENT EISENHOWER AND FORMER VICE PRESIDENT JOHN NANCE GARNER

Mr. YARBOROUGH. Mr. President, I submit, for appropriate reference, a resolution by which the Senate would extend its greetings and best wishes to two distinguished Americans who have birthday anniversaries after this session of Congress will adjourn and before next January.

Those two Americans are two persons born in the State of Texas who have attained the highest distinction in the Government of the United States. Both are still living. One is the President of the United States, Dwight D. Eisenhower, who will be 70 years of age on the 14th of October 1960.

The other is the former Vice President John Nance Garner, the only man in the history of this country to serve successively, without a breach, as the Speaker of the House of Representatives, the Vice President of the country, and the President of the Senate. John Nance Garner will be 92 years of age November 22, 1960.

I ask unanimous consent that the resolution be printed in full in the RECORD.

The PRESIDING OFFICER. The resolution will be received and appropriately referred.

The resolution (S. Res. 383) extending greetings to President Eisenhower and former Vice President John N. Garner on the occasion of their coming birthdays, was referred to the Committee on the Judiciary, as follows:

Whereas, the two Texas-born Americans who have reached the highest governmental offices since Texas entered the Union are both still living, the Honorable John Nance Garner, age 91, and the Honorable Dwight D. Eisenhower, age 69; and

Whereas both will celebrate their birthdays after the adjourning of the second session of the Eighty-sixth Congress; and

Whereas Dwight David Eisenhower, the thirty-fourth President of the United States, born in Denison, Texas, will celebrate his seventieth birthday this year;

Whereas Mr. Eisenhower, having graduated from the United States Military Academy in 1911, followed his chosen career in the United States Army and soon after the entry of the United States in World War II was appointed commanding general of the European theater of operations; and

Whereas in December 1943, Dwight D. Eisenhower was given the title of Supreme Commander, Allied Expeditionary Force, and as such directed the successful invasion of Europe leading to the surrender of Germany in May 1945; and

Whereas, having been named Army Chief of Staff, Mr. Eisenhower's promotion to the rank of permanent General of the Army came in April 1946; and

Whereas, although retired from active duty in the Army to accept an appointment as president of Columbia University in 1948, Mr. Eisenhower took a leave of absence from Columbia from December 1950 to February 1951, when President Truman appointed him commander of Allied Powers in Europe, with the task of organizing the armed forces of NATO; and

Whereas, in 1952, this distinguished American was elected to the country's highest office, President of the United States; and

Whereas another distinguished American, also a native son of Texas, John Nance Garner, the thirty-second Vice President of the United States, born in Red River County, Texas, will celebrate his ninety-second birthday this year; and

Whereas John Nance Garner, was a self-taught lawyer and held his first public office from 1893 to 1898 as county judge of Uvalde County, Texas; and

Whereas John Nance Garner was elected to the Texas House of Representatives in 1898, serving through 1902, and, beginning in 1903, served thirty years in the United States House of Representatives from the Fifteenth Congressional District of Texas, and was Speaker of the House of the Seventy-second Congress; and

Whereas in 1932 the people of the United States, on the basis of his achievements in national affairs, elected Mr. Garner to the Office of Vice President, in which office he ably served from 1933 to 1941; and

Whereas John Nance Garner is the only man in history to preside in uninterrupted succession over both Houses of the Congress, first as Speaker of the House of Representatives and then as Vice President of the United States; and

Whereas, in addition to his other public duties, John Nance Garner has made great contributions to the preservation of the Texas heritage, having assisted in founding the University of Texas Memorial Museum; and

Whereas the Nation owes these two distinguished men, so large a part of whose lives have been spent in public service, a grateful salute and best wishes on the approach of their respective birthdays: Now, therefore, be it

Resolved, That the Senate hereby extends its warm greetings and best wishes to these two distinguished Americans on their birthdays anniversaries which, in the case of President Eisenhower, will occur on October 14, 1960, and, in the case of John Nance Garner, will occur on November 22, 1960.

SEC. 2. The Secretary of the Senate is directed to transmit properly certified copies of this resolution to President Eisenhower and to Mr. Garner.

CONSTRUCTION OF MEMORIAL TO THEODORE ROOSEVELT—AMENDMENT

Mr. CASE of South Dakota (for himself, Mr. JAVITS, and Mr. KEATING) submitted an amendment, intended to be proposed by them, jointly, to the bill (S. 2561) to amend the act entitled "An Act to establish a memorial to Theodore Roosevelt in the National Capital" to provide for the construction of such memorial by the Secretary of the Interior, which was ordered to lie on the table and to be printed.

ERECTION OF MEMORIAL IN DISTRICT OF COLUMBIA TO GENERAL JOHN J. PERSHING—ADDITIONAL COSPONSORS OF BILL

Mr. CURTIS. Mr. President, I ask unanimous consent that the names of my colleague, the senior Senator from

Nebraska [Mr. HRUSKA], and myself may be added as additional cosponsors of the bill (S. 3901) to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing, introduced by the Senator from Missouri [Mr. SYMINGTON] on August 26, 1960.

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

Mr. SYMINGTON. Mr. President, as one of the cosponsors of the bill in question, I join in the request of the Senator from Nebraska.

AMENDMENT OF SMALL BUSINESS ACT—ADDITIONAL COSPONSORS OF BILL

Mr. PROXMIRE. Mr. President, I ask unanimous consent that the name of the senior Senator from West Virginia [Mr. RANDOLPH] be added as a cosponsor to S. 3903, a bill I have introduced to enable the Small Business Administration to work effectively to secure for small business a fair share of the Government's huge, multimillion procurement program.

Mr. President, I am proud that the distinguished Senator from West Virginia [Mr. RANDOLPH] is a cosponsor of this bill. As chairman of the Small Business Subcommittee of the Banking and Currency Committee, I have been deeply impressed by the Senator's hard working, conscientious championship of small business. He has repeatedly fought and worked for legislation to help small business solve the heavy problems it has. He has been a mighty effective member of the Senate Select Committee on Small Business.

I also ask that the name of the Senator from Pennsylvania [Mr. CLARK], another stalwart champion of small business, be added as a cosponsor to this bill.

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

AMENDMENT OF TARIFF ACT OF 1930—AMENDMENT

Mr. CLARK submitted an amendment, intended to be proposed by him, to the bill (H.R. 4384) to amend paragraph 1774 of the Tariff Act of 1930 with respect to the importation of certain articles for religious purposes, which was ordered to lie on the table and to be printed.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO POSSESSIONS OF THE UNITED STATES—AMENDMENT

Mr. CLARK submitted an amendment, intended to be proposed by him, to the bill (H.R. 5547) to amend certain provisions of the Internal Revenue Code of 1954 relating to possessions of the United States, which was ordered to lie on the table and to be printed.

TECHNICAL REVISIONS OF INTERNAL REVENUE CODE OF 1954, RELATING TO ESTATES, TRUSTS, PARTNERS, AND PARTNERSHIPS—AMENDMENT

Mr. CLARK submitted an amendment, intended to be proposed by him, to the bill (H.R. 9662) to make technical revisions in the income tax provisions of the Internal Revenue Code of 1954 relating to estates, trusts, partners, and partnerships, and for other purposes, which was ordered to lie on the table and to be printed.

AMENDMENT OF TARIFF ACT OF 1930 RELATING TO BAMBOO PIPESTEMS—AMENDMENT

Mr. CLARK submitted an amendment, intended to be proposed by him, to the bill (H.R. 10841) to amend the Tariff Act of 1930 to place bamboo pipestems on the free list, which was ordered to lie on the table and to be printed.

PRINTING OF DOCUMENT ENTITLED "NATIONAL FORESTS IN WYOMING—BASIC FACTS" AS A SENATE DOCUMENT

Mr. McGEE. Mr. President, at my request the National Forest Service is preparing a document entitled "National Forests in Wyoming—Basic Facts." I believe that this document will be an invaluable aid to the understanding of the Appropriations Committee, of which I am a member, of the forest program needs of Wyoming and that it will help us constructively to determine the levels of expenditure which are justified in future years. My staff informs me that this document will not exceed 50 pages in length, and that it will be completed soon. Therefore, Mr. President, I ask unanimous consent that it be printed, with an illustration, as a Senate document during the coming recess.

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

CONVEYANCE OF PART OF LOCK AND DAM NO. 10, KENTUCKY RIVER, MADISON COUNTY, KY.

Mr. JOHNSON of Texas. Mr. President, Calendar No. 1977, 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 objected to on the call of the calendar by the Senator from Oregon [Mr. MORSE].

The Senator from Kentucky [Mr. COOPER], who is interested in the bill, has agreed to accept an amendment offered by the Senator from Oregon. It will not require any discussion.

Notwithstanding the unanimous-consent agreement already entered into, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1977, H.R. 11561, with the understanding that the Morse amendment will be accepted, and with the further understanding that action will then be taken on the bill.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A 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.

Mr. MORSE. Mr. President, I offer an amendment which I ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 5, it is proposed to strike out "without monetary payment therefor but" and insert in lieu thereof "in return for the payment of an amount equal to 50 per centum of the fair market value of the land conveyed, as determined by the Secretary of the Army after appraisal, and".

Mr. MORSE. Mr. President, S. 3324 would authorize the conveyance, without consideration, of a 4.1-acre track of Federal land to the Pioneer National Monument Association, an instrumentality of the State of Kentucky.

The 4.1-acre tract is a portion of lock and dam No. 10, Kentucky River. It would be used as part of a national historical fort-museum, and the bill provides that the conveyance would be conditioned on the tract's being used in conjunction with the adjacent tract as part of a historic monument.

The General Services Administration is opposed to the bill. I ask unanimous consent that the letter dated June 23, 1960, addressed to the chairman of the Senate Committee on Public Works by General Services Administrator Floete, be printed at this point in the RECORD.

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

GENERAL SERVICES ADMINISTRATION,
Washington, D.C., June 23, 1960.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: Your letter of April 6, 1960, requested the views of General Services Administration on S. 3324, 86th Congress, a bill 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 part of a historic site.

The purpose of the bill is to authorize and direct the Secretary of the Army to convey to the association, without monetary consideration therefor, 4.1 acres of land at the lock and dam project determined by him to be available for use in connection with development of a fort-museum on adjacent property.

By quitclaim deed dated December 3, 1956, GSA conveyed to the Pioneer National Monument Association, a nonprofit corporation organized under the laws of the Commonwealth of Kentucky, 7.6 acres of surplus land at Kentucky River lock and dam No. 10, in accordance with Private Law 576, 84th Congress. The conveyance was made without monetary consideration and subject to a right of reentry on the part of the United States in the event that the property should not be continuously used as part of a historic site or monument for a period of 25 years. The remainder of the property at the lock and dam, including the 4.1 acres referred to in this bill, has not been reported to GSA as excess property pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, as amended.

In the event that the 4.1-acre tract is determined by the Secretary of the Army to be available for purposes other than the

fulfillment of the needs and the discharge of the responsibilities of the Department of the Army, section 202 of the 1949 act provides that the property shall be made available for possible use by other Federal agencies. GSA is opposed in principle to the enactment of legislation which would preclude the opportunity for further Federal utilization of excess property. S. 3324 would authorize the use of the Government-owned property at lock and dam No. 10, Kentucky River, for a historic site by a private organization, and its enactment would effectively preclude the possibility of further use of the property for the needs of Federal agencies.

If the property is determined to be surplus to the needs and the discharge of the responsibilities of all Federal agencies, it would be disposed of pursuant to the provisions of the 1949 act and other applicable law. GSA is opposed to the enactment of legislation which has for its purpose the disposition of specific property under terms and conditions less favorable to the Government than those provided for in laws of general application.

Section 602(a) of the 1949 act continues in effect the provisions of section 13(h) of the Surplus Property Act of 1944, as amended (50 U.S.C. App. 1622(h)), which authorizes any disposal agency with the approval of the Administrator of General Services to convey without monetary consideration to any State, political subdivision or instrumentality thereof, or municipality, surplus land including improvements and equipment thereon, which, in the determination of the Secretary of the Interior, is suitable and desirable for use as a historic monument site, provided that property may not be determined to be suitable for such use if its area exceeds that necessary for the preservation and proper observation of the monument situated thereon, or if it was acquired by the United States at any time after January 1, 1900.

Inasmuch as the Pioneer National Monument Association is not a governmental agency or instrumentality, and as we are informed that the 4.1-acre tract was acquired by the United States after January 1, 1900, the association would not be entitled to either a priority or price preference in the disposition of the land pursuant to the aforementioned provisions of law of general application. We believe, under these circumstances, that the association should bid for purchase of the property if and when it is offered for public sale in accordance with the 1949 act.

For the reasons stated above, General Servicees Administration is opposed to the enactment of this measure.

The Bureau of the Budget has advised that while there is no objection to the submission of this report to your committee the Bureau would have no objection to the enactment of S. 3324.

Sincerely yours,

FRANKLIN FLOETE,
Administrator.

Mr. MORSE. Mr. President, committee report No. 1823 relative to the bill contains a reference to a 1956 conveyance of similar land to the Pioneer National Museum Association pursuant to Private Law 576 of the 84th Congress.

I was not present in the Senate when the bill S. 1992, now Private Law 576, was brought up on the call of the calendar. I was in New York on official foreign relations business. Had I been present, I would have objected to its passage so long as it did not contain an amendment conforming to the Morse formula.

I object to the passage of S. 3324 today because it violates the Morse formula. I have reference particularly to that portion of the GSA Administrator's letter to the effect that "the remainder of the property at the lock and dam, including the 4.1 acres referred to in this bill, has not been reported to GSA as excess property pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, as amended."

Mr. President, I object to the passage of the bill today without my amendment which provides for the adoption of the Morse formula. The Senator from Kentucky has taken up the question with the people in Kentucky who are interested in the matter. He has informed me that they have agreed to accept the Morse amendment.

I have previously made the statement that I shall not agree to the passage of House bills without the inclusion of the Morse formula, when it is applicable. The Senator from Kentucky has assured me that he will see to it that this amendment is adopted in conference. If it is not adopted in conference, I shall have a long speech to make on the subject.

Mr. COOPER. Mr. President, I have discussed this matter with the Senator from Oregon, and am prepared to accept the amendment.

I ask unanimous consent to have printed in the RECORD, at a point before the vote on the bill, a statement I have prepared on the situation.

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

STATEMENT BY SENATORS THRUSTON B. MORTON AND JOHN SHERMAN COOPER, OF KENTUCKY

We introduced in the Senate S. 3324, a bill 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 part of a historic site.

The purpose of the bill was to authorize and direct the Secretary of the Army to convey to the association, without monetary consideration, 4.1 acres of land at lock and dam No. 10, determined by him to be available for use in connection with the development of a fort-museum on adjacent property.

The bill was approved by the Senate Committee on Public Works and reported favorably to the Senate. A similar bill, H.R. 11561, was introduced in the House of Representatives by Congressman JOHN WATTS, of Kentucky. H.R. 11561 was passed by the House and is now before the Senate for its consideration. H.R. 11561 was objected to in the Senate on the call of the calendar, by Senator WAYNE MORSE, of Oregon, on the ground that an amendment should be added requiring the association to pay to the Treasurer of the United States one-half of its appraised fair market value. He has offered such an amendment to the pending bill, which we include at this point.

"On page 2, line 5, strike out 'without monetary payment therefor but' and insert in lieu thereof 'in return for the payment of an amount equal to 50 per centum of the fair market value of the land conveyed, as determined by the Secretary of the Army after appraisal, and'."

We have inquired of the Corps of Engineers regarding their judgment of the appraised value of the 4.1 acres which would be conveyed. We include at this point copies of letters from the Corps of Engineers.

JULY 22, 1960.

Hon. THRUSTON B. MORTON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MORTON: Information concerning the 4.1 acres of Government land at lock and dam No. 10, Kentucky River, requested in your letter of July 19, 1960, is as follows: 4.1 acres, appraised value $800; two each garages, frame, 10 by 19 feet, appraised value $250 each. The garages are to be relocated within the retained area at no expense to the Government.

If you desire any additional information regarding this matter, it will be furnished upon request.

Very truly yours,

C. C. NOBLE,
Colonel, CE,
District Engineer.

JULY 6, 1960.

Hon. JOHN SHERMAN COOPER,
U.S. Senate,
Washington, D.C.

DEAR SENATOR COOPER: This is in reply to the verbal request of a member of your staff concerning the value of the 4.1 acres of land in Madison County, Ky., involved in S. 3324, 86th Congress.

I am pleased to inform you that the district engineer, U.S. Army Engineer district, Louisville, Ky., has estimated that the present value of the 4.1 acres is $800.

Sincerely yours,

O. J. PICKARD,
Colonel, Corps of Engineers,
Director of Real Estate.

In doing this we cannot say that the amounts stated in these letters will be the actual amount determined to be the fair market value when an appraisal is made pursuant to the terms of the amendment.

In view of the fact that this special session will close within a few days, and if the Congress should adjourn without passing H.R. 11561 in the Senate it will be necessary for a similar bill to be passed again by the House at the next session of the Congress, as well as by the Senate, we think it better that the bill be passed with the amendment offered by Senator MORSE, rather than go over until the next session of the Congress.

Senator COOPER talked by telephone with Dr. J. T. Dorris, president of the Pioneer National Monument Association, and after being advised of the situation, Dr. Dorris stated to Senator COOPER that rather than have the bill passed over to the next session of the Congress it would be agreeable to him, as the president of the association, to accept the amendment, and that it was his judgment the association would be agreeable to paying to the Treasurer of the United States one-half of such sum as might be determined as the fair market value of the 4.1 acres, provided that it was in the general range of the statement made by the Corps of Engineers to Senators MORTON and COOPER. Upon this basis we consent to the amendment.

We further include at this point a statement entitled "Historic Boonesboro," an excerpt from the Senate report:

"HISTORIC BOONESBORO

"Daniel Boone made his first exploration of Kentucky in 1767, when he spent the winter hunting in what is now Floyd County. This was followed by several visits, prior to 1775.

"In March of 1775 Boone set out through the Cumberland Gap with a party of frontiersmen, and by the following June had brought the wilderness road to the south bank of the Kentucky river. There, in what is now Madison County, Boone constructed the fort and settlement named in his honor. The following September, Boone led his wife and daughter, the first white women in Ken-

tucky, down the wilderness road to Boonesboro.

"The settlement survived an Indian attack in December of 1775. And later when Boone's daughter Jemima and two of her friends were captured by Shawnee Indians, Boone's knowledge of the area and familiarity with Shawnee customs enabled him to rescue the girls. This incident was used as the basis of an episode in James Fenimore Cooper's 'The Last of the Mohicans.'

"Throughout the period of the Revolutionary War, Boone served as an officer in the frontier militia which checked Indian unrest in eastern Kentucky. In February of 1778, Boone was captured by the Shawnees and taken to Detroit, then turned over to Chief Blackfish and inducted into the tribe. He escaped and returned to Boonesboro in time to warn the settlement of attack, which proved the longest Indian siege in history.

"For his courage, Boone was promoted to the rank of lieutenant colonel. He was elected county lieutenant of Fayette County, Ky., when Virginia organized the territory in 1780. Until late in 1782, Boone fought both the British army and restless Indians on the frontier.

"The flood of settlers into Kentucky along the wilderness road opened the west. It is a fitting tribute to one of her greatest sons that the historic site of Boonesborough be preserved."

"PURPOSE OF THE BILL

"The purpose of S. 3324 is to authorize and direct the Secretary of the Army to convey to the Pioneer National Monument Association quitclaim deed without monetary consideration, 4.1 acres of land at lock and dam No. 10, Madison County, Ky., determined by him to be available for use in connection with development of a fort-museum on adjacent property previously conveyed to the association.

"GENERAL STATEMENT

"The Pioneer National Monument Association is an instrumentality of the State of Kentucky. Under authority of the act of April 2, 1956 (70 Stat. A31), 7.6 acres of surplus land at lock and dam No. 10 on the Kentucky River was conveyed to the association. S. 3324 would authorize the Secretary of the Army to convey an additional 4.1 acres of land at the lock and dam determined by him to be available, without monetary consideration, to the association.

"The Pioneer National Monument Association was organized as a corporation by the Daniel Boone Bicentennial Commission. The Commission was created by the Kentucky General Assembly in 1934. The association was formed to develop the Pioneer National Museum project which was authorized by the act of June 18, 1934 (48 Stat. 982). The property previously conveyed by the act of 1956 and the additional property proposed to be conveyed under the provisions of S. 3324 will provide the site for a national historical fort-museum in the area which is part of the historic community of Boonesboro as it existed in 1809."

"COMMITTEE RECOMMENDATION

"The committee believes that the property to be conveyed has a special interest for the general public, and that its development and preservation as a historic site is desirable. Its development, along with the area previously conveyed to the association, appears to be justified, and enactment of S. 3324 is recommended by the committee."

Mr. CHAVEZ. Mr. President, the bill was reported by the Committee on Public Works with the understanding that the two Senators from Kentucky would accept the amendment of the Senator from Oregon.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oregon.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 11561) was read the third time and passed.

Mr. DIRKSEN. Mr. President, I move that the Senate reconsider the vote by which the bill was passed.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Without objection, Senate bill S. 3324 is indefinitely postponed.

OPPOSITION TO RECESS APPOINTMENTS TO THE SUPREME COURT

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court.

FILENE CENTENNIAL ANNIVERSARY

Mr. SALTONSTALL. Mr. President, on behalf of my colleague [Mr. KENNEDY] and myself, I make the following statement.

Mr. President, we would like to call attention to the Filene Centennial Anniversary being celebrated by credit union members and other citizens throughout the world during the month of September.

Edward A. Filene was truly a great American and I am proud to join Senator KENNEDY in pointing out his numerous accomplishments on behalf of all mankind and an everlasting, worldwide peace.

This native of Massachusetts, born of shopkeeper parents in the small city of Salem on September 3, 1860, was destined to become one of the world's leading merchants, but more than that, he was to achieve international fame for his many activities in quest of social and economic betterment and worldwide peace for all men. For these activities, he was decorated by many foreign countries including France, Austria, and Italy. He frequently admitted, however, that it was his work in connection with the development of the credit union movement that he found most satisfying.

In honor of the man who founded the credit union movement in this country, the Credit Union National Association recently prepared an article illustrating Mr. Filene's many-faceted life and recalling his devotion to the credit union idea.

I ask unanimous consent to have printed in the RECORD following my remarks this article summarizing the life of Edward A. Filene and the resolution of the Credit Union National Association.

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

SEPTEMBER 3 MARKS 100TH ANNIVERSARY OF THE BIRTHDAY OF EDWARD A. FILENE

There were no credit unions in the United States; Raiffeisen hadn't started his first real credit union, and DesJardins was just 6 years old, but September 3, 1860, was still a very important date in the history of credit unions.

For on that date, the man who was to do so much for credit unions was born in the small town of Salem, Mass.

He was Edward A. Filene, the founder of the credit union movement in the United States, who spent close to a million dollars of his personal fortune and much of his time and energy for the credit union idea. In gratitude, credit union members all over the world are observing 1960 as Filene Centennial Year.

The founder of the U.S. credit union movement was a man of contrasts. He developed his father's shop into a famous department store, but preferred to be known as a "simple shopkeeper." He made a fortune and gained worldwide fame for his business ingenuity, but he referred to himself as an "unsuccessful millionaire." He disliked charity intensely, but he gave away most of his own fortune.

His first contact with the credit union idea occurred accidentally during a trip to India in 1907. He liked what he saw and thought it would be good for America. He decided to find out more about it and to do something about it.

In 1909 Filene helped get the first U.S. credit union law written and enacted in Massachusetts. Thirteen years later, in 1921, Filene again gave a major impetus to the infant credit union movement. He set up the Credit Union National Extension Bureau (forerunner of CUNA) and hired the Boston attorney, Roy F. Bergengren, to promote and develop credit unions throughout the United States.

During the next 13 years, the Filene-financed Credit Union National Extension Bureau succeeded in getting credit union laws passed in the majority of States and organized 2,000 credit unions. Its campaign was climaxed in 1934 with the enactment of a Federal Credit Union Act that enables credit unions to operate anywhere within the United States and its territories.

In that same year, another Filene goal was realized when the Credit Union National Association (CUNA) was born. The credit union movement began to stand on its own two feet and pay its own way. At the historic Estes Park conference in Colorado, Filene was the first to sign CUNA's organization charter, and he was immediately chosen as CUNA's first president.

CUNA's two affiliates, CUNA Supply Cooperative and CUNA Mutual Insurance Society, also owe their existence to Filene, because CUNA Supply was originally started as a department of the Filene-financed Credit Union National Extension Bureau, and CUNA Mutual was started in 1935 with a $25,000 loan from Filene.

To tell Filene's story without mentioning his many other interests, however, would be like saying that Benjamin Franklin's only contribution to mankind was his discovery of electricity.

Filene's store became internationally famous for its many innovations, including machine-made dresses and the world's first "bargain basement." He gave his employees many fringe benefits that are just becoming usual in the business world today. He suggested to shipping companies that they offer tourist-class ocean travel. The simultaneous translator used at the League of Nations, and at the United Nations today, was his

idea. He was largely responsible for the organization of the U.S. Chamber of Commerce. He even tried to interest Americans in water skiing almost 50 years ago.

However, Filene's greatest satisfaction is said to have come from his sponsorship of the credit union idea. He once summed up his belief in credit unions this way:

"The credit unions of America * * * have shown the way of self-help to thousands. Not self-help, in the sense of each person attempting to go it alone—for people do not and never could help themselves by any such negation of the social facts of life—but the credit unions have shown how assistance may be a mutual matter, instead of being condescending on the one hand, and hopelessly receptive on the other. The credit unionists have revived the spirit of early Americanism, and made it apply to present-day America. There is kindness, there is neighborliness, in their cooperative transactions; but they have been business transactions based upon an understanding that it pays to help others; and they not only help others to help themselves, but to help one another, too."

These words are as apt today as they were when Filene wrote them more than 25 years ago.

Whereas the 3d day of September of 1960 marks the 100th birthday of Edward A. Filene; and

Whereas Edward A. Filene is revered throughout the credit union movement as the founder and leading champion of the credit union movement in the United States during the critical years of its infancy; and

Whereas in the unswerving pursuit of his ambition to make credit union services available to his fellow citizens throughout the United States, Edward A. Filene contributed greatly from his personal fortune; and

Whereas in the fall of 1908 and the spring of 1909 Edward A. Filene appeared before a committee of the legislature of the State of Massachusetts where his testimony on credit unions was instrumental in persuading that body to pass the first credit union enabling legislation in the United States; and

Whereas in the year 1921 Edward A. Filene established the Credit Union National Extension Bureau to propagate the credit union idea, and thereafter gave it his help and guidance for 13 years until the credit unions of the United States were prepared to form their own national association; and

Whereas Edward A. Filene was a signer of the charter of the Credit Union National Association at Estes Park in 1934, and was elected the first president of the association; and

Whereas Edward A. Filene was also instrumental in establishing the CUNA Mutual Insurance Society, making available a loan of $25,000 from his personal funds for that purpose; and

Whereas Edward A. Filene was one of the most foresighted liberal thinkers of his time, contributing much to our modern way of life in addition to the credit union, including development of the bargain basement, tourist-class ocean travel, and the chamber of commerce, establishment of an international peace prize and other social and economic advances: Now, therefore, be it

Resolved, That the month of September be designated Filene Centennial Month to be so celebrated with appropriate solemnities throughout the credit union movement.

UNANIMOUS-CONSENT AGREEMENT NOT TO CHARGE TIME

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the colloquies which have taken place since we started consideration of the court resolution, which have not been relevant to the court resolution, not be charged against the time of the proponents of the court resolution.

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

Mr. KEATING. Mr. President, I ask unanimous consent that I may yield to the distinguished Senator from Kansas for a short statement, and that the time not be charged to the time of the opponents of the resolution.

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. I yield to the Senator from Kansas.

WHEAT AND THE NATIONAL ECONOMY

Mr. CARLSON. Mr. President, shortly before the last session of Congress adjourned I wrote the Honorable Ezra T. Benson, Secretary of Agriculture, and requested that the Department of Agriculture make a study with reference to the contribution of the wheat enterprise to national employment.

Wheat is one of our basic crops and is produced in practically every State in the Union. The Secretary, realizing the importance of this crop, immediately complied with my request and the study was initiated and the report has now been completed.

The Secretary and the Department are entitled to commendation for their prompt action on this request.

This study is important as we deal with this commodity. It is interesting to note in the study that in 1959 wheat through all of its phases from production through processing, transportation, storage, and distribution, involved some 876,000 man-years of employment, or 1.3 percent of total civilian employment in the United States.

The estimates cover employment directly concerned with wheat and its products. The data are for the Nation as a whole. It should be noted that in some States, such as North Dakota, Kansas, and Montana, where wheat accounts for one-third or more of total cash farm receipts, the impact of wheat on the local economies is much greater than the data for the United States as a whole indicate.

The importance of wheat to our economy can be realized when we note that in 1959 wheat farmers marketed an estimated 1,131 million bushels of wheat valued at close to $2 billion. About 44 percent of the wheat marketed was processed for food; 40 percent was exported and most of the remainder moved into storage. Receipts from wheat constituted 6 percent of total cash receipts by farmers from the sale of all farm products. Wheat ranked sixth among all farm products in receipts from marketings, being exceeded by beef cattle, 23.8 percent; dairy products, 14 percent; and hogs, 8.4 percent; chickens and eggs, 7.6 percent; and cotton, 7.8 percent.

Consumers in the United States spent over $4 billion in 1959 on wheat products, some 7 percent of total consumer expenditures for food. In our normal diet, wheat flour and cereal products, as now enriched, contribute 17 percent of the calories, 17 percent of the protein, 21 percent of iron and niacin, and 28 percent of the thiamine.

In addition to our home consumption, we exported last year 444 million bushels of wheat. While large quantities of this wheat was exported through regular consumer export channels, much of it was exported under Public Law 480. There is no farm crop which plays a more important part in our international program for peace than the wheat that we export. It is truly a large part of the program of "Food for Peace." In view of the importance of this study, I ask unanimous consent that it be printed in the RECORD as a part of these remarks.

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

WHEAT AND THE NATIONAL ECONOMY

(This study develops in broad fashion the contribution of the wheat enterprise to our national employment in 1959. It was prepared in response to a request by Senator FRANK CARLSON to Secretary Benson for information on the jobs generated in our national economy by wheat and the products and services associated with wheat.)

SUMMARY

In 1959, wheat through all of its phases from production through processing, transportation, storage, and distribution involved some 876,000 man-years of employment, or 1.3 percent of total civilian employment in the United States.

Wheat production accounted for 164,000 man-years—approximately 109,000 on the farm and 55,000 in the supplying industries, such as fertilizer and machinery.

Wheat processing involved about 360,000 man-years of employment, primarily in the baking industry. Storage, transportation, and distribution accounted for some 344,000 man-years, a large part of which is concerned in retailing products to the consumer.

Federal Government programs represent the equivalent of about 8,000 man-years of employment, primarily in connection with the operations of the price support and soil bank programs.

LIMITATIONS OF THE ESTIMATES

1. The employment data derived are very rough approximations. It is virtually impossible to dissect the influence of an individual commodity in our complex economy with confidence in the results. The basic statistical materials at hand cover entire industries in which wheat is only one of many commodities involved. Considerable judgment is involved in allocating that part of employment attributable to wheat and its products. Notes are attached describing the procedure used.

2. The figures represent full-time equivalent man-years of employment. This understates very substantially the actual number of workers involved part time in the various stages of wheat production, processing, etc. For example, the latest estimates indicate about 1,300,000 farms produce wheat, compared with the 109,000 man-years of full-time employment on the farm allocated to wheat production. Similarly, in other stages, such as transportation and retailing, wheat and its products represent only a small fraction of the wide range of commodities handled.

3. The estimates cover employment directly concerned with wheat and its products. It should be noted that employment and purchasing power generated by activities related to wheat provides employment and purchasing power in still other industries, such as

the automobile industry. We have not been able to measure such indirect effects, but substantial additional employment would be involved.

4. The data are for the Nation as a whole. It should be noted that in some States, such as North Dakota, Kansas, and Montana, where wheat accounts for one-third or more of total cash farm receipts, the impact of wheat on the local economies is much greater than the data for the United States as a whole indicate.

5. It should also be noted that wheat is in a surplus situation. Stocks at the end of 1959 were 181 million bushels larger than at the beginning of the year. The increase in stocks amounted to 16 percent of all wheat marketed by farmers during the year. Thus, some of the employment, particularly employment on the farm and employment in storage activities, resulted from production and stocks of wheat in excess of requirements.

BACKGROUND MATERIALS

In 1959 wheat farmers marketed an estimated 1,131 million bushels of wheat, valued at close to $2 billion. About 44 percent of the wheat marketed was processed for food, 40 percent was exported, and most of the remainder moved into storage. Receipts from wheat constituted 6 percent of total cash receipts by farmers from the sale of all farm products. Wheat ranked sixth among all farm products in receipts from marketings, being exceeded by beef cattle, 23.8 percent; dairy products, 14 percent; hogs, 8.4 percent; chickens and eggs, 7.6 percent; and cotton, 7.8 percent. In the principal wheat-producing States receipts from the sale of wheat are substantially larger relative to total receipts from farm products, accounting for 37 percent of all cash receipts in North Dakota, 34 percent in Kansas, 33 percent in Montana, and 25 percent and 23 percent, respectively, in Oklahoma and Washington (table 1).

TABLE 1.—*Cash receipts from marketings of wheat, by States, 1959*

State	Cash receipts from sale of wheat [1]	Percent of total cash receipts from farm marketings
	Million	
Kansas	$398.3	33.7
North Dakota	200.3	36.6
Oklahoma	157.1	24.7
Montana	134.9	33.4
Nebraska	126.7	10.5
Washington	124.3	22.8
Texas	106.2	4.7
Colorado	85.4	14.4
Illinois	71.5	3.7
Idaho	67.1	16.2
Missouri	63.4	5.6
Michigan	60.0	8.5
Indiana	53.9	5.2
Ohio	53.1	5.6
Oregon	52.4	12.4
Minnesota	49.0	3.5
South Dakota	45.1	7.5
Pennsylvania	17.2	2.2
California	14.4	.5
North Carolina	12.0	1.2
New York	11.8	1.4
Wyoming	8.4	5.2
Virginia	8.2	1.9
New Mexico	6.6	2.6
Kentucky	6.6	1.2
Utah	6.4	4.0
Maryland	5.7	2.2
Arkansas	5.6	.8
South Carolina	5.3	1.5
Arizona	5.3	1.3
Iowa	4.8	.2
Tennessee	4.2	.8
Georgia	3.0	.4
New Jersey	2.3	.8
Wisconsin	2.2	.2
Alabama	1.8	.4
Louisiana	1.7	.4
Mississippi	1.3	.2
Delaware	1.2	1.1
Nevada	.9	1.8
West Virginia	.6	.6

[1] Includes loans under price-support activities.

Consumers in the United States spent over $4 billion in 1959 on wheat products, some 7 percent of total consumer expenditures for food. In our normal diet, wheat flour and cereal products, as now enriched, contribute 17 percent of the calories, 17 percent of the protein, 21 percent of iron and niacin, and 28 percent of the thiamine.

During calendar 1959, some 444 million bushels of wheat were exported, 40 percent of the total marketed by farmers. The value of wheat and wheat products moving into final use either domestically or abroad totaled over $5 billion, a little more than 1 percent of the gross national product. Thus, the share of wheat and wheat products in our national economy measured on a value or dollar basis is approximately the same as on an employment basis.

EMPLOYMENT ASSOCIATED WITH WHEAT PRODUCTION

Employment associated with the production of wheat, that is, before it moves into the various channels of distribution, consists of the direct labor of farm operators, family workers, and hired workers who perform the various operations on the farm, and the labor used to produce and distribute supplies and services used in the production of wheat. In 1959, an estimated 109,000 man-years of labor were employed directly in the production of wheat (table 2). Another 55,000 man-years of employment were estimated to be required in industries producing fertilizer, insecticides, tractors and other farm machinery and parts, fuel, and other goods and services used in the production of wheat.

TABLE 2.—*Employment provided by wheat production, 1959*

Industry	Estimated employment (man-years)
Farming (direct labor)	109,000
Supply and service industries:	
1. Chemicals, fertilizers, pesticides	3,700
2. Machinery parts, fuel, and electric energy	4,900
3. Miscellaneous repair services and maintenance construction	7,600
4. Wholesale retail trade, railroad and truck transportation	24,200
5. New machinery (tractor, trucks, other)	8,200
6. New construction	6,700
Total number of employees dependent on wheat directly on farms and in the supplying industries	164,300

EMPLOYMENT ASSOCIATED WITH PROCESSING

From the farm, wheat moves into the various broad marketing channels shown in chart I. The activities of storing, processing, and distribution require substantial labor inputs to place the wheat or products made from wheat through the channels of trade and into the hands of final users.

Employment associated with the processing of wheat or wheat products in 1959 is estimated at about 360,000 man-years. The bulk of such employment, 319,000, was in the manufacture of bread and related products, biscuits and crackers, and flour and meal (table 3).

TABLE 3.—*Employment associated with processing of wheat and wheat products, 1959*

Industry	Estimated employment (man-years)
Biscuits and crackers	42,100
Bread and related products	251,800
Macaroni and spaghetti	6,700
Cereal breakfast foods	3,600
Flour and meal	25,600
Flour mixes	4,600
Meat animals	9,800
Poultry and eggs	13,000
Prepared mill feed	2,800
Total	360,000

EMPLOYMENT ASSOCIATED WITH STORAGE, TRANSPORTATION, AND DISTRIBUTION

The functions of storing, transporting, exporting, and distributing wheat and wheat products required an estimated 344,000 man-years of employment in the United States in 1959. Employment in retail trade—retail bakeries, grocery stores, and eating places accounted for about 226,000, or almost two-thirds of the total (table 4).

TABLE 4.—*Employment associated with storing, transporting, and distributing wheat and wheat products, 1959*

Function	Estimated employment (man-years)
Country elevators	8,500
Terminal elevators and wholesale trade (grain)	4,600
Transportation (including exports in American ships)	54,900
Wholesaling (wheat products)	33,800
Retailing (grocery, restaurant, and retail bakery)	225,600
Other (building)	16,300
Total	343,700

EMPLOYMENT ASSOCIATED WITH FEDERAL GOVERNMENT ACTIVITIES

Activities of the Federal Government relating to wheat, such as research, pest control, crop insurance, loans, marketing, and inspection, involve the equivalent of about 8,000 man-years. More than two-thirds of the employment relates to the commodity stabilization programs, such as the price support loan and storage activities and the soil bank program.

No estimates are available as to employment related to wheat at the State and county levels.

NOTES ON SOURCES OF DATA AND METHODS USED

1. Employment associated with wheat production

The estimated man-hours of farm labor used in the production of wheat are from unpublished estimates of the Cost, Income, and Efficiency Research Branch, ARS. Estimated employment in supply industries is based on data obtained from the 1954 Census of Manufacturers and unpublished reports of the Agricultural Industrial Relations Study, 1955, AMS.

Direct labor requirements for the production of wheat were obtained by applying estimated average man-hour requirements for preharvest and harvest operations to estimated acres of wheat planted and harvested, as reported by the Agricultural Estimates Division, AMS. Estimated man-hour requirements per acre were obtained from studies made by various Federal and State agencies.

The producers' value of inputs from the major supplying industries into wheat farms in 1955 as obtained from the Agricultural-Industrial Relations Study were converted to total inputs in terms of man-hours of employment on the basis of the ratio of total employment to the value of output in these industries as reported in the 1954 Census of Manufacturers. These were then adjusted for productivity changes in the wheat sector and the supplying sectors and extrapolated to 1959 on the basis of wheat production in that year.

2. Employment associated with processing

Estimated employment in 1959 in the major industries processing wheat was obtained from the 1958 Census of Manufacturers and extrapolated to 1959 on the basic of changes in employment reported for the bakery products and grain mill products industries in Employment and Earnings, Annual Supplement, BLS, May 1960. For biscuits and crackers, bread and bakery products, macaroni and spaghetti, and flour

mixes, 100 percent of reported employment was assumed to be dependent on wheat. Employment in other industries allocable to wheat was based on the estimated ratio of value of wheat inputs to total grain inputs into those industries in 1955.

EMPLOYMENT ASSOCIATED WITH STORAGE, TRANSPORTATION, AND DISTRIBUTION

(a) Country elevators and terminals: Total employment in these facilities was derived by multiplying the estimated quantities handled by estimated labor cost per unit and dividing by an estimated average annual wage paid to employees engaged at these facilities. Data on the volume of wheat handled were obtained from unpublished reports of AMS; those on unit labor costs from a survey of storage and handling costs conducted by the CSS.

Also included in the total employment figures for these facilities were employees engaged in new construction. These were estimated on the basis of unpublished AMS data relating to labor costs and CSS reports of new facilities approved under the Uniform Grain Storage Agreement.

(b) Transportation: Estimates of employees engaged in transportation of wheat were based on data from Wage Statistics of Class I Railroads, 1958, ICC; Maritime Manpower Report, 1958, U.S. Maritime Commission, and a study of tonnage of wheat and wheat products moved by truck in the north central region. In general, total employment attributable to domestic transportation of wheat by rail and water was derived by applying an estimate of the ratio of wheat tonnage to total tonnage of all shipments, to the estimated total number of employees engaged in rail and water transportation. Employment in trucking was based on an estimate of the ratio of truck movement of wheat to rail movements as indicated by the study of truck movement of wheat in the north-central region.

Transportation abroad: Employment associated with the transportation of wheat to foreign ports in U.S.-flag vessels was estimated on the basis of shipments under Public Law 480, section 402 of the mutual security program and cash sales. Ocean transportation cost and volume data were obtained from fiscal records of CSS. Employment estimates were derived by converting volume of wheat shipped to number of ships required to move such volume and multiplying by an estimated average number of seaman and loading and service workers per ship.

Wholesale trade: Estimated employment in wholesale trade in industries associated with wheat is based on the estimated number of employees and employers reported for merchant wholesalers, manufacturers, sales branches and offices, and agents and brokers reported in the 1954 Census of Wholesalers. Benchmark totals for 1954 were extrapolated to 1959 on the basis of the change in output in such industries from 1954 to 1959.

Retail trade: Total employment in retail establishments dependent on wheat and related products was based on employment data reported in the 1958 Census of Retail Trade. The total number of employees reported for retail bakeries was assumed to be completely dependent on wheat. For grocery stores, an estimated 9 percent of all employees was allocated to wheat and wheat products, based on the assumption that wheat-related employment was proportional to sales of wheat and wheat products in retail grocery stores. Wheat-related employment in eating and drinking places and, hay, feed, and grain stores was derived on the basis of the ratio of the value of wheat and wheat products purchased to total materials purchased by such establishments, as shown by the 1947 BLS Interindustry Relations Study.

Mr. KEATING. Mr. President, I yield 3 minutes to my distinguished colleague from Ohio, and ask unanimous consent that it not be taken out of the time on the resolution.

Mr. LAUSCHE. Mr. President, several times during this so-called bobtail session of the Congress I have suggested that a serious mistake would be committed unless Congress passed legislation giving the Secretary of State discretionary powers within the mandate declared by the Supreme Court of the United States regarding the issuance of passports.

In 1958 the Supreme Court rendered a decision which completely removed from the Secretary of State any control over the right to deny passports regardless of the character of the individual who applies for one. It has been pointed out that Communists can apply for passports and obtain them. They can go to the Soviet and deliver to Moscow whatever information they desire. The Secretary of State can do nothing about such practices.

We have been in session since August 8. Several times this subject has been discussed on the floor of the Senate, and yet nothing has been done toward presenting a bill for discussion, and thus affording Senators an opportunity to pass upon it.

I am a member of the Foreign Relations Committee, before which bills are pending. A representative of the Communist League of the United States appeared before that committee and protested against the passage of the bill. The representatives of other agencies which are not strictly within the same category appeared to testify.

The bill has not yet been reported out of committee. There is one bill on the calendar which deals with the same subject that has not been called up for consideration.

I should like to make this query of my associates in the Senate. A bill subsidizing the mining of zinc and lead was called up for discussion, debate, and was finally passed. Compared with the proposed bill on passports, of what significance to the safety of the Nation has a bill to subsidize the lead and the zinc mining industries?

With due respect to my colleague from the State of Michigan [Mr. HART], he has had brought before the Senate for consideration a resolution on which there will be 3 hours of debate, and which contemplates a request that the President of the United States not make appointments to the Supreme Court during the recess.

I shall not argue about the propriety of the proposal of the Senator from Michigan, but I do ask this question. For more than 150 years there has been no such resolution or proposal made. What is the emergency nature of such a proposal? What has happened that the question should now be considered so seriously, and requiring treatment in this special session, while the bill to which I referred dealing with Communists remains at sleep, with nothing being done about it?

Some explanation will have to be made to the question of why we gave the utmost of consideration to matters that could have waited until next January, and yet we declined to listen to the plea of the Secretary of State, who repeatedly has said, "I need this legislation. Please pass it."

What tremendous power is operating upon the Senate? Who is it that possesses the influence to see to it that such bill is not brought up for consideration?

I wish to commend the Senator from Nebraska for his effort to get the bill before the Senate. I observe he has not succeeded up to this time.

Mr. KEATING. Mr. President, will the Senator yield to me, and I shall yield him a couple of additional minutes if necessary?

Mr. LAUSCHE. I yield.

Mr. KEATING. The distinguished Senator from Nebraska brought this subject to our attention very forcibly.

On Friday, August 26, I placed in the RECORD a letter from the Acting Secretary of State, Douglas Dillon, which emphatically asked for passport legislation at this session, and said this was a matter of the utmost concern. Under Secretary of State Dillon indicated that there is a clear and present danger to this country unless we enact this proposed legislation to give him some authority in this field.

There is on the calendar a bill which is Calendar No. 1881, Senate bill 2652. This bill was introduced by the distinguished Senator from Connecticut [Mr. DODD] and myself jointly and has been reported out of the Committee on the Judiciary. Long hearings dealing with this problem were held and, as I said on the floor, if the bill needs amendment, if it does not give enough rights to the individuals affected, we can take whatever action is necessary on the floor of the Senate to improve it.

The bill deals not only with the problem stated by the Senator from Ohio, but several others to meet the Communist menace in this country in, I believe, an effective but fair, realistic, objective, and judicial manner.

I am very happy that the distinguished Senator from Ohio has called attention to the necessity for this proposed legislation today, and it is my earnest hope that we shall be able to consider it before the session ends.

Mr. LAUSCHE. Mr. President, I am sorry that I was not present last Friday when the Senator from New York made his presentation on this subject. What he has stated reemphasizes the proposal that I have submitted to the Senate. How can the Senate consider as important many of the subjects that have come before us, while at the same time, in effect, declare as unimportant a bill about which the Secretary of State has said the failure of adoption would constitute a danger and a menace to our country?

We have been waiting 3 years. No action has been taken. I wish to repeat again that the headman of the Communist association of the United States testified. I was present. He testified that the bill should not be passed, because the right to travel is just as sacred as the right to worship God, the right to enjoy free speech, a jury trial, freedom

of assembly, and all the other rights declared in the Constitution. To him we listen. To the Secretary of State we turn a deaf ear. That is about the sum and substance of the whole matter. [Applause in the galleries.]

The PRESIDING OFFICER. The occupants of the galleries will refrain from any manifestations.

Mr. MANSFIELD. Mr. President, am I correct in understanding that we are now proceeding under a limitation of time for debate on the unfinished business, the resolution opposing the making of recess appointments to the Supreme Court?

The PRESIDING OFFICER. Yes; but another unanimous-consent request has been entered into, eliminating the present portion of the debate from the operation of that limitation.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 3313) to amend section 200 of the Soldiers and Sailors Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10960) to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12536) relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 12659) to suspend for a temporary period the import duty on heptanoic acid; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. FORAND, Mr. KING of California, Mr. MASON, and Mr. BYRNES of Wisconsin were appointed managers on the part of the House at the conference.

AMENDMENT OF INTERNAL REVENUE CODE OF 1954, RELATING TO EXCISE TAX ON CIGARS.

The PRESIDING OFFICER 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. 10960) to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TALMADGE. 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 Presiding Officer appointed Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

TREATMENT OF CHARGES FOR LOCAL ADVERTISING FOR PURPOSES OF DETERMINING THE MANUFACTURERS SALE PRICE

The PRESIDING OFFICER 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. 12536) relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TALMADGE. 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 Presiding Officer appointed Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON conferees on the part of the Senate.

TEMPORARY SUSPENSION OF IMPORT DUTY ON HEPTANOIC ACID

The PRESIDING OFFICER 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. 12659) to suspend for a temporary period the import duty on heptanoic acid, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. TALMADGE. 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 Presiding Officer appointed Mr. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON managers on the part of the Senate.

Mr. CLARK. Mr. President, may we have a brief explanation of the matters involved?

Mr. TALMADGE. In the three cases just acted on amendments were added in the Senate on Saturday night. The House has asked for a conference. I have moved that the Senate insist on its amendments, agree to the conference requested by the House, and that the Chair appoint conferees.

FOREIGN SERVICE ACT AMENDMENTS OF 1960—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, 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.

(For conference report, see House proceedings of August 29, 1960, pp. 18164–18170, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to insert in the RECORD at this point a brief explanation of the conference report on S. 2633. I hope the conference report will be agreed to.

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

EXPLANATION OF CONFERENCE REPORT ON S. 2633

I should like to speak briefly in explanation of the conference report on S. 2633, the Foreign Service Act Amendments of 1960.

The Senate passed S. 2633 a year ago on September 9, 1959. The Senate bill made numerous changes in the administration of the Foreign Service and the Department of State. A new class structure for Foreign Service staff personnel was provided. The Foreign Service retirement and disability system was liberalized in conformity with the civil service retirement system. Improvements were made in the recruitment and training of Foreign Service officers. Functional and geographic area specification by Foreign Service officers was encouraged. An increase in the authorization of appropriations for the Foreign Service buildings fund was approved.

On August 22, 1960, the House passed S. 2633 with amendments. Most of these amendments were of a technical perfecting nature and for the most part were readily acceptable to the Senate conferees.

There were six matters of greater substance which were in disagreement.

1. REVISION OF THE FOREIGN SERVICE STAFF CLASS STRUCTURE

The Senate bill would have decreased the number of classes for staff personnel from 22 to 10. Classes 15 through 22 under the present structure have not been used for a number of years. The smaller number of classes would rationalize administration of the staff corps.

The House bill eliminated this revision of the staff class structure. The conferees agreed that owing to the recent 7½-percent pay increase the proposed salary levels in the revised class structure ought to be reexamined and the conferees expect that the Department will submit legislation next year for consideration.

2. AUTHORIZATION OF 15-PERCENT EXTRA PAY FOR COURIERS

The Senate version of S. 2633 would have permitted the Secretary to establish rates of extra pay for couriers not to exceed 15 percent of their basic salary. This was justified on an analogy to the various kinds of hazardous duty in the armed services which is compensated for by extra pay. The House bill eliminated the provision. The conferees agreed to its deletion pending further study.

3. AUTHORIZATION OF A WASHINGTON HOUSING ALLOWANCE FOR FOREIGN SERVICE OFFICERS

The Senate bill authorized a modest differential to be applied to the basic salary of Foreign Service officers assigned to duty in the United States, according to the number of their dependents. This provision was designed to give the same kind of financial help to Foreign Service officers assigned to Washington as has long been given to military officers in the same circumstances. The housing allowance is necessary because Foreign Service officers spend the greater part of their careers overseas and when they come to Washington for relatively short periods they have many additional expenses largely related to housing. The House bill eliminated this housing allowance.

The House conferees agreed on the desirability of a Washington housing allowance for Foreign Service officers, but the conference gave careful consideration to the opposition to such an allowance which has been expressed by the members of the House Appropriations Committee and by the Bureau of the Budget. While discussing this opposition a message was received by the conferees from the Department of State indicating that the President might veto S. 2633 if the housing allowance stayed in the bill. The conferees greatly resented this unwarranted interference in the legislative process. In view, however, of the apparent lack of understanding of the need for a Washington housing allowance, the conferees reluctantly decided to eliminate the provision rather than jeopardize other important advances which would be secured by the bill.

4. AUTHORIZATION OF INCENTIVE PAY FOR LEARNING ESOTERIC FOREIGN LANGUAGES

The Senate bill authorized the Secretary of State to provide special monetary incentives to encourage the acquisition or retention of proficiency in esoteric foreign languages or other special abilities needed in the Foreign Service. The House bill eliminated this provision. The Senate conferees persuaded the House conferees that the extra push which this provision would give to the Department's accelerated programs of language training would be helpful. The inclusion of this incentive provision complements another provision of the bill according to which the Secretary of State is required to designate every Foreign Service officer position in a foreign country, the incumbent of which should have a useful knowledge of the language of the country. After a 5-year period to allow for increased training in a foreign language, such designated position can be filled only by a qualified linguist. The conferees believe that the achievement of such a high standard of competence is already overdue.

5. ELIMINATION OF FREE OFFICIAL SERVICES TO AMERICAN VESSELS AND SEAMEN

The Senate bill would amend existing laws which now prohibit charging of fees by consular officers for official services to American vessels and seamen. The conferees were of the opinion that the establishing of a reasonable schedule of fees for such services is appropriate, but also felt that it would be more appropriate to have this subject handled in separate legislation.

6. INCREASE IN AUTHORIZATION FOR FOREIGN SERVICE OFFICE SPACE

The Senate version of S. 2633 would have increased by $100 million (of which $50 million was in foreign currencies) the appropriations authorized for the purpose of erecting office buildings and other buildings needed by U.S. missions overseas. The House bill eliminated this increased authorization. The conferees decided that further study ought to be given to the Department's proposed 5-year buildings program before the full program is authorized. They agreed upon an increase in the authorization of $10 million, an amount which it was felt would enable the current program to continue without interruption.

I believe that this product of the conference which I have described is an excellent one. I believe that the changes in the Foreign Service contained in the bill will, if they are administered wisely by the Department of State, help to achieve a better quality of representation of the U.S. interests abroad.

I hope that the conference report on S. 2633 will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

THE CONGO AND POLICY TOWARD THE NEW AFRICA

Mr. MANSFIELD. Mr. President, hopes rise and fall with respect to developments in the Congo. A road to an orderly and progressive future for that region opens one day only to be blocked the next by seemingly insurmountable obstacles. The problems of the Congolese transition are dumped suddenly on the United Nations to the tune of universal acclamation. Just as suddenly discordant notes are injected into the tune.

It is late in the day of this Congress to raise a question of this kind. I do so, however, because almost imperceptibly but deeply and rapidly, this Government is moving into involvement in the affairs of the Congo and Africa. Acts of the Senate are a factor in this trend in policy and, hence, the Senate shares responsibility for the form which the trend assumes. I would note in this connection that we have recently approved an increase in the President's contingency fund of $100 million and that this amount was sought by him in anticipation of needs in the Congo and elsewhere in Africa. Since we do have a responsibility, it behooves us to see as clearly as we are able the essentials of the situation which exists on the African Continent and to consider the course which we are pursuing.

Let me say at the outset that the conduct of African policy for the past few years by the President, the Secretary of State, and Mr. Lodge at the United Nations, in my opinion, deserves the support of the Senate. They have acted with insight and dispatch in dealing with a most uncertain situation.

It is no criticism of them to note that, of late, the waters of African affairs and particularly those in the Congo have become more turbulent.

What is taking place in the Congo may spread to other parts of the African Continent. Indeed, in the last few days the short-lived unity of Senegal and the Soudan Republic in the Mali Federation has threatened to come apart in factional dispute.

In short, we are likely to be in for a protracted period of difficulties in Africa. It is not easy to define the sources of these difficulties even though it is essential for the Senate to make the effort. Africa, from the point of view of our comprehension, is a new continent. It has burst upon our awareness suddenly, after having been shut off almost entirely by barriers of nature and the closed doors of colonial enclaves. What we need to know now for effective policies is not to be derived from the old travel books on Africa and the attitudes which they induced. It is the emergent Africa, the Africa of today and, even more important, the Africa of tomorrow which we must seek to fathom. For it is to this new Africa that we must address our policies.

It will be some time before the channels of objective information and skilled interpretation become fully adequate to this need. What pours out of Africa today is a confusing mixture of fact and fancy, of the sober and the sensational, of what is past and what is yet to be. However, there is a constant improvement in the flow of information as American reporters, writers and scholars converge on the African Continent and a network of American Embassies develops in the new Republics.

COLONIALISM

Some of the significant realities have already come into sharper focus. The first and most important of these is that European colonialism as a system of government is fast disappearing. At the end of World War II, there were four independent nations in Africa. Now, there are 24. By the end of the year, two more former colonies will become independent. Four African nations, including South Africa, signed the U.N. Charter in 1945. Ten African States are now members; 14 are likely to become members in the very near future.

It is clear that colonialism is rapidly disappearing as a political system in Africa. What is not so clear but what may be of even greater significance is that colonialism as a political propellant has not yet left the scene. The word still has the capacity to evoke a militant nationalism, and even racism, in Africans. Its capacity in this respect may increase before it begins to decrease. That is likely to be the case so long as any part of the African Continent remains under alien jurisdiction. It is likely to be the case so long as any independent nation of Africa, now dominated by European settlers, has still to evolve a workable system of government under which the peoples of varying races can live together in a reasonable acceptance of one another. It is likely to be the case until a free Africa persuades itself that it is a full and equal participant in the general affairs of the world.

The persistence of this political propellant may or may not be valid in logic. What matters from the point of view of

policy, however, is that it exists in fact and it is likely to continue to exist for some time. A policy which, in concept or administration, ignores its existence rests upon a most fragile foundation.

POLITICAL INSTABILITY

Beyond the persistence of the factor of colonialism, there are other political realities in the African situation with which our policies must reckon. It is now apparent that the stability of the colonial system was imposed from without at the price of a large measure of social atrophy within Africa. The basic mode of existence for great numbers of Africans today differs little from the pattern of an earlier time with its multiple tribes; multiple languages; multiple customs, values, and superstitions. Furthermore, the political boundaries which colonialism drew in Africa were more a consequence of power adjustments among the European nations rather than expressions of natural divisions and of human forces within Africa itself. Yet it is within these boundaries that African nations, today, are emerging into independence.

I do not make these observations in criticism. What is past is past and cannot be undone. I point to these factors because they are significant in the unstable situation with which our policies must deal during this period of transition in Africa. There will be strong pressures to pull apart the outwardly imposed political unities and to revert to the schismatic earlier pattern. The sophisticated nationalism of a handful of African leaders will not easily be transferred to the many. These leaders themselves will have to search for ways to reorder boundaries into new political units, knowing as they do the requirements for a durable statehood in the modern world. To a considerable extent this search can be fruitful and beneficial. Other consequences, however, may also be anticipated if the search becomes aggressive or if African leaders pursue concepts of pan-Africanism on the basis of a militant racism.

AFRICAN LEADERSHIP AND MODERN SKILLS

That brings me, Mr. President, to still another significant factor in the African situation with which we must deal in policy. To a degree perhaps unparalleled since the revolutions of independence in the Americas, the great political transition in Africa depends upon a handful of trained and experienced leaders. And unlike the simple world of the Americas at an earlier time, Africa is being propelled, in independence, into the modern world of instant communications, missiles, nuclear power and complex bureaucratic organization.

Few Africans have been introduced as apprentices and, even fewer as managerial participants in the affairs of the modern state, the modern economy, and the modern world. Yet many must learn rapidly if, to the bare bones of independence, there is to be added the sinews of economic and political organization which will give that independence beneficial meaning and durability for the people of Africa. The problem is not simply one of replacing the European colonial bureaucracies, with U.N. or other bureaucracies and, then, with an African bureaucracy in the same form. However much replacements of this kind may be unavoidable for the present, the deeper problem is the development of responsible African government and responsible African management to guide the African peoples into a way of life suited to their needs and, at the same time, capable of peaceful, free and constructive cooperation in the general progress of mankind.

The task which confronts an emerging Africa is monumental. Much will depend on an understanding and patient hand from the rest of the world. But even more will depend upon the dedication, the wisdom and the realistic restraint of those few Africans who are now assuming the reins of political power. They, more than anyone else, will make the decisions which set the patterns, for better or for worse, for the new way of life in Africa.

OUTSIDE INFLUENCES

I turn now, Mr. President, to the last significant factor in the African situation with which I wish to deal at this time. I have already noted that Africa's future is partially dependent on an understanding and patient assist from the rest of the world. There appears to be a great, a universal eagerness to lend a hand in Africa. We see it clearly in the Soviet Union and China. We see it clearly in Cairo. We see it clearly in Europe. We see it clearly in this country and in the United Nations.

What we do not yet see clearly is the nature of this hand. Certainly there is a human and sincere desire—and I am sure it exists among the people of all countries—to help those who for too long have been cut off from equal participation in the mainstream of human civilization. But is that all there is in the extended hands? Is there not also a certain eagerness to project into Africa the many ramifications of the cold war and other power rivalries which now plague the rest of the world?

The field is wide open for that game at the moment. Africa is in transition and its leadership has only limited experience. But transitions are not forever and those who have learned the way to national independence are equipped to learn other matters. Most important, I believe the emerging African peoples have had enough of the role of pawns moved on the chessboards of others. They will not meekly assume that role again and they will react against those who seek to return them to it.

It may be too much to expect but it is not too much to attempt to insulate an emergent Africa from the international, political, and ideological storms which now sweep the rest of the world. In any event, I believe that policies, in concept or administration, which deliberately seek to project these storms into Africa will redound neither to the benefit of the African nations nor even to the long-range interests of those nations which pursue them.

THE SITUATION IN THE CONGO

The factors which I have been discussing and with which our policies respecting Africa must contend are to be found to a greater or lesser degree throughout that continent. And they are of intense significance in the immediate crisis in the Congo. The propellant of colonialism still drives people in that region to militant action despite the fact that independence has been achieved, despite the fact that the Belgians are in rapid withdrawal as U.N. forces enter the situation. Furthermore, as the colonial system has been progressively dismantled, the outward political unity which this system created faces rising centrifugal pressures, not only in Katanga and Kasai but elsewhere in that huge land. Also in evidence in the Congo is the counter-groping of pan-Africanism to which I have already alluded; unfortunately, I may add, it has already taken on some dangerous racial overtones in the expression of differing attitudes toward U.N. forces supplied by African nations and those from elsewhere. In the Congo, too, is to be found an enormous gap between the immediate need for skilled Africans in government and management and the extremely limited supply. In the Congo, finally, we see the helping hand from the rest of the world extended in sincere understanding of the difficulties confronting this new nation but also with the muscles of the external power-rivalries flexing here and there in an eagerness to plunge into the inviting situation.

U.S. INTERESTS

If we are to deal effectively in policy not only with the situation in the Congo but, in truth, with developments throughout Africa, we must not only see our interests clearly but we must pursue those interests in the light of significant factors of the kind I have been discussing today. Our interests are not hard to define. They arise, first and foremost from the universal implications of the historic American doctrines of freedom. And men and women in Africa, today, are striving for freedom and its meaning for them. They may struggle awkwardly and ineptly, perhaps, and sometimes even blindly but, nevertheless, the struggle is authentic.

Furthermore, American citizens have modest, cultural, and commercial ties with Africa and the prospects for the improvement of the ties are good as Africa develops in freedom. These, too, constitute American interests.

Finally, we have an interest in human progress in peace in Africa. We have that interest in part because we cannot, and no people worthy of the name human can, close eyes to the desperate travails of a vast segment of the human family. We have it, too, because the peaceful progress of Africa is interrelated with the peace of the people of this Nation in this second half of the 20th century. We have this interest because if Africa can progress in freedom and peace, it will spare us the extension of the costly trappings of the cold war to still another continent.

FRAMEWORK FOR U.S. POLICY

What, then, do these interests suggest as a proper course of policy for this Nation? I do not believe that they suggest that we plunge headlong into the turbulent troubles of Africa with eager dollars, with unsolicited advice, with an indiscriminate outpouring of new military and economic aid programs wherever takers may be found. It should be obvious, now, on the basis of experience elsewhere that this approach can guarantee neither to dispel Africa's troubles nor to exorcise communism from that continent. Equally, Mr. President, we must resist the easy temptation to pass off the difficulties in Africa as of little import to this Nation. In short, our important but limited interests suggests that we do not assume the role of either first or last among equals in our approach to Africa but that we take our place as true equals among outsiders while Africa develops within, under its own leadership and in accord with its own genius. This view presupposes a major effort of assistance by the United Nations, as Africans need it, seek it, and can use it. But I hasten to add that that supposition is not the same as the glib slogan: "Let the United Nations do it."

With all due respect to Mr. Hammarskjold, a brilliant and dedicated man, the fact is that what needs to be done in Africa will not be done unless the policies of this Government and others and, most of all, the leadership of the new Africa permit it to be done.

PRINCIPLES OF A U.S. POLICY ON AFRICA

We cannot answer for others in this connection, but we can look to our own policies on Africa and their administration. In the light of the analysis which I have attempted today, I would suggest that our policies must flow from the following principles:

First. This Nation should give its support, diplomatically and otherwise, to the end that independence and human equality will eventually be achieved throughout Africa. Our support must go, as it has begun to go under this administration, to those who work soberly in Africa for these ends. May I say, in all candor, that this principle grows easier to maintain with consistency and dynamism as the nations of Europe with whom we are associated in other matters increasingly espouse it in their own African policies. The difficulties, however, are great and will remain great in those areas in Africa of heavy European settlement, and I do not wish to make light of the task of those who must conduct our policies affecting those areas.

It seems to me particularly important that this principle find expression in the character and conduct of our expanding network of embassies in the new African Republics. I hope that these establishments will be kept modest in size and character. I hope, further, that our official representatives will seek a fresh and full understanding of the situations which they encounter, based upon direct and broad contact with the peoples of these new nations. I hope, finally, that these embassies will be conducted in a manner which reflects the simple good will of this Nation toward the new Republics of Africa and our sympathetic appreciation of their struggles. In sum, it seems to me of the utmost importance that now, at the beginnings of contact with the new Africa, our official representation be kept free of those characteristics which would invite a deflection of the political propellant of colonialism to this Nation.

Second. In the absence of overriding considerations to the contrary, this Nation should use whatever influence it can against a centrifugal fragmentation of existing political units in Africa. However powerful the divisive forces of an ancient tribalism may still be, they are the forces of the dying Africa; they are not the strengths of the Africa that is struggling to come into being. May I say that to hold to this principle is not to stand against adjustments in present political boundaries. Such adjustments are to be anticipated and are to be encouraged if they lead to more practical political and economic units. We should resist these tendencies, however if they derive either from a narrow tribalism or a sweeping racist pan-Africanism.

I realize that these particular problems must be dealt with primarily by the African peoples themselves. There is every indication, however, that the United Nations may be drawn increasingly into them. Since that is the probability, we must be prepared to exert our influence affirmatively in that organization and, in other ways, on the side of modern political progress in Africa.

Third. We should recognize that the hopes for freedom and progress in Africa during this period of transition depend, perhaps, more on the caliber of men than on the forms of governments and we should lend a most understanding ear to those African leaders who, with sincerity, personal dedication and realism seek to move their nations forward.

We must learn, quickly, as much as we can about the emergent African leadership and, if we are to learn accurately, we will eschew such inapplicable frames of reference as pro-Communist or pro-Western. The leadership that matters for the future of Africa will be neither one nor the other. It will be pro-African in the finest sense of the term in that it will be dedicated to the welfare of its own peoples and will drive soberly but relentlessly to increase their capacity for survival and expression in the modern world.

Fourth. We should join with all nations so inclined in an effort to lend a genuinely helpful hand to the vast needs of Africa for training in modern skills and for prompt economic and social development.

If Africa is to make the most of this help, and if the rest of the world is to gain from it in terms of peace, then it seems to me that this help must go to Africa free of any extension—expressed or implied—of the power conflicts and rivalries which divide the world. The challenge of Africa is not a call to greater propoganda battles between us and the Soviet Union. The challenge of Africa is to the world. It is a challenge to help open in peace the doors of modern life for the peoples of Africa, for their benefit and for the still unfathomed benefits which may flow to mankind from that opening.

SPECIFICS OF A U.S. POLICY

If we accept this as the deeper challenge of Africa then it seems to me that we must begin to seek agreement through our policies, in the U.N. and elsewhere, on the following points:

First. That all requests for military training missions and military aid from the African nations henceforth be referred to the United Nations and that such missions, as approved by the Security Council, be supplied solely under the aegis of the U.N.; further, that existing military aid missions in Africa be converted into U.N. missions at the request of any independent African nation and, as rapidly as possible.

Second. That the United States seek agreement with the Soviet Union to the end that both nations shall refrain from seeking military bases in Africa and from sending military forces to any part of Africa except as the Security Council may direct; further, that existing bases of either nation in Africa be closed out in due course and any military forces of either nation on the African Continent be withdrawn as the Security Council may direct.

Third. That the United Nations effort in the Congo, and similar efforts which may be required and sought elsewhere in Africa, henceforth be financed by a four-quarter fund: One-quarter supplied by the United States; one-quarter by the Soviet Union and Eastern Europe acting, as willing, in concert; one-quarter by Western Europe acting, as willing, in concert; and one-quarter by the other members of the United Nations.

Fourth. That the four-quarter fund be used, further, as the principal instrument for financing a substantial program of technical aid to Africa, to be pursued predominantly through an expansion of educational and training facilities in that continent, with technicians and teachers supplied on a similar four-quarter division, under the general direction of the U.N. Secretary General; and further, as this effort comes into operation, that bilateral assistance by all nations in Africa be progressively curtailed.

Mr. President, my principal interest today has been to explore the limits of our proper concern in the unfolding situation in Africa. The difficulty which confronts our policy is not only that we may do too little but that we may be impelled to do too much and in ill-adapted ways and, hence, contribute to the creation on the African Continent of still another front in the cold war. We shall not be thanked by the Africans if that is the effect of our contribution regard-

less of its size and our good intentions. Nor will we serve the interests of this Nation by enlarging the already costly trappings of the cold war—notably, military and political aid, propaganda dissemination and increased defense expenditures—if it can be avoided.

I do not know if it will be possible to bring into being the beginnings of a constructive and cooperative approach to Africa along the lines of the suggestions which I have advanced. There is little ground for sanguine expectations. Nevertheless, I believe we should make, in policy, an effort of this kind. We should make it with all diligence and in all sincerity. We should make it in our own interests, in the interests of the emergent African peoples, and in the interests of the peace of the world.

If I may add a few words by way of summary of the needs of U.S. policy on Africa at this time, I would like to stress that the emphasis of our approach should be based on the following: First, we should encourage the African leaders to assume responsibilities for themselves and seek to minimize the involvement of ourselves and the rest of the world in the African situation; second, to the extent that aid from the outside is brought to bear on the African situation, it should be supplied on a multilateral basis; third, aid from the outside should take the form, largely, of educational assistance designed to create in Africa as rapidly as possible a full system of primary and secondary schools and institutions of higher learning; and I would suggest that the aid be given on the spot, as far as possible, with the device of student and leadership exchanges used most sparingly. This device is relatively slow and costly and, despite its great virtues in other situations, it is not necessarily well suited to the African situation where the first need is for a rapid and massive expansion in educational facilities.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a geographical and historical table relative to the present situation in Africa, and also a speech entitled "Africa—the Beginnings of Policy," which I delivered on the floor of the Senate on June 8, 1956.

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

Nation or territory	Population	Present Political Status	Year of independence	Prior jurisdiction	Planned changes of status	U.N. status
Algeria	10,000,000	Administered as part of France.				
Angola and Cabinda	4,200,000	Portuguese Overseas Province.				
Basutoland	642,000	British High Commission territory in southern Africa. Controlled by Commonwealth Relations Office, not the Colonial Office.		Claimed by South Africa		
Bechuanaland	300,000	British protectorate which is also one of the High Commission Territories in southern Africa.				
British Cameroons	1,500,000	U.N. trust territory			Plebiscites early in 1961 to future.	
Cameroon	3,300,000	Independent republic	1960	U.N. trust territory (France).		Membership anticipated.
Central African Federation		Self-governing territory of Southern Rhodesia protectorates of Northern Rhodesia and Nyasaland.			1961, constitutional review	
Southern Rhodesia	2,600,000					
Northern Rhodesia	2,300,000					
Nyasaland	2,700,000					
Central African Republic (Ubangi-Shari).	2,600,000	Independent republic within French community.	1960			Do.
Chad	2,600,000	Independent republic within French community.	1960			Do.
Congo Republic	750,000	do	1960			Do.
Dahomey	1,700,000	do	1960			Do.
Eritrea	1,000,000	Federated with Ethiopia under Ethiopian Crown since 1952.		Italy		
Ethiopia	18,000,000	Independent				Member.
French Somaliland	63,000	French territory			Early independence unlikely	
Gabon	400,000	Independent republic within French community.	1960			Membership anticipated.
Gambia	275,000	British colony and protectorate			Self-government	
Ghana	4,500,000	Independent republic within the British Commonwealth.	1957	United Kingdom		Member.
Guinea	2,500,000	Independent	1958	France		Do.
Ifni	40,000	Spanish province administered from Madrid			Its future has been a subject of discussion with Morocco.	
Ivory Coast	3,300,000	Independent republic within French community.	1960			Membership anticipated.
Kenya	6,800,000	British colony and protectorate			Africans to secure a majority in legislative council within foreseeable future.	
Liberia	1,000,000	Independent	1847			Member.
Libya	1,000,000	do	1952	Italy		Do.
Malagasy Republic	5,000,000	Independent republic within French community.	1960			Membership anticipated.
Mali Federation (Senegal and Soudan).	6,000,000	do	1960			Do.
Mauritania	650,000	Autonomous republic within the French community.			Expected to become fully independent within French community, November 1960. (Claimed by Morocco as part of its kingdom.)	
Morocco	10,000,000	Independent	1956	Spain and France		Member.
Mozambique	5,700,000	Portuguese oversea province				
Niger	2,500,000	Independent republic within French community.	1960			Membership anticipated.
Nigeria	35,000,000	Self-governing colony within the British Commonwealth.		United Kingdom	Fully independent member of the Commonwealth Oct. 1, 1960.	Do.
Portuguese Guinea	511,000	Portuguese oversea territory				
Republic of the Congo	13,300,000	Independent	1960			Do.
Ruanda-Urindi	4,500,000	Belgian-administered territory			Eventual independence, but now complicated by Congo situation.	
Sao Tome and Principe (island)	60,000	Portuguese oversea territories				
Sierra Leone	2,500,000	Self-governing colony within the British Commonwealth.			Becomes fully independent within Commonwealth on Apr. 27, 1961.	
Somali Republic	2,000,000	Independent	1960	Italy and United Kingdom.		Do.
Southwest Africa	415,000	Territory administered under a League of Nations mandate by Union of South Africa, which has refused to accept U.N. trusteeship.				
Spanish Guinea	200,000	Spanish colony				
Spanish Sahara (Rio de Oro)	37,000	Administered from Madrid				
Sudan	10,000,000	Independent republic	1956	United Kingdom		Member.

Nation or territory	Population	Present Political Status	Year of independence	Prior jurisdiction	Planned changes of status	U.N. status
Swaziland	237,000	British High Commission territory in southern Africa.			Claimed by South Africa	
Tanganyika	8,600,000	U.N. trust territory			Internal self-government, Oct. 1, 1960.	
Togo	1,000,000	Independent republic	1960	U.N. trust (France).		Membership anticipated.
Tunisia	3,800,000	Independent	1956	France		Member.
Uganda	5,000,000	British protectorate			Implementation of proposals for an elected African majority is under way.	
Union of South Africa	14,500,000	Independent	1909	United Kingdom		Do.
United Arab Republic (Egypt)	25,000,000	do	1922	do		Do.
Voltaic Republic	3,300,000	Independent republic within French community.	1960			Membership anticipated.
Zanzibar	300,000	British protectorate governed by a sultan, in collaboration with a British resident.			Proposals for an elected majority on the legislative council are to be implemented in 1961.	

REVIEW OF FOREIGN POLICY—VI

AFRICA—THE BEGINNINGS OF POLICY

This is the sixth in a series of discussions which I began last January under the general description "Review of Foreign Policy." In these discussions, I have sought to call attention to situations in various regions of the world and the policies which we are pursuing with respect to them.

My purpose in undertaking this review is threefold. I hope that my observations in concert with those of other Members will enlarge our common understanding of the international issues which face the Nation. I hope that they will contribute in a similar fashion to the understanding of these issues by the American people. I hope, finally, that they will serve some constructive purpose in improving the foreign policies on which the Nation heavily depends for our peace and well-being.

In previous statements I discussed in succession our relations with southeast Asia, north Africa, the Middle East, and most recently with Latin America. In all of those statements, it was possible to describe a pattern of American policy. It was not always an effective or consistent policy. Nevertheless, there was at least an understandable base to build on, frequently a faltering, uncertain base, but at least a recognizable base.

That is less the case with respect to the area which I propose to consider today. For Africa and sub-Sahara Africa in particular, we have barely the beginnings of a policy.

I say that, not so much in criticism, but merely to underscore a fact that is of great pertinence in our relations with that region. Much of Africa has long been beyond the horizon of our direct interest and, in consequence, we have given it little direct consideration in our policy. For the most part we have approached that continent through the European nations which exercise sovereignty over a great part of it.

That this is the case is clearly reflected in the organization of the Department of State. The African Division has been tacked on, like an afterthought, to the Bureau of Near Eastern, South Asian, and Africa Affairs. I might also note that despite his wide and farflung travels, the Secretary of State has somehow managed virtually to overlook the second largest continent in the world. On second thought, I believe his plane did set down briefly in Cairo at one time, on the way to somewhere else or coming from somewhere else.

What might be termed this official unawareness of Africa is not confined to the executive branch; it is shared by the Congress. Africa has been the subject of almost no discussion in the Senate in the last decade. That is, to say the least, a most unusual phenomenon for this body. As the Members know, our range of interest has otherwise been broad enough to cover in great detail a range of such diverse subjects as daylight saving time in the District of Columbia, the awe-inspiring power of atomic energy, and presidential critiques of music critics.

Very few Senators in their travels abroad have found occasion to retrace the paths of Stanley and Livington, through Africa, and I hasten to add that I am as guilty as others of this negligence. It has remained for the intrepid gentlewoman from Ohio, in the other House, to blaze a congressional trail through the dangerous recesses of that vast continent.

In all seriousness, this neglect of Africa seems to me to create a gap both in our understanding of the total international situation and in our foreign policies. In the past, the gap might have had few significant consequences. Today, however, it seems to me that it is one which we can ill afford.

Circumstances change rapidly in the world whether or not the executive branch and the Congress choose to ignore the changes. Then, sooner or later, we are face to face with their accumulated impact. What usually follows is a new round of crisis diplomacy.

Current reports in the press and elsewhere suggest that something of this sort may be building up in Africa. Not entirely unlike Asia of the past decade, the continent of Africa is now in major transition. The circumstances in the two situations are not precisely the same and therefore the outcome is not likely to be precisely the same. But the transition in Africa, like that of Asia, arises from the same powerful source. Concepts of national and human equality have entered in force into the awareness of Africa. So, too, have concepts of modern material progress. Many in Africa now know that life elsewhere offers more than a presdestined and unchangeable status of servitude whether it be servitude to alien political power or servitude to sickness, superstition, and starvation.

They have learned that men have human rights lodged in them by God. They have learned, too, that modern technology points the way out of the long night of fearful struggle for mere animal existence. Those Africans who know these truths—and they are still comparatively few in number—are passing them on to their kinsmen. The ideas are spreading irresistibly through the continent.

These concepts—the concepts of national and human equality and of modern progress—are just beginning to take root in Africa. But experience elsewhere in the world teaches us that once planted, they are concepts which are not likely to be eradicated from the minds of men. They may be twisted, turned and trampled on, but they will not die.

What will issue from these concepts in Africa is uncertain, for every people give to them a unique imprint. What is certain, however, is that the Africa of tomorrow will be vastly different from the Africa of today, just as Africa today bears little resemblance to the Africa of 50 years ago.

I believe it essential that, now, at the beginnings of policy with Africa, we recognize the origin of the concepts which are stimulating these changes. They are not the product of an unseen or conspiratorial hand. They arise out of the total experience of civilized man. They are the lifeblood of freedom, the same concepts which have underlain the development of America and in a larger sense of all Western culture. They are the same concepts which time and again all over the world have rallied whole peoples to resist or to overthrow tyrannies.

I stress the universal and especially the Western source of these concepts. I do so because I believe we are about to witness the beginning of an attempt to twist and turn the transition of Africa into channels of totalitarianism. Press reports indicate that the Soviet drive into the Middle East is moving beyond that area, deeply into Africa, above and below the Sahara. It is being pursued on cultural, diplomatic, and economic fronts and, as has happened elsewhere, the concepts of freedom itself have been usurped and are being used by the Communists to spearhead this drive.

The free nations may deplore this development. If we are honest with ourselves, however, we shall acknowledge the fact that it has been the inadequacies of Western policies in interpreting our own political, social, and economic ideals in Africa which have afforded in large part the opening wedge.

The Soviet drive is not going to be stopped by a wringing of hands. It is not going to be stopped by military measures so long as it remains nonmilitary in nature. Least of all, will it be stopped by a further retreat from our own finest beliefs. If we and other free nations fail to uphold those beliefs in our relations with Africa, in deed as well as word, then we will have no one to blame but ourselves if the emergent continent turns not toward the West but toward totalitarianism, Communist or otherwise.

That is the principal reason why this country must remain alert to the present African transition. Until now, Africa has been largely what might be termed a "political neutron," inert and acted upon by others. It is now beginning to move as an independent force in international life. What takes place there in the years immediately ahead will, in effect, determine whether the area of human freedom in the world shall be enlarged or contracted by the addition or subtraction of much, if not all, of that continent.

At this moment we can foresee only dimly the consequences to our own direct national interests which will stem from one or the other development. Some immediate effects of the transition, however, are already visible in their impact on our international relations elsewhere. The transition has involved our relations with the principal

European democracies. And as the Bandung Conference of Asian-African nations so clearly demonstrated, it has involved our relations with the numerous peoples in Asia and elsewhere who have recently achieved national freedom or who are moving in that direction.

Later in my remarks I shall deal in greater detail with the transition in Africa and what I believe to be its meaning for American policy. First, however, I wish to sketch briefly the background against which this transition is taking place.

The continent consists roughly of three zones of change. Across the north, along the shores of the Mediterranean, are peoples in such areas as Egypt, Libya, Algeria, and Morocco who are tied closely by history to trends in the Middle East and Europe. I have already dealt at considerable length with that region in previous remarks on north Africa on March 20, and the Middle East on April 18. I shall not cover the same ground in detail again today.

At the extreme south of the continent is another distinct zone in the form of the Union of South Africa. This independent Commonwealth marks the area of most intense European penetration. Of its 12 or 13 million inhabitants, some 3 million derive from Europe, largely from the United Kingdom and the Netherlands. Members of the Senate are well aware of what is transpiring in that region at the present time. There, in acute form, is presented the problem of adjustment, each to the other, of three groups, Asian, African, and European. So far the attempt, based upon intensifying their separation, has produced a tragedy compounded of fear, arrogance, injustice, and alienation. Our own great difficulty with the problem of segregation, however, constrains us to a great humility in discussing this matter when it involves others.

Between the northern zone of Moslem peoples and the southern zone of European penetration lies the heart of Africa and the core of the African transition. A map of this region, of sub-Sahara Africa, reveals a patchwork of independent nations, United Nations trusteeships, and colonies in various stages of dependency on European powers. It shows, for example, an independent Ethiopia, restored at the end of World War II, a Sudan recently set free by the United Kingdom, and a Liberia occupied by descendants of former American slaves, set free, and returned to Africa many decades ago.

Mapmaking, like other honorable professions, has its own unique traditions. Certain colors, for example, have been assigned consistently over the years to certain countries. In keeping with this tradition, current maps of Africa, as did their predecessors, show a number of red patches. These patches, I hasten to add, refer not to Communist-sponsored states but to ancient and honorable British possessions. In addition to Britain, France, Portugal, Belgium, and Spain, all have dependencies in the region. Certain of these countries also administer trusteeships over which the United Nations exercises a considerable degree of supervision.

Each of the European nations has reacted to the recent pressures for change within Africa in its own unique fashion. The United Kingdom, for example, has met the growing demand for national equality by adjusting promptly in some instances to bona fide nationalist movements which promise to lead to stable self-government or independence. Under this policy the Sudan has already achieved political freedom in peace and the Gold Coast and Nigeria have moved close to that goal in the same fashion. By contrast, in the East African dependency of Kenya, the stirrings of African discontent have led to the brutal and violent conflict of the Mau Mau uprisings.

France has sought to meet the pressures for change by a policy of assimilation, an attempt to absorb the colonies, and their inhabitants into the French Union. The effort has not been conspicuously successful in north Africa and has now been altered in Morocco and Tunisia so that it conforms more closely to the British example. Elsewhere in the French possessions, however, the policy of assimilation remains. Belgium has reacted by what might be termed a policy of reserve equality; it has denied to Belgian nationals in the Congo all political participation just as it denies such participation to the indigenous inhabitants. The Portuguese dispute the reality of the pressure for change, and their colonial policies are little different now than they were centuries ago.

Regardless of these differences in approach, I believe it is correct to state that all the European nations have at one time or another recognized one or more of the principal factors which are involved in the present transition in Africa. There is no question, for example, that the process of political adjustment is well advanced in many British possessions. On the other hand, in the Belgian Congo where no political expression is permitted and the young are not encouraged to expose themselves to the political beliefs of the West, there has nevertheless been a great advance in indigenous education in health and other social services. And in the French, Spanish, and Portuguese colonies, racial bars to human equality have been largely eliminated.

I do not know how effective these adjustments are likely to be in the face of mounting pressure for change, whether they will suffice or not. I do know, however, that we ought to avoid superficial judgments of them. It is easy enough from the vantage point of distance and noninvolvement to be critical of the European colonial nations. Their past record in dealing with the primitive peoples of Africa is not, in many respects, an admirable one. But then neither is ours in North America, nor the British in Australia, nor the Spaniards in Latin America, nor the Chinese in southeast Asia, nor the Russians in central Asia, nor the Mongols in Europe, and so on into history.

The point I am trying to make is that past injustices cannot be undone. The most we can hope to do is to put them in reasonable perspective and go on from there. It seems to me fruitless to engage in debate over whether the balance of African colonialism lies on the side of benefit or harm to the indigenous peoples. Certainly the Europeans have made contributions to Africa and certainly they have exacted in return contributions from that continent. Or perhaps it is more correct to put it the other way around.

What matters most, however, is not the past. What matters most is whether the policies of the colonial powers, and the policies of other free nations, including our own, are effectively adjusted now and in the future to the transition which has been set in motion by the awakening of the inhabitants of Africa to the modern world.

We ought not to underestimate the complexity and the magnitude of this task of adjustment, particularly for the European colonial powers. I mentioned earlier that the situation in Africa was somewhat analagous to that in Asia a decade ago. It is, in the sense that nationalism versus colonialism was the decisive issue in many Asian countries at the end of World War II. In a similar fashion, it is or is becoming the decisive issue in many parts of Africa.

In drawing the comparison between Asia and Africa, however, we ought not to overlook the differences in the two situations. European colonialism in Asia was superimposed for the most part on sophisticated civilizations with long histories of cultural development. The ideas and the techniques of the West influenced the existing way of Asian life but they did not obliterate or suffocate it. In Africa, however, the Europeans opened a continent inhabited largely by peoples who, like the North American Indians, existed apart from the mainstreams of history.

To cite another significant difference: in Asia, colonialism was not accompanied by massive European settlement. There was never—as there are in South Africa, in Kenya or in Algeria—anywhere near the same large bodies of settled Europeans. These settlers see their future and their children's future in Africa, not in Europe. Many are uncertain of that future. Their fears not infrequently lead them to resist being cut away from sources of military and political power which lie largely in Europe or the sharing of any significant political power with the indigenous peoples of the continent.

I am not condoning this fear; I am merely recognizing its existence, for it poses a major problem for the European colonial nations. In a previous statement I dealt at some length with this problem as it confronts France in North Africa. But any responsible European government which attempts to adjust its policies to meet the demands of the African transition, faces tremendous pressures over the same question.

If we contrast the peaceful political progress in the Gold Coast and Nigeria on the one hand with the strife in Kenya and the regression in South Africa, the point should be clear. The contrast, I believe, is due in large measure to the fact that in the Gold Coast and Nigeria, there are few permanent European settlers. In Kenya and in South Africa, however, Europeans and descendants of Europeans are settled in great numbers.

If the European nations face a formidable task in adjusting to the transition, so too, do the leaders of African nationalism. To them falls much of the responsibility for shaping the changes which are bound to occur in Africa.

They, too, face tremendous pressures. In some cases, their responsibility involves literally moving whole populations from the Stone Age into the 20th century with great rapidity.

Modern African leaders are themselves awake to the meaning of national and human equality and modern progress. Their own enlightenment, however, can have lasting significance only if it is shared with their own peoples. They will need great compassion and patience for that. They will also need wisdom if they are to choose with discrimination from among the welter of ideas and ideologies which bear down on Africa from all sides, those which will benefit their peoples. As the Soviet drive into the continent gains momentum, the pressures on these leaders will increase and the confusion of alternatives will be further compounded.

I believe it will be well to recognize that while the ideological choices which are made will be those of the African leaders and their peoples, the policies of the free nations will profoundly influence them. To the extent that these policies reflect a firm devotion to the concepts of free men—to the concepts of national and human equality, to the extent that they reflect a willingness to assist in the progress of the African people—they can make a great contribution to the growth of human freedom. By the same token, irreparable harm can be done if these policies are shortsighted, fearful, and repressive.

It seems to me that a foreign policy which serves the total interests of this country must welcome the present transition in Africa and the inevitability of change which it brings. We have already had an expression of congressional sentiment to that effect with regard to all dependent people throughout the world. In the 84th Congress, a resolution was adopted unanimously

by both Houses calling for the administering of foreign policies and the exercising of our influence in support of other peoples "in their efforts to achieve self-government or independence" (H. Con. Res. 149, 84th Cong., 1st sess.).

I can conceive of no long-range interest worthy of this country which would be at variance with this fundamental expression. How could it be otherwise? Can we reject the desire for national equality on the part of any people? Similarly, can we frown upon their desire for human equality? Or can we deprecate their efforts to improve their social and economic existence? To those who can answer these questions in the affirmative, I respectfully suggest a rereading of the Declaration of Independence and the Constitution of the United States.

National and human equality, and progress—these are the basic concepts of this Nation. In signing the Charter of the United Nations we gave endorsement to these same goals as legitimate for all people. That endorsement must remain the guiding principle, the anchor of our policies with respect to Africa. It imposes on us—indeed it imposes on all nations which have signed the Charter—an obligation with respect to Africa which, in the light of our own history if for no other reason, we ought willingly to sustain. It is an obligation to strive in our policies with respect to that continent to contribute to, rather than detract from, the achievement of these goals by the African peoples themselves.

At the same time, we ought to have clearly in mind our limitations in this connection. The achievement of rights is primarily the responsibility of peoples directly involved, both African and European. We can assist, but we cannot impose.

I fully realize the difficulties of interpreting the principles of the Charter, as they apply to Africa, in the countless decisions which must be made by the executive branch of the Government. It seems to me, however, that we have compounded these difficulties by our own neglect, by clinging to what seems to me to be an outmoded approach to that continent.

I would suggest, therefore, that the first step toward a more effective policy on Africa involves an increase in the flow of direct information on that continent into the formulation of policy. Would such a flow not be facilitated if the African branch of the Department of State were separated from Near Eastern and south Asian affairs and constituted as a Bureau under an Assistant Secretary of State for African Affairs? And would this body not be better equipped to advise with the President on African matters if more Members found occasion to include Africa in their travels abroad?

Even with the limited and inadequate knowledge we now possess, it is possible to see the beginnings of a sound policy for Africa.

As I have already noted, the growing aspirations of the African people for national and human equality must have the consistent sympathy of this country. This sympathy must be reflected more clearly than is presently the case in the general course which we pursue in the United Nations and elsewhere.

I hope that few occasions will arise in which we will be at variance with the Western Europeans on this matter. When they do, however, our position ought to be forthright. If we disagree with them, let us disagree honestly. And if overriding circumstances compel us to accept temporary compromises, let us be equally prepared to acknowledge them frankly. Accommodation has a place in the foreign policy of this Nation, no less than in that of others, but hypocrisy does not.

I believe this country should also be prepared to enlarge the technical assistance program in Africa if it is clear that such assistance can be effective and that it is sought by the indigenous peoples: If other practicable ways can be developed which will hasten the economic and social progress of the African peoples, we should be prepared to give them sympathetic consideration. Again, the test of any such measures must be their contribution to the development of national and human equality in Africa and to the well-being of the African people.

I noted earlier in these remarks that we were at the beginnings of policy on Africa. Because we are, we have an unusual opportunity to set a firm foundation for our future relations with that continent. If we do so, we shall serve the interests of this country far beyond the present generation.

The key to an effective policy on Africa, I believe, will be found in the perception with which we treat the developing transition on that continent. If we understand and appreciate its vast implications and assist in the adjustments it requires, we will facilitate the emergence of a new Africa. It will be an Africa which will do willingly what it cannot be coerced into doing. It will be an Africa which will pour its original and as yet incalculable contributions into the general progress of freemen and into the maintenance of world peace.

Mr. LAUSCHE. Mr. President, I express commendation to the Senator from Montana for the very enlightening and constructive presentation which he has made, and his statement of the course we ought to follow with respect to Africa. It seems to me that he has concluded that through joint efforts we ought to keep Africa out of involvement. I subscribe to that view fully and heartily. I express my gratitude to him for the fine speech he has just made.

Mr. MANSFIELD. I thank the Senator from Ohio.

FREEDOM FIGHTERS OF CUBA WORK TO OVERTHROW CASTRO

Mr. DODD. Mr. President, this week's issue of Our Sunday Visitor carries a highly informative article entitled "Freedom Fighters of Cuba Work To Overthrow Castro."

This article was written by Dale Francis and was brought to my attention by my friend, the Reverend Father Joseph F. Thorning, associate editor of World Affairs and a highly respected specialist on inter-American history. Father Thorning was one of the very first to assess Castro for what he is and to expose the Communist nature of his regime.

I ask unanimous consent that the article be printed in the RECORD.

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

[From Our Sunday Visitor, Aug. 28, 1960]

FREEDOM FIGHTERS OF CUBA WORK TO OVERTHROW CASTRO

(By Dale Francis)

The Red regime of Fidel Castro is starting to topple. Within Cuba, thousands of men who were armed by the revolutionary regime are waiting for the word to use the arms against the men who betrayed them by selling out to the Communists. Guajiros who placed their hopes in Fidel and saw their hopes destroyed by Castro's Red lieutenants now stand ready to fight against the Communists who want to be their masters.

Outside Cuba, dynamic leaders are preparing for the drive that will mean the end of Castro's Red government. They are men who battled Batista, who are unsullied by any contact with the tyrannical and corrupt Batista regime. They are men who were willing to trust Fidel Castro but who saw him betray Cuba.

I have come from meetings with these men. Some are still in Cuba, preparing for the downfall of Castro from within. Obviously I not only cannot give their names, I cannot even give general information about them for fear of identifying them. If they were known they would be imprisoned—just as thousands of others have been imprisoned.

Castro knows they are there; he does not know who they are. My telling you of their existence offers nothing to Fidel, except perhaps to add more worry to that which has already frayed his nerves almost to the point of insanity. He will learn who they are when the day arrives. Right now he can only worry sleeplessly with the knowledge they are all about him, that when he turns over arms to the people he may well be arming the men who will destroy his dictatorship.

In his frenzy, Castro will make mistakes just as he made the mistake of pushing the betrayal too far, too fast, and so made inevitable the opposition of the Catholic Church. When at last the Catholic Church took a strong stand against the Communist infiltration into the life of Cuba, Fidel faced the force that has marked the beginning of his destruction. His plan to avoid out-and-out conflict with the church as long as possible, his careful plan to counterbalance the inevitable struggle by currying favor with Protestant groups in the hope they would support him, all was lost because the struggle came too soon.

But if I do not dare to give the identities of those men who are supporting the forces of freedom within Cuba, I can tell you of the men who are preparing to join the struggle from outside. They say that with the help of forces already in Cuba, they will be able to overthrow the Castro regime.

They say, too, that the help of the United States or of the Organization of American States will not be needed. They say they have sufficient strength to overthrow Castro alone—but they add one important reservation. They can overthrow Castro if Castro is alone. If Russia and Red China join the battle against them—and there are already more than 2,000 foreign Communists in Cuba—then they will need help. If they battle Castro's Red regime, it will have to be accompanied by a firm warning to Russia, Red China, and the other Communist States to stay out of the battle. This warning must be accompanied by immediate action if the leaders of world communism interfere.

This poses danger for the United States, of course, but nothing like the danger that would exist were Russia and her Red allies permitted to destroy freedom fighters in Cuba as they destroyed freedom fighters in Hungary.

Who are the leaders of Cuba's freedom fighters? What do they believe? What are their political backgrounds? What do they propose in the future for Cuba? These are the questions I sought to answer as I talked with the men who will regain freedom for Cuba. The answer to these questions when it concerns those still in Cuba will have to wait for the day when the battle begins. Their identities I must keep secret now except to say they include some names that will be recognized by all Cubans and by Americans who have been acquainted with the leaders who overthrew Batista. Those outside of Cuba, I can talk about openly.

Among those I can discuss there are seven or eight men who are of greatest importance. All are men without any connection with the Batista regime. They range in po-

litical viewpoint from the non-Communist far left to a conservative position, considerably short of the far right. Some have long been active in Cuban politics, others are new on the political scene.

Jose Ignacio Rasco is typical of the new political leaders. Thirty-four years old, Rasco was a classmate of Fidel Castro at the University of Havana. There they were rivals and friends—although never close friends. Rasco, who is a cultured man with considerable poise, has been envied by Castro since their school days. This probably accounts for the fact that when Fidel made his triumphant entry into Havana after the fall of Batista, he sent word ahead that he wanted Rasco to be in the party that greeted him. As one man said, it was Fidel's way of showing his old rival that Fidel had reached the peak of fame.

Rasco is a lawyer and was a columnist for Informacion, which today is the only newspaper in Cuba not under the thumb of Castro's government. A good Catholic, he was named president of the Christian Democratic Party when it was formed a few months ago.

Rasco knows Castro well and he insists today that it is possible that Fidel might finally betray even the Communists. He simply believes Castro incapable of any loyalty except to himself. Today he is agreed, as once he was not, that Fidel is operating under Communist orders, but he thinks it possible that Castro might under pressure betray them just as he has betrayed the Cuban people.

Politically, Jose Ignacio Rasco would probably be listed as close to the center. He believes social reforms are necessary in Cuba, thinks that agrarian reform is necessary, but opposes most strongly the form it has taken under the Castro regime. He has already promised that elections would be held within 18 months after the establishment of a new regime—a promise that would be accompanied by immediate permission for the formation of political parties. When Castro made similar promises when he came into power, the tipoff he didn't mean to keep his promise was in the road blocks he placed in the path of legitimate political parties.

Another of those in the political center, probably a little left of center, is the group headed by Manuel Artime, a 28-year-old medical doctor who worked actively with the Castro regime until last December.

Probably none of the potential political leaders of Cuba has more personal dynamic force than this square-shouldered, dark-browed, granite-chinned young man. Cubans, used to the colorful personality of Fidel Castro, might find some of the serious-minded, intellectual leaders a quick change of pace, but Artime is a man whose eyes flash fire much like those of Castro.

He is, however, a soft-spoken man with ideas that are the very antithesis of those of the Castro regime. The head of a group that has strong connections with underground forces already in Cuba, he has at his command the most powerful forces of all the leaders.

But when he speaks of the fight for freedom in Cuba he speaks of a hope he has. "It must be a war of love," he says with obvious sincerity. "We must despise communism and love Communists, we must remove communism but not harm the people who have been the victims of it. I pray it will be a short conflict and that few people will be killed. I think it is possible, too, for I know already the strength of our forces within Cuba."

Artime is a member of the University Catholic Action group. As a young doctor, he went into the Sierra Maestra during the last days of Batista, remained with Castro's government for 12 months.

He told me he had read my articles beginning in March 1959, and when he became convinced it was true that Fidel was turning the government over to the Communists, he decided to remain within the government to see if he couldn't retrieve the revolution from within.

I talked with him briefly months ago in Cuba, while he was still in the Castro government. He was then already convinced the Castro regime had gone Communist, but it was not until last December that he decided that he could best operate outside Cuba.

His political ideas are center but perhaps a little left of center. He would hold that a certain social revolution was necessary, that agrarian reform is needed although not in the form now in operation. A strong Catholic, he would expect to make the social doctrines of this government conform to those of the social encyclicals of the popes.

It is probably not accurate to refer to any of the leaders as belonging to the right—certainly not if this would create a picture of a position close to that of Latin American dictators of the right. All of the Cuban freedom leaders are strong advocates of democratic freedoms, all would establish strongly democratic governments.

But the leader of the conservative forces is Juan Antonio Rubio Padilla, a longtime political leader in Cuba, a man with a penetrating mind, a strong antipathy for anything Communist or socialistic and a strong believer in modern day capitalism.

Like Artime, Dr. Rubio is a medical doctor. Now 51 years old, his life has been given almost entirely to a struggle against Cuban tyrants. He was one of the leaders of the struggle against the dictatorship of Machado and he was imprisoned under that tyrant. During the democratic regime of Carlos Prio, Dr. Rubio was a member of the Cabinet. Later when Batista seized power, Dr. Rubio finally had to flee the country to escape imprisonment again.

When Castro came to power, Dr. Rubio was almost alone among the real political leaders of Cuba to protest against him. Dr. Rubio had reason for his position, his own personal contacts with Castro years before had convinced him Castro was a Communist. His close of knowledge of the workings of communism—few men in Cuba or anywhere else know its methods better—convinced him from the beginning that what would happen in Cuba was what has happened.

Today he wants a new Cuba that will place its trust in enlightened capitalism. He says that many of the other leaders are falling into the Communist trap of believing that capitalism is dying and that only a society that moves toward partial socialism can survive. Dr. Rubio insists this is not true. He believes that a stable Cuban Government could draw capital that would make Cuba into a replica of Western Germany. He says that he has strong faith both in Cuba and the capitalistic system.

Dr. Rubio, an intellectual with a sensitive face and a solemn manner, is like Dr. Artimes, a member of the University of Havana Catholic Action group. He was, as a matter of fact, one of the founders of this important group and few Catholic laymen anywhere can match his knowledge of theology.

A third medical doctor, Dr. Orlando Bosch Avila, is another leader of the freedom forces. The 33-year-old doctor is a member of a socially prominent family from Santa Clara in central Cuba. Friends say that he was most noted for his service to the poor, spending long hours treating the sick who could not pay him. Because he was financially independent, his friends say, he gave even the money he earned from his practice to charity. This background is important when you remember that Castro has always tried to pose as a friend of the poor.

Dr. Bosch's group is one of the few willing to reveal the identity of its military leader in Cuba. His forces are headed by a handsome young captain in the Castro Army who has gone into the Escambray Mountains with a force of 30 officers and more than 300 men. The young captain, Quino Membribe, is already drawing support from dissatisfied elements in the rebel army.

The program of the group headed in this country by Dr. Bosch calls for the return of all intervened property, free elections within 18 months, the right of political parties to resume activities immediately. The group also calls for a just agrarian reform program, revision of revolutionary laws, eventual nationalization of foreign industries, abolishment of the death penalty, and general political amnesty.

The political veteran of all the forces opposing Castro is 54-year-old Tony Varona, nominal head of the Authentic Party, a lawyer and onetime Prime Minister of Cuba. Varona's long service with the Authentic Party, his center of the road position, his political experience, make him a man of considerable importance in the formation of a new Cuban government, but his assets may also be his liability since it may be the Cuban people will not want to look back to one of the names of its political past in the formation of its future.

Varona tried to get along with the Castro regime—his onetime boss, Carlos Prio, still plays it cosy with Castro—but he found it necessary to express his opposition and move into exile when Castro moved closer to Russia.

Friends of Cuba in the United States are likely to feel a bit uneasy about two of the opponents of Castro who are tagged with far left positions.

Less anxiety is to be felt about Justo Carillo, 48-year-old lawyer who was director of Castro's bank for agrarian reform until last January. Carillo is anti-Communist but his own political position is so far to the left that it amounts to a position close to that of Castro, minus the Communists. He is, however, a man of considerable importance in the opposition to Castro. He once served in a Batista government but in the first years of the Batista era, before Batista's seizure of power in 1952. The Cuban people differentiate between those who served with Batista after his unlawful seizure of power and those who served with him while he was President through legitimate election.

But if some anxiety is to be felt about Carillo, far more is to be felt about Aureliano Sanchez Arango. The 54-year-old professor has a long background of Communist and Socialist affiliation. He was the cofounder of the Communist Party in Cuba, was an international Communist who worked in the United States for the Reds during the troubled years of 1928–34.

Sometime after this he presumably broke with the Communist Party and he later served in the cabinet of Carlos Prio. But while he was in Prio's cabinet, Jacob Arbenz took power in Guatemala and it was Sanchez Arango who arranged for Cubans to join the Arbenz fighting forces.

Today he is presumably anti-Communist but power for this man would hardly make anti-Communists happy. His political positions may be changed but it would be difficult to tag him as anything less than the far left.

Pedro Diaz Lanz, once chief of the Castro air force, is a man who has been widely publicized in the United States. While Cubans believe he is sincere, are grateful for his campaign against the Communists in Cuba, none of the political leaders seem to take him seriously as a potential leader. He has had too little experience on such a level, has too few qualifications for leadership.

Jose Miro Cardona might have been an important man in the new government had he acted sooner. The first prime minister of the Castro regime, later Spanish Ambassador and U.S. Ambassador-elect, he has certainly been aware of what was happening in Cuba for a long time. Had he defected early,

he would have become an important leader of the opposition forces. He is of importance even now but others call him a "parachutist," one who rode the Castro government until he saw it was falling and then parachuted to safety.

Still another potential Cuban leader who waited too long to make his stand against Castro was Raul Chibas. The name of Chibas is revered by the people in Cuba because of Raul's brother, Eduardo. Eddie Chibas was a dramatic speaker of the Castro type and his radio broadcasts were listened to by millions. He was the leader of the Orthodox Party and the popular hero of the people. At the peak of his fame, discouraged by the tyranny and corruption in the country under Batista, Eddie Chibas climaxed a broadcast by killing himself. Raul Chibas, his brother, was in exile under Batista, returned to take an important position in the Castro government. Although he recognized the trend of the Castro government months ago, he waited until August to defect. Today he is considered another of the parachutists and this, plus the active role he played in the executions, seems likely to lessen his importance in the new Cuba.

There are other Cuban leaders who are not likely to play important roles in the new government because of their positions in the Batista government. Many were good and honest men, not everyone in the Batista government was evil, but the very fact of their connection with Batista makes it impossible for them now to play a role in the new government.

Another man who is not interested in politics but who may by force of circumstances be drawn into it is Jose Ignacio Rivero, 39-year-old editor of Diario de la Marina. Tall, ruggedly handsome, Pepin Rivero was the son of an editor so famous that the son stood in the shadow of his more famous father even after the father's death.

But circumstances sometimes show the greatness of men and Jose Ignacio Rivero has become an important man in his own right by the courage of his stand against communism and Castro.

Diario de la Marina has always been a good newspaper, conservative both politically and in format, but so clearly one of the Western Hemisphere's outstanding newspapers that U.S. journalism schools pointed to it as a model.

When Castro came to power, Jose Ignacio Rivero, like all other newspapermen, was willing to grant him the chance to lead the nation to freedom. But when it became clear that Castro was linked with communism and when the freedoms of the Cuban people were endangered, Jose Ignacio Rivero took a strong stand.

His stand won him the hatred of Castro and he and his paper became prime targets for the Red propagandists. Through it all, Jose Ignacio Rivero grew in stature. His clearly worded and courageous editorials probably did more to draw the lines of battle between Western freedom and communism than anything in Castro's Cuba.

When finally Castro's goons took over the paper and Jose Ignacio Rivero had to go into exile, he went as one of the most important men in Cuba. Today he wants only to return to Cuba to again edit Diario de la Marina in Havana. He is uninterested in politics except that he wants communism to be rooted out of Cuba and freedom restored.

His own political position is conservative, probably closest to that of Dr. Rubio, although perhaps a bit less conservative. He has absolutely no personal political ambitions, however. This may be the very reason why he may be drawn into politics.

Each of the men I've listed here—and a dozen more that I will tell you about later—has a legitimate reason to suppose he could handle the Presidency of Cuba. Obviously not all can be President. Yet a struggle for power now might destroy any unified action against Castro and hinder hopes of overthrowing him.

It seems obvious that all will have to get together, agree on certain objectives to be gained in the first 18 months before elections and agree, too, on the one to head the country in the transition period.

It seems unlikely that any would be happy seeing a rival named to the top position because it would give the rival an advantage in the first election. So perhaps the compromise solution would be to name as President a man with no political ambitions, a man who by his acceptance of the temporary position would agree he could not be a candidate for the Presidency.

For such a position, it would be difficult to find a man better qualified and more generally acceptable than Jose Ignacio Rivero. He would not want it, might even refuse it. Probably some of the groups would not be too happy about him as the head of the government, particularly those on the far left, but it would be hard to find a man better qualified.

The government of Fidel Castro is going to fall. It may come within 3 months, it may come within 6 months, it will come not later than 1 year. The new leadership of Cuba will be drawn from the men now opposing Castro, both those in exile and those still in Cuba. The United States has a stake in this new leadership for all citizens of this country want friendly relations with the people of Cuba.

And the United States has a role to play in the struggle to overthrow Castro. It will not be an active role. The Cubans don't want it that way, they say they can do it themselves. But while they are doing it the United States must pledge—and see the pledge is honored—that this time world Communists will not be allowed to murder the freedom fighters of Cuba as once they murdered the freedom fighters of Hungary.

OPPOSITION TO RECESS APPOINTMENTS TO THE SUPREME COURT

The Senate resumed the consideration of the resolution (S. Res. 334) opposing the making of recess appointments to the Supreme Court.

The PRESIDING OFFICER. The controlled time for debate begins now.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HART. 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. HART. Mr. President, the Senate resolution which is now before the Senate is a relatively brief one. It has been on our desks in printed form for several days, having been the unfinished or pending business before the Senate. Also on our desks for several days are the report of the Committee on the Judiciary and the minority views.

Mr. President, I ask unanimous consent that at this point in the RECORD, the text of the resolution itself be printed, as a part of my remarks.

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

Whereas one of the solemn constitutional tasks enjoined upon the Senate is to give or withhold its advice and consent with respect to nominations made to the Supreme Court of the United States, doing so, if possible, in an atmosphere free from pressures inimical to due deliberations; and

Whereas the nomination of a person to the office of Justice of the Supreme Court should be considered only in the light of the qualifications the person brings to threshold of the office; and

Whereas Presidents of the United States have from time to time made recess appointments to the Supreme Court, which actions were unquestionably taken in good faith and with a desire to promote the public interest, but without a full appreciation of the difficulties thereby caused the Members of this body; and

Whereas there is inevitably public speculation on the independence of a Justice serving by recess appointment who sits in judgment upon cases prior to his confirmation by this body, which speculation, however ill founded, is distressing to the Court, to the Justice, to the litigants, and to the Senate of the United States: Now, therefore, be it

Resolved, 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. HART. What does the resolution suggest to be the attitude of the Senate with respect to the appointment of Justices, including the Chief Justice, to the Supreme Court during a period when the Senate is in recess? As I intended the resolution, and as I think it states, the Senate will indicate by the adoption of the resolution that, except under unusual circumstances, and for the purpose of ending a breakdown in the administration of the Court's business, it is our belief that such appointments may not be wholly consistent with the best interests of the Court, the Senate, the people of the United States and, indeed, the litigants who may appear before the Supreme Court.

I think it wise to note at the very outset of the debate—a debate which I will do my very best to maintain on a level worthy of the issue—that no interpretation should be drawn from the resolution suggesting a criticism of the Supreme Court, of any member of the Court, or, indeed, of the President of the United States.

Congress has never made clear our attitude with respect to this matter, and today I am suggesting that we should do so. Fairness requires that we acknowledge that there is no criticism aimed at anyone.

Let me describe in very brief fashion the history of recess appointments to the Supreme Court.

If there ever was ground for the argument that the more specific language of article III of the Constitution should be construed as excluding judicial appointments from the general authorization given the President in article II, time has answered it. The President does have such power and this resolution does not argue otherwise.

The first occasion of an appointment to the Supreme Court during the recess of Congress, when that appointee took his place on the Court before the Senate acted upon the nomination, was in the year 1795. Mr. Justice Rutledge was appointed during a period when the Senate was in recess. He entered upon the duties of the Court. On the return of the Senate into session Mr. Justice Rutledge's nomination was not advised and consented to.

The next time a Justice was appointed to the Supreme Court during the recess of the Senate, and entered upon the duties of the Court before his confirmation by the Senate, was about 1850.

In that case, Mr. Justice Curtis took his place on the Court and participated in its business before the Senate confirmed his nomination.

For about 100 years, although a dozen-odd Supreme Court appointments were made during recesses of the Senate, no one under such an appointment assumed his place on the bench and participated in the business of the Court, except after the confirmation of his nomination.

Beginning in 1953, three vacancies occurred during a period when the Senate was in recess. Very able men were nominated. In all three cases, they assumed their places and participated in the business of the Court prior to the action of the Senate upon their nominations.

Mr. KUCHEL. Mr. President, will the Senator yield for a question?

Mr. HART. I am glad to yield.

Mr. KUCHEL. Does the able Senator from Michigan object or quarrel with the fact that those three Justices assumed their responsibilities after their presidential appointments?

Mr. HART. No. I appreciate the Senator's question, and I am attempting to make it very plain that I do not quarrel with the action taken by any one in any branch of the Government in the absence of an expression by the Senate to the other branches, which I suggest the resolution does, of the difficulty under which the Senate must operate if we are asked to pass upon the nomination of a man who has taken his seat as a Justice of the Supreme Court. Indeed, the Senator from California is honored to represent, in part, a State which contributed one of the great Chief Justices who happened to be an interim appointee and who took his seat on the Court.

Mr. KUCHEL. The Senator from Michigan neither finds any impinging on the Constitution in the fact that Justices from time to time have taken their oath of office and entered upon their duties prior to the Senate advising and confirming their nominations, nor quarrels with that in practice?

Mr. HART. In practice, I suggest, in the resolution, that we now state that it operates to a very great disadvantage upon the Members of the Senate, and I suggest that if this should develop as a traditional practice, as what should be done always, rather than under unusual circumstances, it would adversely affect the Court.

Mr. KUCHEL. I do not wish to interrupt the able Senator's presentation, although from time to time, if he will permit it, there may be questions which would be relevant to what he is saying. However, at this point, I repeat, I understand that as to what has happened in the filling of Supreme Court vacancies from the beginning, in those circumstances where the appointees have immediately entered upon the duties of their office, the Senator from Michigan finds no unconstitutionality in that history.

Mr. HART. I appreciate the Senator's question. In response, I do not question that what occurred is constitutional. As I have said, if ever there was a question for debate, I think time long since has resolved it. This is a perfectly constitutional action. The attention of the junior Senator from Michigan was brought to this problem very early after I was permitted to enter this body. It will be recalled that in the fall of 1958 a vacancy occurred on the Supreme Court. The President appointed a distinguished circuit judge from the Federal circuit of which Michigan is a part—Mr. Justice Potter Stewart. I discovered that the assignment of the duty of reviewing this appointment, the appointment of one who has served as a Justice and was serving on the days he appeared before the committee, to the Committee on the Judiciary brought with it many disagreeable aspects.

As I stated very shortly after that action, when I rose on the floor in support of the nomination of Potter Stewart, I felt that the Senate and the Court as an institution would be infinitely better off if the Senate were not dealing with a man who, in fact, was a participating Justice of that Court, when we undertook to review his nomination. Having expressed myself at that time, I went no further.

Then I reviewed the proceedings of the committee on a prior occasion, involving an interim appointee who had taken his seat on the bench. I refer to the nomination of Mr. Justice Brennan, who had received an interim appointment to a vacancy in 1956.

When the committee, during its hearing, had Mr. Justice Brennan on the stand, I find a typical exchange. A Member of the Senate, who incidentally was not a member of the Committee on the Judiciary, asked certain questions of Mr. Justice Brennan. As the Senator from Nebraska [Mr. HRUSKA], who has sat on the committee for a long time, will, I believe, confirm, the practice of the committee in considering nominations to the Supreme Court is to invite any Member of the Senate to participate with the committee in the examination of the appointee. In the case of Mr. Justice Brennan, a Senator asked a question of the Justice, and the Justice replied:

> Mr. BRENNAN. Will you forgive me an embarrassment, Senator? You appreciate that I am a sitting Justice of the Court. There are presently pending before the Court some cases, and so on.

The Justice continued:

> "I know, too, that you appreciate that having taken an oath of office it is my obligation not to discuss any of those pending matters.

The Senator later said:

> I do not want to press you unnecessarily, but the question was simple. You have not been confirmed yet as a member of the Supreme Court.

Justice Brennan replied:

> Of course, my nomination is now before the Senate for consideration. Nevertheless since October 16 I have in fact been sitting as a member of the Court. The oath I took, I took as unreservedly as I know you took your own, and as I know every Senator took his. And I know, too, that your oath imposes upon you the obligation to ask just such questions as these.
>
> But I am in the position of having an oath of my own by which I have to guide my conduct and that oath obligates me not to discuss any matter presently pending before the Court, because I have actually sat in consideration on such matters and the only way that the mouth of a member of the Court may be opened in expression of an opinion in respect of any one of them is a formal written opinion when that is finally written and filed.
>
> I do hope you will not feel that in saying what I do, I am doing any more than taking what I am sure is your own position that each of us has to be faithful to his own oath.

Mr. HRUSKA. Mr. President, will the Senator from Michigan yield?

Mr. HART. I gladly yield.

Mr. HRUSKA. If that occurrence in the Committee on the Judiciary hearings on that occasion, when Justice Brennan was interrogated in the fashion just described by the Senator from Michigan, is to be used as an argument in favor of the resolution, let me ask this of the Senator from Michigan:

During the hearings on the confirmation of another Justice, a similar line of questions was asked of a nominee who had not yet qualified for the Supreme Court. He was not sitting. He had not taken the oath. When a line of questions on the same subject matter was asked of him, he said, that, obviously, he could not answer those questions, because he would be prejudging cases in that field which would come before him as a member of the Supreme Court, if the Senate confirmed his nomination, and he were sworn in as a member of the Supreme Court.

My question is, What difference is there between the asking of a question like that and the refusal on the part of the nominee to answer it, whether he is a member of the Court or is a potential member of the Court?

Mr. HART. If I may reply, I think the answer is included in the last clause of the Senator's question. There is an infinite difference between the situation when the committee sits with one who is not a justice of the Supreme Court and the situation when the committee sits with one who is a Justice of the Supreme Court. I do not argue that in either case he should be required to comment on a matter which is pending before him while he is sitting or on a matter which will come before him if his nomination is confirmed. My point is this: Who of us would want to do that to a sitting member of the Supreme Court of the United States, if it were possible to avoid it?

Mr. HRUSKA. If the Senator from Michigan will yield, I will answer that

question by asking the Senator from Michigan another question—which perhaps is not very good manners, but I believe it will serve our purpose here: Who of us would ask such a question of a potential Justice, or would insist upon an answer from him?

I wish to say that I have presided over or attended many hearings when the Judiciary Committee has been considering the question of confirmation of a judicial nomination; and on each occasion there has always been uppermost in the minds of the witnesses who came there, "I should be careful; this nomination may be confirmed, and the nominee may be sitting as a Justice at a time when I bring cases before the Court."

I say there is no difference between asking questions of that kind of one who has already assumed his duties and of one who is about to assume them, because the record shows that in an overwhelming proportion of the cases, nominations to the Supreme Court of the United States have been confirmed. In fact, I cannot remember any instance in which such a nomination has been rejected.

Mr. HART. Does the Senator refer to interim appointments?

Mr. HRUSKA. I refer to any kind of appointments to the Supreme Court.

Mr. HART. I think the record will show that the Senate has rejected some nominations to the Supreme Court.

But I shall respond by saying that apparently the Senator from Nebraska and I disagree on the basic question of the propriety, wisdom, desirability, and consequences of doing business with one who wears the robe, as compared to the situation when doing business with one who is an applicant for that role. I feel very deeply about this matter. Perhaps it was my innocence as a new Member that caused me to suffer thus, but I hope I shall never be here so long that I will not sense the indelicacy involved when the legislative branch does business with one who wears the robe of the highest court in the land.

Incidentally, this is the view of those who have given some study to the question, not as legislators, not as appointing authorities, not as judges. Admittedly, the literature on this point is skimpy; but the conclusion, in the cases in which a conclusion has been reached, is uniformly against the practice.

I believe that in the committee report, citation is made of the article published in the Stanford Law Review, to Stanford Law Review 129. I would cite the attitude expressed by John R. Thompson, a former Yale Law School professor in an article published in the February 5, 1959, issue of The Reporter magazine.

I ask unanimous consent to have printed at this point in the RECORD correspondence received, and including letters from the dean of the University of Pennsylvania Law School, the dean of the University of Michigan Law School, the dean of the Catholic University of America Law School, and Professor Kurland, of the University of Chicago Law School, who, conducts in that distinguished law school, of a seminar on the Supreme Court, and is the editor of the Supreme Court Review.

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

THE CATHOLIC UNIVERSITY OF AMERICA,
Washington, D.C., August 2, 1960.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I think your resolution is in order. There were practical reasons why the President made the recess appointments. The load of the Court is heavy, and there is reason to suppose that the Court cannot work effectively unless it can operate at full strength. I am sure that was the reason for the Attorney General's interest in the quick appointments. After your experiences with the Stewart confirmation, the special factors you have described outweigh any justification for recess appointments.

There are times when Justices are sick and when the other men must spread the load. It has never been proposed that the Court should be maintained at full strength through the appointment of Circuit Judges to sit with the Justices. That is done in the States, but it has not been done on the Supreme Court of the United States. There is no other institution anywhere like the Court. There should not be any status but full membership for every person who serves on the Court.

I hope the new administration and all subsequent administrations will be advised by your resolution.

Sincerely yours,
VERNON X. MILLER, *Dean.*

UNIVERSITY OF PENNSYLVANIA,
Philadelphia, Pa., August 17, 1960.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: This will supplement my letter of July 28, 1960.

I think there is merit in the position you have taken with respect to recess appointments to the Supreme Court. As you have pointed out, it creates an awkward situation both for the Senate and the appointee when the latter takes his seat prior to Senate advice and consent. On the one hand, the Senate is dealing, to some extent, with an accomplished fact and does not have full freedom in considering the nomination. On the other hand, the recess appointee is serving under the overhang of Senate consideration of the nomination, which is not in harmony with the constitutional policy of judicial independence.

I see no reason why the President should not be free to make a nomination when Congress is not in session so long as the nominee does not take a seat on the bench. Pertinent here is the fact that Senate committees are empowered to function ad interim.

Your resolution is, of course, hortatory; it does not bind the President nor the Senate, for that matter.

Sincerely,
JEFFERSON B. FORDHAM.

UNIVERSITY OF MICHIGAN LAW SCHOOL,
Ann Arbor, August 12, 1960.

Hon. PHILIP A. HART,
U.S. Senate, Senate Office Building,
Washington, D.C.

DEAR PHIL: On July 22 you wrote to me to ask for my comments with respect to your resolution to the effect that recess appointees to the Supreme Court of the United States should not assume the bench until the appointments are confirmed. This letter reached my desk during my absence abroad, but now that I am back in Ann Arbor, I hasten to reply.

I quite agree with you that the subject is a touchy one, but the reasons in support of your resolution set forth in your statement in the CONGRESSIONAL RECORD for June 16 are very persuasive indeed. I am inclined to agree that both the Court, the appointees, and the Senate are handicapped by an appointee assuming duties prior to confirmation. I believe that compliance with the resolution would be in the best interests of all concerned.

Sincerely yours,
E. BLYTHE STASON,
Dean.

THE UNIVERSITY OF CHICAGO,
Chicago, Ill., July 28, 1960.

Senator PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: Your letter of July 22 to Dean Levi has been referred to me for reply in his absence.

Of course, I can only express my personal views and not those of Dean Levi or the school. But I want you to know that I am in wholehearted agreement, not only with your resolution, but with the comments you made in the course of introducing it.

I agree that article II makes it impossible for you to do more than to express the sentiments of the Senate on this subject. But it should be recalled that at the time the article was written the need for giving the Executive the power to fill vacancies during Senate recesses was far greater than it is today, for it was not contemplated then that the Congress would be in almost continuous session, as modern times demand.

I think, however, that I should add one point to the resolution, if I had a say in the matter. It seems to me that the Senate should recognize that if a Justice is not to take his seat under an interim appointment, it is critical that the Senate act with the greatest dispatch on the question of confirmation when it reconvenes after the appointment is made. The interim appointment could give a subcommittee the opportunity to make such investigation and hold such hearings as may be necessary even during the recess. In this way expedition would be guaranteed and the difficulties which you state would nonetheless be substantially obviated.

Sincerely,
PHILIP B. KURLAND,
Professor of Law.

INDIANA UNIVERSITY,
July 29, 1960.

Hon. PHILIP A. HART,
U.S. Senate,
Washington, D.C.

DEAR SENATOR HART: I appreciated your thoughtfulness in writing me and advising of the Senate resolution concerning appointments to the Supreme Court. I believe that your resolution has much merit.

Sincerely yours,
LEON H. WALLACE.

Mr. HART. Perhaps it would be helpful for me to excerpt, very briefly, the points made by those students of the law.

The dean of the University of Pennsylvania Law School stated, among other things, when referring to a situation in which an interim appointee participated in the business of the Court, prior to confirmation by the Senate:

It creates an awkward situation both for the Senate and the appointee when the latter takes his seat prior to Senate advice and consent. On the one hand, the Senate is dealing, to some extent, with an accom-

plished fact and does not have full freedom in considering the nomination. On the other hand, the recess appointee is serving under the overhang of Senate consideration of the nomination, which is not in harmony with the constitutional policy of judicial independence.

I see no reason why the President should not be free to make a nomination when Congress is not in session so long as the nominee does not take a seat on the bench.

The dean of the Law School of the University of Michigan wrote:

The subject is a touchy one, but the reasons in support of your resolution are very persuasive indeed. I am inclined to agree that both the Court, the appointees, and the Senate are handicapped by an appointee assuming duties prior to confirmation. I believe that compliance with the resolution would be in the best interests of all concerned.

Professor Kurland, of the University of Chicago, in expressing a personal view, wrote:

I am in wholehearted agreement.

I agree that article II makes it impossible for you to do more than to express the sentiments of the Senate on this subject. But it should be recalled that at the time the article was written—

Referring to that article of the Constitution—

the need for giving the Executive the power to fill vacancies during Senate recesses was far greater than it is today, for it was not contemplated then that the Congress would be in almost continuous session, as modern times demand.

And the dean of the Catholic University Law School has written that he thinks the "resolution is in order."

I believe that by way of fairness, and as a comment on the last three appointments, his additional observation should be placed in the RECORD, as follows:

There were practical reasons why the President made the recess appointments. The load of the Court is heavy, and there is reason to suppose that the Court cannot work effectively unless it can operate at full strength. I am sure that was the reason for the Attorney General's interest in the quick appointments.

Parenthetically let me say that, so far as I am concerned, I, too, believe that was the reason, and I have no quarrel with it.

Mr. KUCHEL. Mr. President, will the Senator from Michigan yield?

The PRESIDING OFFICER (Mr. BURDICK in the chair). Does the Senator from Michigan yield to the Senator from California?

Mr. HART. I yield.

Mr. KUCHEL. Does the Senator from Michigan feel that was a valid reason?

Mr. HART. I prefer to respond by saying that as between taking the position "Yes, the Court load is heavy, and therefore the Court must always be filled" and the position that we should, as a practice, have a rule requiring the immediate filling of every vacancy on the Court, I would prefer to reject such a rule. Instead of developing a tradition under which, whenever there is vacancy, someone automatically puts on the robe and goes to work, I would prefer to see the robe put on before the appointment only if there were a demonstrable necessity, apart from application of a general rule that in all cases such appointments should be made because in all cases there is a great deal of work to be done there.

Mr. KUCHEL. I wish to say that I respect my friend, and I think he knows that.

Mr. HART. Yes and I feel similarly toward the gentleman from California.

Mr. KUCHEL. The Senator from Michigan is a friend of mine. But I happen to believe that he is woefully and completely wrong in this instance.

I should like to ask him this question: Does he believe that the ends of justice were served or were not served by the President's three interim appointments which the Senator has described?

Mr. HART. I think I have already indicated that, so far as I am concerned, I have no quarrel with the conduct of the three appointees or with the performance of the Court in connection with the business which came before it during the period of their service.

My concern goes to the basic problem—a problem which, if we express ourselves by means of this resolution, I think will not develop. But I fear very much that it will develop if we do not indicate our attitude. The point is this: The Senate is assigned a heavy duty with respect to nominations to membership on the Supreme Court of the United States; and the Senate is dreadfully handicapped in the discharge of that duty if it has a fait accompli on its hands.

Additionally, I believe the day would never come when any President would put his hand on me and suggest that I should go on that bench; but this I know and feel deeply: If that day ever came, this lawyer would much prefer that he not serve as a Justice of the Supreme Court until he was in full a Justice. He would prefer that, from his own personal standpoint. He would prefer it in deference to the Judiciary Committee. He would prefer it in deference to the Senate, and, indeed, to the institution on which that President might suggest he would serve.

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

Mr. HART. I yield.

Mr. KUCHEL. My colleague uses the expression "fait accompli." Yet in the record he has compiled he demonstrated in one instance there was no fait accompli, and that the U.S. Senate, regardless of the fact that the President had made the appointment and that the appointee had received it, nevertheless rejected that appointment. I want to be sure what my friend's answer to my first question was.

Mr. HART. May I respond to that point first? The incident cited occurred in 1795. I had not forgotten it, but we were not here at the time.

Mr. KUCHEL. Very well. I want to be sure I understand these answers. Does the Senator believe that the ends of justice were served by the President's three interim appointments to the bench?

Mr. HART. For the purposes of the resolution I am suggesting here, my answer can be "yes," and I believe it to be "yes."

Mr. KUCHEL. I thank the Senator.

Mr. HART. Continuing with the letter of the dean of Catholic University Law School:

There are times when Justices are sick and when the other men must spread the load. It has never been proposed that the Court should be maintained at full strength through the appointment of circuit judges to sit with the Justices. That is done in the States, but it has not been done on the Supreme Court of the United States.

There is no other institution any where like the Court. There should not be any status but full membership for every person who sits on the Court.

This is the point which I feel so deeply—there should be no such status except in the case of a demonstrable emergency; there should be no one on that Court who is not in all respects a full member of that Court.

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

Mr. HART. I yield.

Mr. HRUSKA. May I inquire what the idea of a "demonstrable emergency" might be in the mind of the Senator from Michigan?

Mr. HART. Let us assume that several members of the bench are sick and not able to perform, and a death occurs in recess. That might be an unusual circumstance which would make necessary the appointment of a man and his ascension to the bench before there was any action in the Senate. The death of the Chief Justice might well be such an emergency. I am sure there are others.

Mr. HRUSKA. Would a heavy caseload be such an emergency?

Mr. HART. In and of itself, I would suggest "No."

Mr. HRUSKA. If there has been an increase in the caseload from 1,300-some cases to 2,100-some cases, and those cases are pending on the docket which work is burdening the other members of the Supreme Court, is that not an emergency situation of unusual circumstance?

Mr. HART. I prefer to think that we should think of the Court as an instrument in pursuit of justice—not efficiency, not speed. I would prefer to see the decisions of the Supreme Court, whether they are with respect to 1,300 or 13,000 cases, made by men whose occupancy on the seats of that Court is never to be questioned except by impeachment.

Mr. HRUSKA. And, of course, the old adage that justice delayed is justice denied would not be a factor in the mind of the Senator from Michigan?

Mr. HART. I think the Senator from Nebraska understands my position. I would love to see prompt justice. All of us would. But justice includes something besides speed.

Mr. HRUSKA. May I inquire, with reference to the Court's requiring, in the judgment of the professor who was quoted by the Senator from Michigan, full-fledged members at all times, was about the concept of having a full-fledged court? In case of one vacancy, we have eight members of the Court who will exercise the power of nine. We have a situation where for additional months four members will have the power of five, when it comes to the point

of rejecting any plea for relief. Normally, it takes five members of the Court to deny such pleas. Where there are eight members on the Court, four members will be able to block the granting of a prayer to an appellant. What would the Senator from Michigan say as to the idea, not so much of having a full-fledged member, but a full-fledged court of complete and competent jurisdiction?

Mr. HART. I would like to see a full-fledged court of full-fledged members.

Mr. HRUSKA. So would I; but when it comes to a choice between a full-fledged member—who, as experience has shown ripens into a confirmed member, in due time, when a recess appointment is made—and a court which has eight members and one who will be shortly confirmed, the choice is not difficult to make.

Mr. HART. It could ripen into a little problem that is also suggested by this resolution.

In my deepest conscience, I doubt if any President would ever designate to that Court a man who was other than wholly honorable; but there is the problem not alone of doing justice, but, to the extent that we can eliminate it, of eliminating any circumstance that might argue something less than justice was done.

Here we come to another basic problem. The litigant disappointed by a decision of the Court, on which one of the members of that Court was not a full-fledged member, may for the rest of his life wonder whether that non-full-fledged member was unconsciously influenced. How? Who knows? It may be in one of several ways: Either to take a position during his period of probation which would please the President who had appointed him and who could withdraw his name; or to please the Senate, which, sooner or later, would either approve or disapprove; or, at the other extreme, conscious of the fact that there would be public scrutiny and interpretation of his action in light of whether he was bending to the Senate or to the President, he would rear back and bend the other way in order to prove that he was subservient to neither branch.

Mr. President, this is not good, and this is not necessary.

May I conclude, and I do so because I know there is an hour and a half available to those who have been questioning me.

Mr. KUCHEL. Mr. President, will the Senator yield for one brief question?

Mr. HART. Yes.

Mr. KUCHEL. The Senator, I am sure, was not implying in any fashion whatsoever that such a hazard as he has just outlined took place with respect to the last three appointees?

Mr. HART. The Senator may rise and ask that question as often as he feels necessary. I would want him to, because I would want this RECORD to be perfectly clear. In my book, this Court, in the case of the three men who happen to have arrived there through that device, is graced by their membership.

Mr. President, I wish to include in the RECORD, having obtained permission to do so, a letter addressed to me by the distinguished Senator from Wyoming [Mr. O'MAHONEY]. The Senator from Wyoming had hoped to remain on the floor to participate in this discussion. Because there was business following the introduction of his insurance bill, he felt could not remain longer.

He said in his letter, in part:

> Recess appointments for the operating heads of executive agencies are, of course, very much in order to assure the continued disposition of public business. The Supreme Court is not, however, an operating agency and it can transact its business effectively even with a vacancy. You are quite correct in believing that Senators called upon to confirm a sitting Justice are under pressures which they ought not be under; conversely, a Justice sitting without his appointment confirmed is also subject to subtle pressures which should not be permitted to exist.

I suggest the necessity of agreeing to the resolution, for the reason, in part, assigned by the Senator from Wyoming in his letter, which I ask unanimous consent to have printed in the RECORD at this point in its entirety.

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

U.S. SENATE,
Washington, D.C., August 23, 1960.

Hon. PHILIP A. HART,
U.S. Senate, Washington, D.C.

DEAR PHIL: I regret very much that I was unable to attend the judiciary meeting on Monday, August 22, when your Resolution 334 with respect to recess appointments of Supreme Court Justices was ordered reported favorably. I commend you for your efforts in this direction. I do not know what assistance I can lend you on the floor, but I shall wish to do anything within my power to assist its passage.

Recess appointments for the operating heads of executive agencies are, of course, very much in order to assure the continued disposition of public business. The Supreme Court is not, however, an operating agency and it can transact its business effectively even with a vacancy. You are quite correct in believing that Senators called upon to confirm a sitting Justice are under pressures which they ought not be under; conversely, a Justice sitting without his appointment confirmed is also subject to subtle pressures which should not be permitted to exist.

With kind regards.

Sincerely yours,

JOSEPH C. O'MAHONEY.

Mr. MANSFIELD. Mr. President, I compliment the Senator from Michigan for a worthwhile and valid discussion of an exceedingly pertinent subject. I assure the Senator I fully support his views.

Mr. HART. I thank the Senator.

Mr. President, how much time remains to the proponents of the resolution?

The PRESIDING OFFICER. The proponents have 23 minutes remaining; the opponents have 90 minutes.

Mr. HART. I reserve the remainder of my time.

Mr. KEATING. Mr. President, I yield 10 minutes to the distinguished Senator from Wisconsin.

Mr. WILEY. Mr. President, I have been privileged this afternoon to hear two very able speeches, one on the subject which is now before the Senate; the other delivered by the distinguished Senator from Montana [Mr. MANSFIELD]. Had I the time, I should like to comment in relation to the speech by the Senator from Montana, because I think it was a fine review of the world situation. I did not hear the Senator from Montana relate his remarks particularly to Russia or to Red China, two world forces which are, of course, in Africa, decidedly so, and having much to do there.

However, I wish to discuss today the issue brought up by the distinguished Senator from Michigan [Mr. HART]. I am reminded of an incident in which the Supreme Court of Wisconsin said to a young man who was addressing the court, "We have heard a brilliant exposition of the facts. Now would you mind telling us what the law is?"

The young man replied, "No, Your Honors, I would not; but the law is against me."

What is the law on the subject before us? What is the fundamental law? It is the Constitution of the United States. I shall read the pertinent provision:

> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

That is the law. That is the constitutional law. All the resolutions we pass will have no effect. In fact, they will tend to make us a laughingstock. The filling of vacancies on the Supreme Court during recess is a definite power lodged in the President under the Constitution; we, as legislators, do not like to have our powers meddled with. Similarly, the Executive does not like to have his powers meddled with; in fact, we cannot do anything about his powers. They are set out in the Constitution. There may be plenty of argument about what we think they ought to be, or what others think they ought to be. But the Founding Fathers decided what those powers are.

I have already stated that the Constitution specifically grants to the President the power "to fill up all vacancies that may happen during the recess of the Senate," and the Senate lacks the authority to interfere with the exercise of this power.

I return to the first provision. I read:

> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their session.

Where is the provision for advice and consent? It is not there. I repeat. The wisdom of the Founding Fathers determined this particular form; of section 2 of article II in relation to the powers of the President.

When the Committee on the Judiciary considered Senate Resolution 334, expressing the sense of the Senate that recess appointments to the Supreme Court not be made except under unusual circumstances, I objected to it on the ground that it constituted an improper interference with Executive powers and privileges. I still continue in my objection to this resolution. My objections can be summarized as follows:

First, as I have already said, the Constitution specifically grants the Presi-

dent the power to "fill up all vacancies that may happen during the recess of the Senate," and the Senate lacks the authority to interfere with the exercise of this power. I sincerely trust that we shall not begin to meddle and muddle, in an attempt to erode the Constitution.

Second, the Constitution grants the President the power to nominate Supreme Court Justices and then to appoint them "by and with the advice and consent of the Senate—when the Senate is in session." The power of the Senate is thus limited to the time after a Justice is nominated, not prior to it.

Third, the resolution is a mere expression of congressional opinion. Of course, we recognize it has no compelling force.

Fourth, lacking any compelling power, the passage of the resolution may seem to imply that Congress is of the view that the Chief Executive cannot be entrusted with the power given to him by the Founding Fathers. Let us consider that.

Fifth, the adoption of the resolution may be construed as a critical reflection of those judges who commence or may commence to serve under recess appointments, and also upon the President for making such appointments. Is that our position? Is that what we are here for? As was suggested so ably today by the distinguished Senator from Ohio, we have other functions to perform which really concern the very vitality of the country.

The language of the resolution is phrased in such ambiguous fashion as to make its meaning totally uncertain. The resolution expresses the sense of the Senate that recess appointments "should not be made except under unusual circumstances." It fails, however, to identify such "circumstances" and consequently confuses the issue rather than clarifies it.

Furthermore, the resolution still leaves to the Chief Executive the final decision as to the existence of such unusual circumstances. Thus, while it imposes a new standard on the exercise of Executive power, it fails to give the President any guidance as to its meaning.

Article II, section 2, clause 2, of the Constitution provides that the President shall have "power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint Ambassadors, other public Ministers and consuls, judges of the Supreme Court, and all other officers of the United States." This applies, as previously stated, when the Senate is in session.

Students of constitutional history have clearly emphasized the difference between the President's power to make treaties and his power to make appointments. The language of clause 2 clearly establishes the fact that the President requires the consent of the Senate to make any treaties. But clause 2 clearly states, also, that in the appointment of U.S. officers the President must have the advice and consent of the Senate only after he has already made a nomination.

This constitutional provision specifically distinguishes between the nomination of a person to a public office—which is done by the President alone—and the appointment of such person to the office—which is accomplished only after the Senate has given its consent. It is clear, therefore, that the power of the Senate to give its advice and consent is limited—and I emphasize this—to a time subsequent to a nomination, rather than prior to it. For the Senate now to endeavor to prescribe new rules for the making of nominations to the Supreme Court appears to be an interference with the constitutional provisions.

Mr. President, we find that at this time some Senators wish to require that when the President is about to appoint during a recess of the Senate, he should consult with the Senate—but how? How could he then consult with the Senate, inasmuch as it would not be in session? Is it meant that he should consult with individual Senators? Just what is the meaning?

It has been well established historically that the power of nomination belongs to the President alone, and that this prevents the Senate from attaching conditions to its approval of an appointment—such as it may do to its approval of a treaty. This division of power between the President and the Senate with regard to public appointments was clearly established early in our constitutional history. An 1837 opinion of the Attorney General clearly states, with regard to advice and consent:

> The Senate cannot originate an appointment. Its constitutional action is confined to the simple affirmation or rejection of the President's nomination [Op. Atty. Gen. 188 (1837)].

Furthermore, article II, section 2, clause 3 of the Constitution provides that "The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of their next session." The reason for the enactment of this clause is the fact that the very nature of the Executive power requires that it shall always be "in capacity for action." The constitutional provision dealing with recess appointments was obviously intended by the Founding Fathers to give the President the power to assure continuity in the functions of Government during the recess of Congress. In enacting this constitutional provision, it was the view of the Founding Fathers that continuity in Government is more important than the certainty that no person should hold any office prior to his Senate confirmation.

Senate Resolution 334 now endeavors to do away with the original constitutional intent—by stating, in fact, that the power of the Senate to advise and consent should take priority over the need for continuity in government. It is my belief that if it is the desire of Congress to bring a new principle into the management of government affairs in connection with the making of recess appointments, it should do so directly rather than indirectly. If it is our desire to prevent recess appointments, we should go about it by means of an amendment to the Constitution, rather than by a Senate resolution.

Over the years, the President has exercised with restraint and in a manner that has fulfilled the intent of the Constitution the power to make recess appointments. I believe that we must assume that the person whom we elect to be our Chief Executive is—and will continue to be—aware of the problems which may be raised by making recess appointments. To deprive the President of this power would be unfair and unreasonable interference with his executive authority—and will violate the principle of the separation of powers.

As a body vested with the power to legislate, the Senate is under a duty to utilize its prerogatives effectively; that is, in a manner which will enhance the welfare of this Nation. In my opinion, passage of Senate Resolution 334 will not foster this objective; and, accordingly, consideration thereof, as well as its passage, may be condemned as a waste of time.

Mr. President, I am very seriously concerned, because, if my recollection is correct, in all of my 21 years of service in the U.S. Senate, this is the first time the Senate has had before it any measure—whether a resolution or some other type of legislative proposal—proposed in an attempt to interfere with the basic law of the land, by trying to change it or modify it. We know that cannot be done by such means.

The PRESIDING OFFICER. The time yielded to the Senator from Wisconsin has expired.

Mr. KEATING. Mr. President, I yield 2 additional minutes to the Senator from Wisconsin.

Mr. WILEY. I thank the Senator from New York.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized for 2 additional minutes.

Mr. WILEY. Mr. President, the result of such an attempt would be to put us in the position of being considered a laughingstock by the people, both now and in the future. Let us not try to erode away the most precious inheritance we have.

Mr. KEATING. Mr. President, does the Senator from Wisconsin yield back the remainder of his time?

Mr. WILEY. I do.

Mr. KEATING. I yield 5 minutes to the Senator from California [Mr. KUCHEL].

The PRESIDING OFFICER. The Senator from California is recognized for 5 minutes.

Mr. KUCHEL. Mr. President, earlier I said that I do not question in any fashion the sincerity or the good faith of my friend, the distinguished Senator from Michigan [Mr. HART], the author of the pending resolution. Likewise, I am sure he does not question mine.

Mr. President, the pending resolution is pregnant with mischief. It is wrong. It would unconstitutionally attempt, in so many words, to amend the Constitution of the United States and that we ought not, in this illegal manner, attempt. As my able friend, the Senator

from Wisconsin [Mr. WILEY], has stated, the Constitution provides, in part:

The President * * * shall nominate, and by and with the advice and consent of the Senate, shall appoint * * * judges of the Supreme Court.

Among others.

And in the next paragraph, the Constitution provides:

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Those are the constitutional provisions; they are crystal clear; and it ill becomes the Senate now, by the consideration and the possible adoption of this resolution, to try to say, by way of an addendum, "However, we do not want the President of the United States to operate under this part of the Constitution unless he finds that there are 'unusual circumstances' during a recess of the Senate, when a vacancy on the Supreme Court occurs." What does that phrase, indeed, mean?

Mr. President, what would be your thought if the President of the United States wrote to the Senate a letter in which he stated, "In the future, when I send to you any nomination for an appointment to the Supreme Court, I suggest that the Senate Committee on the Judiciary take not more than 15 days to make its decision as to whether to report the nomination favorably to the Senate."

Mr. President, of course, no President of the United States would do that.

And after the Constitution provides, in irresistibly American fashion, that the Senate shall advise and consent to the appointments the Chief Executive makes, it ill becomes, I repeat, the Senate to attempt to tell the President as to the fashion in which he shall discharge his constitutional responsibility, and as to the fashion in which he shall not follow that responsibility.

Simply stated, that is the issue which confronts us. Stripped of the verbiage in which it has now twice been written, the pending resolution is simply an unfair, unhappy, unconstitutional attempt to sheer away some of the constitutional powers of the Chief Executive in making appointments to the highest tribunal in this land.

Mr. ENGLE. Mr. President, will my colleague yield to me?

Mr. KUCHEL. I yield.

Mr. ENGLE. What does my colleague think the Constitution means when it refers to "advice"? We cannot tell the President that we advise him not to send to us any interim appointments because it is embarrassing to Senators to interrogate those who wear the robes of the Supreme Court of our land. It seems to me this resolution is advisory, for, as I understand it, in no way does it inhibit or limit or curtail in a legal sense the power of the President to make such appointments.

If the word "advice," as used in the Constitution, means anything, it means that the Senate has a right to give an advisory opinion that it is the sense of the majority of the Senate that that way is not the way the President should do it. That is the point, it seems to me. Otherwise, the Senate either consents or refuses to consent, but gives no advice.

Therefore, I ask my colleague whether he thinks it improper for the Senate to give an advisory opinion, and thereby express the sense of the Senate, when, in doing so, no inhibitions at all would be put on the President.

Mr. KUCHEL. I regret very much that my colleague and I apparently are at variance on this occasion.

Mr. ENGLE. We may not be at variance; I am merely asking for clarification.

Mr. KUCHEL. Let me say, as clearly as I can, that, in my judgment, the phrase "advice and consent of the Senate" is inherent in the constitutional responsibility the Senate discharges each time the President sends to the Senate a nomination which, under the Constitution, requires the advice and consent of the Senate. That phrase describes our function when a nomination is received.

But I say to my colleague that what is sought to be accomplished by the pending resolution, which I regard as unwise and unconstitutional, is to sheer off part of the President's responsibility under the Constitution of the United States, under the provision:

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

I say to my colleague that what is sought to be done here is to say to this President, to the next President, and to any President, Democratic or Republican, "We do not want you to discharge your constitutional 'power to fill up all vacancies that may happen during the recess of the Senate' unless you find there are unusual circumstances with respect to a Supreme Court vacancy." That is a ridiculous thing.

Unusual circumstances? The Constitution is silent in that respect.

The other phrase that is used——

The PRESIDING OFFICER. The time yielded to the Senator from California has expired.

Mr. KUCHEL. May I have 2 more minutes?

Mr. KEATING. Mr. President, I yield 3 more minutes to my friend, the Senator from California.

The PRESIDING OFFICER. The Senator from California is recognized for 3 additional minutes.

Mr. KEATING. At this time I wish to respond directly to the question asked by the junior Senator from California, if I may do so.

Mr. KUCHEL. Certainly.

Mr. KEATING. The Constitution provides:

The President * * * shall nominate,—

And I call attention to the fact that a comma appears after the word "nominate"—

and by and with the advice and consent of the Senate, shall appoint ambassadors.

And others.

The President nominates, not with any advice or consent, for in the Constitution, following the words, "he shall nominate," a comma appears, and then come the words, "and by and with the advice and consent of the Senate, shall appoint."

I have made rather exhaustive research, but it has not led me to any precedent which would justify adoption by the Senate of a resolution which might well be construed as an effort to tell the Chief Executive, in advance, how he is to make his appointments to the Supreme Court. There is no precedent for the Senate adopting a resolution in advance which might well be construed as an effort to tell the Chief Executive how he is to make his appointments to the Supreme Court.

Mr. ENGLE. Mr. President, will the Senator yield for an observation?

Mr. KEATING. I yield.

Mr. ENGLE. If I thought this resolution was a reflection upon our Chief Justices or any of the Justices of the Supreme Court, I would not be for it. I would not support any resolution which reflected on a separate and equal branch of the Government.

Nominations come before our committees on the theory that the Senate is to advise and consent; but never do we give any advice. If any advice has been given, I have never been aware of it. It seems to me it would be sound, when the Senate has power to advise and consent, for the Senate to give expression to its advice to the President.

This resolution would not inhibit the constitutional power, but would express the sense of the Senate with reference to how these appointments, which are subject to the advice and consent of the Senate, should be exercised.

I admit that there is a very fine line of distinction, and my colleague from California makes a good point when he quotes the language of the Constitution. I would not inhibit that power; but in my brief service I have failed to see any advice given on these appointments. As a result, we get appointments which perhaps, if we had given advice on them, we would not get.

With regard to judicial appointments, I have the same reluctance as has the junior Senator from Michigan. It seems to me, as a lawyer who has great respect for the courts, it is a little difficult, with our attitude and with our background in the law, to have a man walk into committee who is wearing the judicial robes, and, after writing seven or eight decisions, be questioned with reference to his competency. It is something I would rather not see occur. If we have to do it, I suppose we will do it; but I would prefer not to do it, because it is embarrassing to those of us who are lawyers to interrogate a man wearing the robes, who has already written decisions, and who will probably be questioned on the decisions he has already made. That is the thing which disturbs me.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEATING. I yield 3 more minutes to the distinguished Senator from California.

Mr. ENGLE. I appreciate my friend's yielding to me.

Mr. KEATING. I wish to make a brief statement, and then I shall be glad to yield to my colleague. I have found my colleague from California [Mr. ENGLE] to be a reasonable man—at times. I want to try to convince him, if I can, that this resolution departs from the spirit of what the Senate has done in the past and what it should do here tonight. I feel very deeply that we would make a serious mistake in agreeing to this resolution, and one which we would at some future time regret.

The "advice and consent" language of the Constitution has been referred to. I concede there have been many times when advice has not been sought by Chief Executives as much as it might have been. However, as I read the language, the advice and consent apply to the particular appointment. It seems to me very clear: "he shall nominate"—there is no advice and consent about his nominations, "and by and with the advice and consent of the Senate, shall appoint" various individuals.

It seems to me implicit in that language that the wording "advice and consent" relates to a particular nominee, and not any general advice such as envisioned in the resolution, which is a general advice as to how the President shall operate under all conditions. That is the point I wanted to make.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question? Will either the Senator from California or the Senator from New York yield for a question?

Mr. KEATING. Mr. President, I yield 2 more minutes to the Senator from California.

Mr. LAUSCHE. Is there any question about which of the paragraphs is applicable when the President makes an appointment during recess? Is it the last paragraph of section 2, or the one that was just read by the Senator from New York?

Mr. KUCHEL. The last paragraph. There can be no question about that, I will say to my friend.

Mr. LAUSCHE. There is no question that the last paragraph of section 2 is applicable to appointments made during recess?

Mr. KEATING. There is no question that it is applicable to recess appointments; but I feel it must be read with the preceding paragraph in connection with the method of making nominations and appointments.

Mr. KUCHEL. Mr. President, self-government is indeed on trial today. Self-government by peoples through representatives is a difficult chore. I do not think the Senate ought to try to make it more difficult by passing this resolution.

A part of the American system, as Senators know, is an independent judiciary. From 1851 until 1954 no interim appointments were made by the President of the United States of individuals to become members of the Supreme Court, who then assumed their responsibilities and took their oath of office. In 1953 the incumbent Chief Executive made the first three such appointments during his term. They were excellent appointments. I think it is to his credit, Mr. President, that he acted with dispatch. The author of the resolution, to his credit, has said that in each instance the three appointees to the U.S. Supreme Court, under those circumstances, was a man of great capacity and integrity, and he approves of their gracing the Supreme Court bench.

I can only say that, in my judgment, it would be a sad and tragic mistake for the Senate, in this extra-constitutional attempt, to tell the President what he should do and how he should do it under the clear wording of the Constitution. It would be a frightful wrong. It would do a wrong to the theory of American government, and, in the last analysis, it would be a completely meaningless and idle act.

I hope that, on a bipartisan basis, the resolution will go down to the defeat which it deserves.

I thank my friend from New York, and I yield back whatever time I have left.

Mr. KEATING. Mr. President, I yield 10 minutes to the distinguished Senator from Nebraska [Mr. HRUSKA].

Mr. HRUSKA. Mr. President, this body is frequently referred to as a deliberative body. I wonder if we are not doing violence to the term this afternoon if we go through with the approval of the instant resolution.

I should like to call the attention of the Senate to the fact that the resolution was submitted on June 16 of this year, only a little more than 2 months ago.

There was no reference of the resolution to any subcommittee. There was no meeting of any subcommittee. There was no reference of the resolution to any of the departments.

We all know what is the usual procedure. The first thing which is usually done with any resolution is that it is referred to the department or departments concerned with the subject matter. That was not done. There was no reference of the resolution to the Department of Justice. There was no reference of the resolution to the Judicial Conference, which speaks for a coequal and independent branch of the Government, consisting of the judiciary.

There were no hearings on the resolution. There was a brief discussion immediately prior to the time the resolution was reported by the committee of the Senate, at which time the only material before the members of the committee, consisted of the text of the resolution.

It is sought to construe the Constitution and to apply it. This is sought to be done on the basis of ill-considered and inadequately considered history.

Another reason why we ought to hold our tongues in cheek when we refer to ourselves as a deliberative body this afternoon, is that we are taking the equivalent of a half day for the purpose of considering and voting upon a measure which has had no consideration worthy of the word and are refusing consistently to consider such an important piece of proposed legislation as that to which the Senator from Ohio referred about an hour or an hour and a half ago. On the contrary, that proposed legislation has a long history of committee action, not only in this body but also in the other body. It has been considered not only by one committee but also by two committees in this body and by the Judiciary Committee in the other body. It has been acted upon twice in the other body. It has been passed. It was actually approved. It is pending before this body now. It is a full-fledged, well-considered, and well-rounded bill which was approved by the other body. It involves a situation which is important. It involves a situation in which the Supreme Court struck down the regulations by which passports were issued by the Secretary of State. Now there are no limitations and no regulations whatsoever governing that situation.

In the first 5 months following the decision over 2 years ago, in June of 1958, about 500 well-known persons who are active in and sympathetic to the international Communist movement applied for passports, received them, and traveled to their ideological homeland, the U.S.S.R. Those passports not only got them there, but insured the protection of the majesty of this Government on the other side of the water, wherever they went, and guaranteed their reentry into this country after they had "put in a few good licks" on behalf of betraying this country and turning it over to the international Communist movement. That is what would happen if they had their way.

Mr. President, the Members of this body had better hold their tongues in cheek when they consider this a deliberative body, in the light of these two facts.

What is sought to be done today? It is suggested that we take a step which is in derogation of the constitutional powers and duties of the President. The clause involved has been read several times. I shall read it again, so that it will appear in the proper context with my remarks. It is the last clause of section 2, article II, of our Constitution:

> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Mr. President, I invite attention to the words "fill up." It is said:

> The President shall have power to fill up all vacancies.

That language does not say there shall be nominations made which shall be held in abeyance. The Founding Fathers who drew the document undoubtedly had in mind that the positions would be filled up, not on an abeyance basis, but on an actual basis.

It is sought to place into this language a limitation which is far beyond any necessity in the situation. Certain objections are heard. The Senator sponsoring the resolution, in one of the earlier appearances he made, before any of the hearings on confirmation of nominations in the Committee on the Judiciary, was impressed with certain arguments and reasons, which he set forth in the report. He cites them as reasons why we should change at this time and should express the sense of the Senate in the fashion which I have described.

Mr. President, these objections and any others which might be registered should be weighed in the light of what the resolution would do. The resolution, among other things, would involve a delay in regard to the taking office by any nominee named during a recess. What would be one of the first consequences of that? One of the first consequences would be the absence of a single member of the Supreme Court, which magnifies the power of the remaining Justices.

All of us know that normally when an appellant comes to the Supreme Court and places before the Court his prayer for relief, in a nine-man Court a vote of five members is required to grant the prayer of the appellant. It takes five out of nine to get that job done.

Throughout the months when there would be only eight Justices serving on the Court, a vote of 4 to 4 would mean that no relief would be granted. No action would be taken. The appellant would remain in the very place in which he was put by the court from which he appealed.

This could have been the situation in a number of cases during the 7 interim months of Justice Potter, for example. He was nominated in October. His nomination was not confirmed until May. There were 7 full months of Court proceedings in which four members would have been able to effect the result I cite.

When we show concern or seek to show concern about litigants who might theoretically be affected by what a recess appointee might do, we should remember that we are faced with the situation which happens quite regularly in connection with a 5-to-4 decision. That is something not out of the ordinary, as a brief reference to the decisions of the Supreme Court will indicate. We are urged to put aside the practical effect because of a mere theoretical possibility which may or may not happen.

We are asked, "Why should the situation be different now? In the past 7 years, three Supreme Court Justices, the Chief Justice and two Associate Justices, assumed the duties of their offices and qualified for their offices and started the discharge of their duties immediately upon appointment, but did not await confirmation of their nominations by the Senate."

We did not have the opportunity to get the reasons why this was done. We have no report from the Judicial Conference. Undoubtedly there were reasons why those three men immediately assumed their duties. Undoubtedly those in charge of the administration of the courts and of the executive department were aware that previously it had not been done that way. We should assume there were good reasons why there was a departure from the precedents.

I should like to suggest some reasons. One is that there is a constantly rising volume of litigation. I shall give only one statistic. I did not come to the Chamber prepared with others, but it would be easy to compile them. In 1950 there were 1,335 cases on the Supreme Court docket, and in the fall of 1959, when the October term started, there were 2,178. That is an increase of 843 cases.

It is said, "There should be full fledged Justices only, and not those who are provisionally created."

Mr. President, these Judges are not provisionally created. They are constitutionally created. Moreover, it seems to me that the argument that the Court should be at its full strength is a more persuasive one, inasmuch as otherwise litigants would be denied the functioning of a full Court.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. KEATING. Mr. President, I yield the Senator 5 more minutes.

Mr. HRUSKA. They are denied the functioning of a full Court, to their practical and irreparable detriment, unless the full nine Justices are actually functioning.

Another reason could be that, after all, there must always be a Chief Justice. In the past 15 or 20 years in this country we have adopted policies and statutes which have thrust upon the Chief Justice many key and necessary activities, some of which are administrative in character. For example, the Administrative Office has been established. Judicial Conferences are held. There are circuit conferences. There are circuit councils, and so on.

There must always be a Chief Justice, if we expect the duties assigned to the Chief Justice to be performed. It will not do to have an acting Chief Justice. There should be a Chief Justice who, upon appointment, will commence the performance of his duties. The procedure of confirmation can be gone into afterward. After all, we are dealing with the head of a coordinate, coequal and independent branch of the Government, and there should be no inhibition upon him, nor should there be any desire to raise an obstruction to a prompt and immediate designation and qualification of the nominee pursuant to the language of the Constitution which has been followed all these years.

The President has the power to fill vacancies, and no question whatsoever of advice and consent is encountered at that point.

Finally, I wonder if the purpose of the sponsor of this resolution has not been served by this discussion we have had here. This problem is being reviewed. It has been extensively, thoroughly and competently researched by my colleague from New York, and he will shortly enlighten the Senate with the benefit of the study which he has accorded the subject. It will serve the purpose of calling attention to this problem.

If there are situations in which the volume of the litigation or other circumstance does not prevail which make it necessary for the appointee to qualify immediately, I have an idea that the appointment would be held in abeyance until we are called back into session, at least for either announcement of the appointment or for qualification of the justice himself.

But I suggest that this discussion does tend to serve the purpose, and in the judgment of the Senator from Nebraska, it serves it fairly well, so that it will not be necessary to engage in a formal declaration of the kind which we are considering, and which would be in derogation of a plainly stated Presidential right and duty provided in the Constitution itself.

I say again that it would be a reflection upon the respect which this Senate has always placed on the Constitution for us to proceed to a step of this kind, virtually upon the basis of testimony of one of our Members, reference to two or three law journal articles, and without the benefit of either the Judicial Conference, the Department of Justice or even a serious and ample discussion among members of the Judiciary Committee itself. I urge my colleagues at least to consider a motion for recommitting the resolution to the Judiciary Committee so that we may come back in due time with a more considered judgment.

I know the argument will be raised that if we do not take action now, we will not do so at all, because this is the end of one administration and we would hesitate to take action in another administration which is just starting, for fear that it would be a reflection upon the new President.

When we get to that argument I say that however sincere and however express are the attempts on the part of the sponsor of the resolution or anyone else to divorce any impact of the approval of this resolution from the three nominations which were made by the present administration they would be futile. Built into the resolution and the consideration thereof, is a rebuff of those nominations, in spite of the disavowals.

I say that with all due respect to my colleague, because I know he is sincere when he indicates his intention not to reflect in any way upon the three nominations which we have discussed this afternoon, but a consideration by anyone of this situation in gross will certainly lead to the impression that that was the reason for the proposed resolution.

Frankly had the action not taken place, this resolution would not have been introduced.

Again I say on the basis of the inadequate record and inadequate consideration, the least we should do this afternoon or evening is to approve a motion to recommit the resolution to the Judiciary Committee.

Mr. KEATING. Mr. President, I yield myself such time as I may need.

I know of the great interest of our distinguished colleague from Michigan in this subject. He is completely sincere. He and I have discussed it. We find ourselves in disagreement. I do not want anything I might say in any way to be considered as a reflection upon his sincerity, his ability, or his judgment. I hope that as a result of what I and others may say he will see fit to ask that the resolution be withdrawn at this time.

I very much fear a straight partisan vote on the issue. To my mind that would be regrettable. We are not deal-

ing with a partisan matter, but I do share the views expressed by the distinguished Senator from Nebraska that what we do today is very likely to be construed as an effort to criticize either the present Chief Executive, the Court, or both.

A word about the history of the resolution. It was first submitted on June 16, 1960, only a little more than 2 months ago. The resolution has never had the consideration of any subcommittee of the Committee on the Judiciary. No hearings whatsoever have been held. No reports and no comments were ever requested from any of the interested Government departments or agencies. It received less than a half hour of study or discussion—I would be inclined to say less than 20 minutes—in the full Committee of the Judiciary before being reported to the Senate. There was a voice vote. Though two or three of us voted no, the resolution was reported, and now it is before us.

The history of this resolution does not seem an appropriate basis for legislating on a subject of such delicacy as appointments to the Supreme Court of the United States. At the very minimum, a report should have been requested from the Judicial Conference of the United States in a matter with such a potentially heavy impact as this resolution would have on the entire judiciary.

The only reason I can think of for not asking for such a report is that the Conference would wish to take the time necessary to fully deliberate and study the issues raised by the resolution. But that is not a reason for bypassing the Conference. The resolution needs to be studied. The Judicial Conference is the body to which such matters are usually referred. Such study and deliberation should be welcomed, not shortcutted or bypassed or rejected. The Judicial Conference has never refused its full cooperation with Congress on any matter on which its assistance was requested. Nothing more logically warrants consideration of the Conference than a resolution such as this. Yet we look in vain for so much as one word from the Conference, or one phrase or sentence or any kind of advice or guidance or counsel from the Conference on this subject.

The same could be said about the Department of Justice. At least the Department of Justice should be given an opportunity to comment on the resolution. It might decline to do so, or it might agree to do so.

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

Mr. KEATING. I yield.

Mr. LAUSCHE. Will the Senator identify the function and composition of the Judicial Conference?

Mr. KEATING. The Judicial Conference is made up of the chief judges of the various courts of appeal, and certain district court judges and is presided over by the Chief Justice of the United States.

I think it is fair to ask why we must act with this haste. Why must we consider such a far-reaching resolution with so little preparation? What great crisis calls for this precipitate action?

Bills have been pending on the calendar not for 2 months, but for many months. There is other proposed legislation which has been on the calendar for years. It is still unacted on. It is important legislation. Why should we decide to displace all this important proposed legislation in order to plunge headlong into unnecessary debate dealing with recess appointments to the Supreme Court, particularly debate which could easily be misconstrued?

If for no other reason, the resolution should be rejected because of the failure to submit it to the scrutiny of the Judicial Conference, and at least to give some of the executive departments an opportunity to comment on it if they care to do so.

Where does the American Bar Association stand on the resolution? Frequently we ask the views of the American Bar Association on such matters. Many distinguished lawyers are visiting in Washington attending their convention. It seems that this is a peculiarly appropriate question to submit to the American Bar Association. I should like to know where the New York State Bar Association stands on this issue, or the Bar Association of the City of New York. Other Members would like to know where their State bar associations stand. It would be extremely helpful for us to have them analyze the measure. Why must we proceed to act now without giving these organizations an opportunity to be heard?

Has the issue of recess appointments to the Supreme Court suddenly become a part of the majority leader's sacrosanct list of must bills, or a part of his select program? If so, I wonder under what possible standard of what constitutes the people's business this matter is given priority over all the vital matters which should be considered, including, indeed, the one so eloquently advanced today on the floor of the Senate by the distinguished Senator from Ohio [Mr. LAUSCHE], which is the problem of dealing with the Communist conspiracy in our own country.

If we are sincerely interested in doing something about the courts, if we are sincerely interested in advancing the public interest in regard to the function of the judiciary, why do we not take the time we devote to the consideration of the pending resolution and consider instead the omnibus judgeship bill, which has been on the Senate Calendar, not since the time the pending resolution was placed on the calendar, which was a month or so ago, but since September 1959, almost a year ago. Action on that bill is needed and is truly critical. Judgeship legislation deserves priority, not proposed advice to the Chief Executive. We should pass laws which will adequately staff the courts of the United States with the judge power that is needed to expeditiously and properly deal with the business of the courts.

The omnibus judgeship bill has been studied and restudied for years. It has been the subject of extensive hearings. Volumes of testimony have been taken on it. No one who is at all familiar with the problem doubts the necessity for the expansion of our judge power. The President included legislation in this area in his list of necessary legislation to be passed at this session of Congress. He has time and time again pleaded for legislation in this field. How can we possibly justify placing the pending resolution, which has had no study and no hearings, no agency reports, and no review by the bar associations or by the Judicial Conference, and not one scintilla of urgency connected with it, ahead of the omnibus judgeship bill?

How can we place this issue ahead of passport legislation? How can we place it ahead of the need to improve immigration legislation? How, indeed, can we place it ahead of the necessity to act in the field of civil rights, minimum pay, housing, school construction, medicare, situs picketing, or the five subjects mentioned by the majority leader to be dealt with at this session? They are all important. I hope that we will stay in session until we have dealt with those five problems.

Certainly, this problem is not on the necessary list of anyone. It does not share importance in any way with these five measures, or immigration legislation, or civil rights legislation, or passport legislation, or many other pieces of proposed legislation on the long list of items on which the Senate ought to be acting at this time.

We are faced with a rather extensive debate on the resolution. I do not know of any circumstances which justify approving a resolution which interferes with the explicit power granted to the President under article II, section 2, clause 3, of the Constitution pertaining to the making of recess appointments to the Supreme Court.

That section of our fundamental law, interestingly enough, is not even mentioned in the committee report on the resolution. Could it be that in the haste to report the measure and to rush it through, and in the failure to consult experts on the subject, the committee actually overlooked the clear and explicit language of the Constitution dealing with the President's authority to make recess appointments?

It has been quoted before, but it cannot be quoted too often, and it is necessary for me to read this sentence again, for a continuity of my presentation.

It provides:

> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Since when have we started to amend provisions of the Constitution by the sense of a Senate resolution? Such a course as this is wholly without precedent. I have exhaustively endeavored to obtain knowledge of any precedent for this kind of action. I should be delighted to be referred to one. I have not been referred to any precedent. Such action on the part of the Senate would certainly not be a constructive influence on the implementation of our fundamental law.

The report of the committee contains the remarks of the distinguished Senator

from Michigan, in which he expressed the hope that the adoption by the Senate of this resolution "would clearly advise the President, whoever he is, that this is the sense of the Senate," and the hope that in all but the most exceptional circumstances the next President "will refrain from making such recess appointments."

I do not question the good faith or the purpose of the Senator from Michigan. I have already said so. I say it again. I say it lest in the heat of my argument something might be said which could possibly reflect upon him. He is sincere in his objective. He is well motivated. He is learned in the work of the Senate. What he says, however, in my judgment, is in direct contradiction of the plain words of the Constitution and at variance with the power and authority of the President under the explicit mandate of the Constitution.

The resolution proposes an unprecedented extension of the power of the Senate to advise and consent. It is unparalleled. In my judgment, it is mischievous. It should not be tolerated. This is not an affirmation of the power to advise and consent. It is an intrusion upon a power wholly foreign to the function of the Senate, namely, the power of the President to make recess appointments in accordance with his constitutional authority.

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

Mr. KEATING. I am happy to yield to the distinguished Senator from Arkansas.

Mr. McCLELLAN. I have just read the resolution. It seems to me that it amounts to an advisory expression by the Senate. I do not believe it would preclude the President from making recess appointments. Is my understanding correct?

Mr. KEATING. I agree with the Senator in that regard.

Mr. McCLELLAN. It is advisory only. It is the function of the Senate to advise with respect to appointments under the Constitution.

Mr. KEATING. It is; and this has been the subject of a colloquy in which I am happy to have the distinguished Senator from Arkansas, who is a fine lawyer, engage. I do not believe that this is the type of advice which is contemplated under the terms of the Constitution.

Mr. McCLELLAN. The authority and the duty to advise is initiated only when an appointment is made.

Mr. KEATING. That is my opinion. The language in which reference to advice and consent is made is as follows:

> The President shall nominate, and by and with the advice and consent of the Senate, shall appoint.

In other words, the effort to advise him how he shall make nominations in advance is not the advice and consent which was contemplated by the terms of the Constitution.

Mr. McCLELLAN. The Senator may be correct. However, I do not know of anything to prohibit the Senate from expressing a view or an opinion that it would be well for such an appointment not to be made during the period of a recess. Is there anything in the Constitution which prohibits or inhibits the Senate, in its wisdom, from making such a suggestion by way of a resolution?

Mr. KEATING. No, there is nothing in the Constitution which prohibits it. In my judgment, however, it would be extremely bad policy. It would be looked upon by any Chief Executive as an interference with his prerogatives. The resolution would not be binding; I concede that. It is merely advisory.

However, in my judgment, the Senate would not enjoy it or appreciate it if the President were to give us advice as to how we are to operate in our committees. He sends us a program of proposed legislation. He advises that it be enacted. He asks Congress to enact it. However, if it came to advising us about our operations—about how our committees should be operated, or something of that kind—we would not like it.

Mr. McCLELLAN. The Senator believes, then, that the resolution would trespass upon the constitutional prerogatives of the President of the United States?

Mr. KEATING. I certainly do. Not legally. There is nothing unconstitutional about it. Still, I sincerely feel that it would not be the finest hour of the Senate of the United States if we passed a resolution of this type.

Mr. McCLELLAN. Would the Senator also regard it equally an intrusion or a trespass upon the prerogatives of the Senate if the President should recommend a change in the rules of the Senate?

Mr. KEATING. If the President should recommend a change in the rules of the Senate?

Mr. McCLELLAN. Yes.

Mr. KEATING. I had never given thought to that question.

Mr. McCLELLAN. I think it might be analogous to a situation—and we ought to give some thought to it—in which the President might suggest that the Senate change its rules, so as to enable the Senate, in the President's judgment, to function more expeditiously. What would the Senator think of that?

Mr. KEATING. I think it would be proper for the President, if he had a legislative program which he was intent upon having enacted, to point out what was preventing Congress from acting on such a program. That would not be out of order.

Mr. McCLELLAN. He might do it informally in the public press. However, I am thinking about his sending a message to this body, in the form of a recommendation to the Senate. I was simply thinking out loud, for a moment, about what we would do.

Mr. KEATING. I did not know that the President had done that.

Mr. McCLELLAN. I did not say he had; however, I understand there has been agitation for him to do it.

Mr. KEATING. I know the Senator from Arkansas and I are in rather violent, but always respectful, disagreement on one important rule of the Senate. I was not familiar with the action of any Chief Executive with regard to that rule in any degree.

Mr. McCLELLAN. I think the Senator is aware, possibly, that some have sought fortification or reinforcement in the view to which the Senator subscribes, with respect to the change in the rules of the Senate, and have considered enlisting the aid and support or endorsement of the Chief Executive of the Nation. The Senator is aware of such hopes and expectations, is he not?

Mr. KEATING. The Senator is aware of the position taken by the nominee of his party for the next President of the United States, a position taken as a Member of Congress, and of his views now on the desirability of a change in one of the rules of the Senate. But the Senator is not aware that any Chief Executive in the past, some of whom may have felt the same way, voiced such a view in a message to Congress.

Mr. McCLELLAN. I do not think such a view has been voiced up to now; and neither has such a resolution ever been adopted by the Senate prior to now. I am thinking in terms of the propriety of the Senate taking such action as this. It might very well take the action in the sense of letting it be known to the President that the Senate prefers or would look more favorably upon appointments made while the Senate was in session, rather than as recess appointments.

I think the Senate could, if it determined to do so, take the position that we would not confirm any recess appointments, and the President could do nothing about it if we took that position. If the Senate entertains such ideas or feels that it would have to take that rigid position in order to prevent recess appointments being made, I think it would be well and proper for the Senate, in some manner, to advise the President of its position, and state that recess appointments would militate against such nominations, if they were made.

I think that would be about the only way the Senate could formally advise the Chief Executive of its sentiments.

Mr. KEATING. But I think the Senate could do it informally, without taking any formal action. I take it that if the leadership of the Senate—whoever they might be—were to indicate to the Chief Executive—whoever he might be—that the Senate would not be likely to confirm an interim appointment, then, I feel sure, that would have as much effect on the Chief Executive as would a formal resolution.

I do not like to see a formal resolution of this kind put on the statute books. And from the statements made by my distinguished friend, the Senator from Arkansas, I rather sense that he would not like to see the Chief Executive send to us a message in which he told us that we should change one of the Senate rules.

Mr. McCLELLAN. The Senator says we have a legal right to do it. Everyone admits we have a legal right to adopt the resolution. But the question in my mind is whether there would be any propriety in our adopting it. If it is the sense of the Senate that recess appointments to these positions should not be

made, how are we going to make that opinion known, other than by means of a resolution? I am in a bit of a quandary in that respect. But I should not like to have the Senate establish a precedent for invading the province of the Chief Executive, but then have the Senate unwilling to defer to an attempt by the President to invade the rights of the Senate by suggesting a change in the Senate rules.

Of course, we can say individually, as Senators, that in our opinion the President should not make recess appointments, but should wait until the Congress reconvenes.

But the pending resolution raises a number of questions in my mind, and at the moment, I am not at all sure about the matter.

Mr. KEATING. I agree with the Senator from Arkansas. This resolution would be a formal method. I prefer to see us proceed informally. I believe that all that is sought to be accomplished in this instance could be accomplished informally.

Similarly, if the President thinks one of the Senate rules should be changed, he is entitled to tell Senators so, in conversation; and I would rather have him tell them that in informal conversation, rather than by means of a formal communication to the Senate.

Mr. McCLELLAN. Of course, the formal method for the President to use would be to send a formal communication, in writing, to the Senate. The informal way would be for him to hold such a conversation with Members of the Senate.

I believe that the President should not make recess appointments; I think no one should serve on the bench until his nomination is confirmed.

Mr. KEATING. I am quite sympathetic with the view the Senator from Arkansas has expressed. I think the Chief Executive should think hard and long and weigh many factors before he makes any interim appointment. I do not say he should never make them.

Mr. McCLELLAN. I agree; I, too, do not say that he should never make them. But I refer to what I believe to be the sounder procedure.

Mr. KEATING. I agree, and I am not out of sympathy with some of the reservations expressed in the resolution. My plea is not to put it on the statute books, not to formalize a particular point of view on such a delicate subject, and not to interfere with the President's power to make recess appointments, even by indirection.

Mr. McCLELLAN. I simply want the RECORD to show clearly my view on the matter, regardless of how I vote on the resolution. If I were to vote in opposition to adoption of the resolution, my vote would not indicate my view with respect to whether it is advisable for the President to make interim appointments. Therefore I wish to have the RECORD show that I much prefer that he make interim appointments only under the most extraordinary circumstances, for I do not like to have an interim appointment made of one who sits on the highest court in the land. There is no appeal from its decisions, and I call particular attention to the fact that the vote of one member of that Court might result in the establishment of a precedent which thereafter would be regarded as the law of the land. Therefore I do not think that power should be lodged by means of an interim appointment. I think the power should be vested only in one who has met the full requirements of the Constitution by having the approbation and the approval of this body.

I wanted to raise these questions, and I thank the distinguished Senator from New York for yielding to me. After reading the resolution, these questions arose in my mind, and I wished to see whether I could obtain a little clarification.

Mr. KEATING. I appreciate the Senator's comment.

Mr. President, inasmuch as the time is limited, I shall be brief in the additional statement I shall make, and then I shall be glad to yield to other Senators. I know that my colleague from New York has requested time.

Mr. President, another important reason for objecting to this unnecessary, unstudied, hastily processed resolution, for which I have not found any precedent, is that there is not a scintilla of urgency about it. On the other hand, adoption of the resolution would be bound to be considered by the public as a criticism of either the Chief Executive or the particular Justices who have been named by interim appointments, or both.

In my opinion, the President has appointed outstanding men to our highest court, and, in fact, to all the Federal courts. The President has been very prompt, moreover, in filling vacancies on the Court. At no time has more than 1 month elapsed between the death or retirement of one Justice and the appointment of his successor. The President should be commended for the selections he has made and for the speed with which he has acted, rather than be subjected to the criticism implicit in this resolution. I am sure such criticism is not intentional.

The three recess appointments made to the Court in the past 8 years demonstrate fully the wisdom of the practice the administration has been following in attempting to keep the Court at full strength whenever possible. Without these appointments, the Court would have had to operate understaffed for considerable periods of time.

Mr. President, we are familiar with the large number of close decisions; and the maintenance of the full strength of the Court is very important, particularly in view of the great increase in the business of the Court, which has been referred to by the Senator from Nebraska.

Chief Justice Warren took office under a recess appointment on October 5, 1953. His confirmation did not occur until March 1, 1954. Justice Brennan took office on October 16, 1956; and the Senate did not confirm his appointment until March 19, 1957. Justice Stewart took his seat on October 14, 1958; and his nomination was not confirmed until May 5, 1959.

It is thus clear that the work of the Supreme Court would have been severely hampered if the recess appointments had not been made.

The long delays between nomination and confirmation which have occurred show the difficulties which would confront the Chief Executive if he bowed to this effort to modify the explicit provisions of article II section 2, clause 3, of the Constitution.

Mr. President, there is no indication that the President is unaware of the problems which may be raised by making recess appointments. It is apparent however that he is also aware of the importance of other factors in determining whether to make recess appointments, chief among these other factors being the importance of keeping the Court at full strength and preventing even splits among its members. This course has enabled the Court to cope more effectively with its tremendous backlog of cases and has prevented deadlocks on many important cases which have come before the High Tribunal in recent years.

This resolution could upset the delicate balancing of factors involved in a decision by the President as to whether a recess appointment to the Supreme Court is necessary when a vacancy occurs during the recess of Congress. I know of no overriding considerations which should lead to its adoption despite the dangers I have outlined and despite the lack of study the resolution has received.

Mr. President, I believe the most appropriate disposition of the pending resolution would be to recommit it to the Senate Committee on the Judiciary. This would permit the committee to request agency reports and to give the subject the study it deserves. Frankly, I believe that after such study, the resolution would not be favored.

However, I certainly would cooperate, and I know all members of the Judiciary Committee would cooperate, to make certain that the resolution, in which the distinguished Senator from Michigan has evidenced such a great interest, would be given full consideration in the committee. And I am certain that all would approach the matter in that spirit.

Mr. President, this discussion has been constructive; it has been helpful. As I said before, there is very little, if anything, in the language of the resolution to which I would take any exception. Anyone who is the Chief Executive would think a long time before sending an interim appointment to the Supreme Court. But I hope that my friend from Michigan may feel it desirable, after further discussion and after giving an opportunity to those who may still wish to be heard on it, to ask that the resolution may be withdrawn.

Mr. President, I move to recommit the resolution to the Committee on the Judiciary, and, at the appropriate time, when we have a larger number of brethren on the floor, I shall ask for the yeas and nays.

Mr. SALTONSTALL. Mr. President, will the Senator yield so I may ask a question of the Senator?

Mr. KEATING. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I have not heard all the debate, and I am sure the Senator has made some very wise remarks. Is not this problem, under the Constitution, one that is left to the discretion and good sense of the President of the United States?

Mr. KEATING. I think the answer definitely is "Yes."

Mr. SALTONSTALL. Over the years, ever since the Constitution was adopted, while there have been some appointments, there has never been an appointment that has been rejected which was made between sessions, or there has never been an appointment made between sessions that affected a decision of the Court. Is that correct?

Mr. KEATING. On the first question, as to whether one was ever rejected, I think there was, about 100 years ago. As to whether it has affected the decisions of the Court on a 5-to-4 decision, I am not able to say. The Senator from Michigan has researched this matter. Perhaps there were one or two decisions where that occurred. There have been three recess appointments made by President Eisenhower—Chief Justice Warren, Justice Brennan, and Justice Potter Stewart. Whether during the period of time between their appointments and confirmation they participated in a 5-to-4 decision or not, I am not able to say. That is, of course, a possibility, and I assume is one of the reasons why the Senator from Michigan feels as strongly as he does on this matter.

The expedition of the business of the Court is also important. My thesis has been, first, as brought out in the first question of the distinguished Senator from Massachusetts, that this is a matter which should be left to the Chief Executive to determine, and that is an unwarranted intrusion upon his nominations; and, second, if we want to transmit this language to the President, it is better to do it in some other way than by this formal resolution.

Mr. HART. Mr. President, if the Senator will yield, in response to the question which I understood to be addressed to the Senator from New York by the Senator from Massachusetts; namely, whether there had been 5-to-4 decisions in which interim appointees participated, I do not know how many, but I do know that in the instance of Mr. Justice Stewart he did participate in such a decision. What has been said on both sides of this discussion today can be used as an argument as to why vacancies should always be filled or why it should not be done except in rare cases. In my opinion, whether there is a 4-to-4 decision because vacancies have not been filled because the Senate has not consented to an appointment, or a 5-to-4 decision, in which one of the Justices who participated was in the twilight area, and not yet confirmed, I would prefer that the law be established by a court about whose members there is not a shadow of a doubt.

Mr. SALTONSTALL. Will the Senator from New York permit the Senator from Michigan to answer whether there has been any indication, by a 5-to-4 decision later, or anything else, which would indicate that a litigant had been prejudiced?

Mr. HART. This question, I think, touches one of the sensitive, basic nerves in this whole problem. So far as I know, it has never been raised. There may have been litigants who may have wondered whether it was because an appointee had been so appointed that he lost a 5-to-4 decision; but this is the kind of wonderment, the kind of concern, the kind of outside guessing that the Supreme Court of the United States ought not to be exposed to, unless there is an overriding necessity for it. I think it far more desirable that the Senate announce it finds this, too, is a disgraceful aspect of an interim appointment.

Mr. ERVIN. Mr. President, will the Senator from Michigan yield for several questions?

Mr. HART. I am glad to yield.

Mr. ERVIN. I should like to ask the Senator from Michigan if, under the law, so far as Federal district judges are concerned, it is not a fact that Federal district judges can be sent from one district to another, and therefore there is never any necessity for making recess appointments for Federal district judges?

Mr. HART. The law does provide for such transfer.

Mr. ERVIN. The law also provides, with respect to the U.S. court of appeals, that the chief judge may order any district judge within the circuit to sit with the other members of the court of appeals with equal authority to make decisions on cases; is that not true?

Mr. HART. That is the law, and it is a practice indulged in rather frequently.

Mr. ERVIN. Since that is a practice authorized by law and is frequently followed, there is really no necessity for making a recess appointment to the U.S. court of appeals, is there?

Mr. HART. It would be my feeling there is none, for that reason.

Mr. ERVIN. The only remaining Federal constitutional court with which we are dealing is the Supreme Court of the United States, is it not?

Mr. HART. That is correct.

Mr. ERVIN. The Supreme Court of the United States never convenes before October does it? Normally the Court convenes its terms on or after the first of October.

Mr. HART. Normally, yes.

Mr. ERVIN. The Senate meets in January, as part of the Congress. During recent years it has been customary for the Senate to remain in session approximately 8 months out of each year, has it not?

Mr. HART. I regret that developing tendency to stay longer and longer.

Mr. ERVIN. Consequently, when we deduct the time the Senators have available to pass on appointments to the Supreme Court of the United Sates from the year, there are 4 months remaining in which a recess appointment could be made, but one of those months is during the period the Court ordinarily is not sitting.

Mr. HART. That is true.

Mr. ERVIN. One of the other months is December, which is taken up in large measure, or substantial measure, by the Christmas vacations.

Mr. HART. I assume that the Justices of the Court enjoy that holiday season, as do other humans.

Mr. ERVIN. So we really are discussing 2½ months of the year when the Court is sitting when the Senate is not also normally sitting.

Mr. HART. That is correct.

Mr. ERVIN. Furthermore, the Supreme Court of the United States rarely hands down a decision in less than 3 months, does it?

Mr. HART. I would be hesitant to respond with an absolute yes, but I am sure that is true.

Mr. ERVIN. If there were a vacancy on the Court and the Court for any reason felt there was danger of having a split decision, the Court could postpone the decision until the Senate met, which would not postpone action for more than 3 months normally.

Mr. HART. That is certainly true.

Mr. ERVIN. For that reason, there is really no crying need for the President to make a recess appointment or for having the recess appointee take office.

Mr. HART. I would respond in this way to the distinguished Senator from North Carolina, whose background includes very distinguished service on the courts of his State of North Carolina: If it were simply a question of a couple of months I would say, "Perhaps even for a couple of months it would be all right to make an appointment and to have the appointee serve." If it were only a couple of weeks I would say that, except for the overriding dilemma, which is the inevitable result of the man putting on the robe of the judge and participating in the business of the Court, while remaining subject to the scrutiny of the Senate. Except for that reason I would have no concern. For that reason, I would have concern even if there were a 6-month interval.

Mr. ERVIN. Under the second article of the Constitution the President has power to make recess appointment which will last until the end of the next session of Congress.

Mr. HART. That is correct.

Mr. ERVIN. Most of the important offices—for example, Cabinet members, U.S. district attorneys for a particular district, and the like—are filled by one man, are they not?

Mr. HART. In large part, yes.

Mr. ERVIN. When a vacancy occurs in such an office during a recess of the Senate it is highly important, for that reason, to permit the President to have power to make a recess appointment; otherwise, the office would be entirely vacant.

Mr. HART. That is true.

Mr. ERVIN. That is quite different from the situation in regard to the Supreme Court of the United States or the U.S. court of appeals, in that those two courts have more than one judge. A majority of the judges constitute a quorum and have the power to act, do they not?

Mr. HART. They do.

Mr. ERVIN. Furthermore, the third section of the Constitution, which deals with the judicial power of the United

States, clearly contemplates that the Federal courts shall be presided over by judges who hold office for life; is that not so?

Mr. HART. That is the explicit provision.

Mr. ERVIN. When one gives a recess appointment as a Federal judge, the man really does not have absolute title to the office of judge until his nomination is confirmed by the Senate; is that correct?

Mr. HART. That is correct.

Mr. ERVIN. Therefore, when a man receives a recess appointment to be a judge and takes office before his nomination is confirmed by the Senate, he is actually taking office before he has absolute title to the office, and his right to sit is subject to a condition subsequent; is that not true?

Mr. HART. The full title to the office can be granted only by the Senate.

Mr. ERVIN. Does not the Senator from Michigan agree with me in the thought that the third article of the Constitution certainly contemplates that members of the Court who make the decisions shall be men who occupy their offices for life; and, therefore, it is somewhat inconsistent with the spirit of the third article of the Constitution for a judge to make decisions when he does not occupy his office for life but only until the end of the next session of the Senate?

Mr. HART. There was a distinguished faculty member at Harvard, whose name I bear—Professor Hart—who made that point. He did not assert that there was any absence of constitutional power to do what the President has done, but he said that in his judgment the spirit of the Constitution was violated by so doing.

Mr. ERVIN. On several occasions history has shown that there was very violent opposition to appointees to the bench, who, fortunately in those cases, had not assumed their seats under recess appointments. Does not the Senator think if a recess appointee should take his seat and it should turn out that there is serious objection to his nomination being confirmed, the revelations made by an investigation would have a tendency to cast a cloud on the Court as well as on the appointee?

Mr. HART. In my judgment, that would be the inevitable result.

Mr. ERVIN. I thank the Senator for yielding.

Mr. HART. I thank the distinguished Senator from North Carolina very much for his indication of support for the resolution. I mean this with the greatest of sincerity. All of us, I think, have the very highest regard for the Senator's background as a jurist, in addition to our regard for him as a Senator.

Mr. ERVIN. I thank the Senator. I favor the resolution, because I think the resolution would carry out the spirit of the third article of the Constitution. I think passage of the resolution in advance would be a wise thing for the Senate to do, because it certainly cannot be questioned, in my judgment, that it is inadvisable for recess appointees to take the bench before the confirmation of their nominations.

Mr. HART. Indeed, I feel that some of the discussion which has developed—explicitly from the junior Senator from New York—indicates that there is a growing attitude on the part of those on both sides of the aisle to admit that recess appointees sitting upon the bench create a situation which all of us would be happy to see avoided. I feel this strongly. Otherwise, I certainly would not have raised the point in the formality of a resolution.

Mr. President, I understood the Senator from New York desired to have a further discussion, on his time.

Mr. KEATING. Mr. President, may I inquire regarding the remaining time?

The PRESIDING OFFICER. The Senator from New York has 3 minutes.

Mr. KEATING. Three minutes?

The PRESIDING OFFICER. Twelve minutes remain for the proponents; and the Senator from New York has 3 minutes remaining.

Mr. KEATING. I wonder if the Senator from Michigan [Mr. HART] has received requests for time? I am placed in a very embarrassing position. I was told about 5 minutes ago by someone that I had 16 minutes remaining, and now I find I have only 3 minutes. If the Senator from Michigan does not need all his time, since my colleague from New York does need time, I would appreciate it if he would yield some.

Mr. HART. Mr. President, may I inquire as to the time remaining for the proponents?

The PRESIDING OFFICER. The proponents have 12 minutes remaining and the opponents have 3 minutes.

Mr. HART. Mr. President, our dilemma is a mutual one. I yield 6 minutes to the opponents, and we will see if the time balances out.

Mr. KEATING. I yield 5 minutes to my colleague.

Mr. JAVITS. Mr. President, I shall not use the 5 minutes, which I am grateful to my colleague for yielding. Perhaps he should not yield to me because I feel so strongly about the resolution.

I am very fond of the junior Senator from Michigan [Mr. HART]. He is a great ally in many liberal causes. I do not understand why he sponsored the resolution. I do not think it is worthy of him. I say that for this reason.

When we begin to tamper with constitutional authority, we upset many things we do not realize we are upsetting.

I should like to make my point briefly here. We talk about judges who are in the shadow. If we are going to start a procedure such as proposed, I do not see how we can do anything but amend the Constitution. Certainly we cannot accomplish the objective by a resolution of the Senate.

That is what we did with respect to lameduck Representatives and Senators. We thought they were in the shadow. So we amended the Constitution in order that so-called lameducks would be eliminated.

We cannot shortcut the process. If we try, we shall get into trouble. As an example of the trouble we might get into, we would leave it within the power of the Senate to prevent a judge from being confirmed, not for a month or 2 months, but for a year or two, or as long as it would take us to get a civil rights bill passed in the Senate. That is what we would do, and that is what is so dangerous about the resolution.

So long as rule XXII remains upon the books of the Senate in its present form, we would be transferring the power to control the Supreme Court, if any President would pay any attention to the resolution—I hope and pray he would not, and that he does not have to. We would be doing a perfectly vain act, which I will prove in just a moment. We would be transferring to the Senate a power which the Constitution gave to the Presidency. The framers of the Constitution gave the power of appointment to the President when they had their eyes wide open, knowing the inhibition of the power of filibuster in the Senate, which has thwarted us time and again in respect to activities which a certain group does not like.

Second, we would be taking this action at the tail end of a Senate session, when we have about 3 days to go, and when we will soon have a Senate, one-third of whose Members will be newly elected or new Members. It seems to me that the resolution is sheer presumption to give the President these instructions between now and the next Congress, when the next Senate may not agree with us at all.

I think it is absolutely a certitude in respect of the announcements of this proposal. So when we begin to fuss with the fundamental balances, the delicacy of the balances in respect of the Constitution, we open it up to all kinds of problems. The President could tell us, for example, that he would approve no supplementary requests for funds. He could do that. We could tell the President that we are going to sit on our hands, and we are not going to give him any money for anything unless he does X, or Y, or Z.

There is no provision of the Constitution which would prevent such action, any more than there is anything in the Constitution which would prevent us from passing the resolution. We would be unwise to do so. We have more self-discipline in this body.

If the resolution were submitted to the American Bar Association, which is meeting here in Washington today, I am confident that it would be unbelievably and overwhelmingly defeated. No lawyer would countenance anything like this for a minute. We are all too well acquainted with the reasons why these powers were divided.

We gave the President appointive power in order to enable him to appoint judges of the U.S. Supreme Court for a very specific reason. We gave him that power because we wanted, so far as we could, to keep the judiciary independent. I say this advisedly as a lawyer, I am not arguing this point as a Senator or as a Republican. I am arguing it as a lawyer. If any President paid

any attention to the proposed resolution—which I warn that if the Democrats elect their candidate as President or we elect ours, he would not, and he dare not—I say advisedly, there is no single step that we could have taken in order to break down the independence of the judiciary more than we would by passing a resolution of the character of the one before the Senate, if it had effect.

I am extremely sorry to see the Senate considering the resolution without the very extended discussion it deserves. I blame myself. I should not have been one of those on this side of the aisle who consented to 3 hours of debate on anything as serious as this resolution. I am as much in fault, if the resolution passes, as any Member here who has made the same comment.

I hope very much that the self-discipline of the Senate at the tail end of this session, with a new Congress coming in—particularly for that reason if for no other—will prevent so improvident a step as intruding in this field in a way which would disturb, and disturb to our disadvantage, and to our historical disadvantage, the balance of power between the President, the judiciary, and the Congress.

I cannot tell my friend from Michigan—I think he knows it—how much it hurts me to make this argument, because he is a wonderful man, a fine Senator, and a great friend of everything liberal. I just do not think that this is calculated to advance any of the things in which he believes any more than it is calculated to advance the things that I believe in. I thank my colleague.

Mr. KEATING. Mr. President, how much time have we remaining?

The PRESIDING OFFICER. The Senator has 4 minutes remaining. He yielded 6 minutes.

Mr. KEATING. I yield 4 minutes to the distinguished minority leader.

Mr. DIRKSEN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DIRKSEN. What is the pending motion?

The PRESIDING OFFICER. The pending motion is a motion to recommit the resolution.

Mr. DIRKSEN. Mr. President, on the motion to recommit, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, at first blush the resolution seems laudible, but one needs only to examine the "whereas" clauses to find that it admits real doubt. I noted, for instance, in the third clause of the preamble these words:

> Whereas Presidents of the United States have from time to time made recess appointments to the Supreme Court, which actions were unquestionably taken in good faith and with a desire to promote the public interest, but without a full appreciation of the difficulties thereby caused the Members of this body—

What difficulties? I never had any difficulties on that score. But, I think, this resolution would convey to the public that we, the Senators, have had difficulties when a name has been submitted during an interim period when the Senate was not in session. Then the next whereas clause states:

> Whereas there is inevitably public speculation on the independence of a Justice serving by recess appointment—

What speculations? And what reflections upon those who may have been appointed in an interim period and subsequently confirmed? I believe if I were an Associate Justice of the Supreme Court and read "whereas clause No. 4" of this resolution, I would wonder a little bit about the faith and the confidence of the confirming body under the Constitution, namely, the Senate of the United States.

This is a sort of blunderbuss approach. The Constitution states very simply that in the interim period the President shall have the power to grant individual commissions. That is individual power. It is the power to grant an individual commission. It does not deal with an institution. It deals with all the regulatory agencies with respect to which that power comes into being.

To me it looks like an effort to place an inhibition upon a power which is crystal clear. The proposal may represent the sense of the Senate as of this day in August 1960. It may not be the sense of the Senate a week later or a month later. It may not be the sense of the Senate in January, February, March, or at any other time in 1961.

I notice a growing tendency for so-called sense-of-the-Senate resolutions. I am becoming more and more dubious about this approach. It looks to me like tinkering. I hope the motion to recommit will be sustained.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. DIRKSEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The opponents have no time remaining. Six minutes remain on the side of the proponents.

Mr. HART. Mr. President, of course I rise in opposition to the motion to recommit. I wish to make clear again on the record, although it has been amply documented—and it should be stated again in fairness to the Supreme Court—that the resolution is not directed in criticism of any member of the bench, or of the Court as an institution. I do not direct it in criticism of any President.

However, I say that now, if ever, is the time when the Senate should express its sense that it is unfair to the Senate to be asked to consider action on a Supreme Court appointee when that man wears the robes of his office and has written opinions. If that is our belief, let us act now, when we do not know who the next President will be, when to our knowledge there is no vacancy to be anticipated on the Supreme Court, and when our action will not be tied with any individual.

The resolution merely provides that in the discharge of our constitutional duties we are terribly handicapped if we must face a man wearing his robes of office. It is much better for us, and much better for the Supreme Court itself that we not face this extraordinarily difficult dilemma, in the discharge of our responsibility and duty, of being faced with a man who has participated in the conduct and operation and activity of the highest court of the land. If we really believe it, let us not estop ourselves by our silence.

For that reason I hope that the motion to recommit will be defeated and that we will adopt the resolution. I yield back the remainder of my time. I suggest the absence of a quorum.

The PRESIDING OFFICER. All time has expired. The absence of a quorum has been suggested, and 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.

The yeas and nays have been ordered——

Mr. DIRKSEN. Mr. President, what is the question before the Senate, on which the yeas and nays have been ordered?

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from New York [Mr. KEATING] to recommit the resolution. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

MR. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. LUSK], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] are absent on official business.

I further announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The result was announced—yeas 33, nays 52, as follows:

[No. 317]

YEAS—33

Aiken	Cooper	Kuchel
Allott	Cotton	Morton
Beall	Curtis	Mundt
Bennett	Dirksen	Prouty
Bridges	Dworshak	Saltonstall
Bush	Fong	Schoeppel
Butler	Goldwater	Scott
Capehart	Hickenlooper	Smith
Carlson	Hruska	Wiley
Case, N.J.	Javits	Williams, Del.
Case, S. Dak.	Keating	Young, N. Dak.

NAYS—52

Anderson	Hart	Morse
Bartlett	Hill	Moss
Bible	Holland	Muskie
Burdick	Jackson	Pastore
Byrd, W. Va.	Johnson, Tex.	Proxmire
Cannon	Johnston, S.C.	Randolph
Carroll	Jordan	Robertson
Church	Kennedy	Russell
Clark	Lausche	Sparkman
Dodd	Long, Hawaii	Stennis
Eastland	Long, La.	Symington
Ellender	McCarthy	Talmadge
Engle	McClellan	Thurmond
Ervin	McGee	Williams, N.J.
Frear	McNamara	Yarborough
Gore	Magnuson	Young, Ohio
Green	Mansfield	
Gruening	Monroney	

NOT VOTING—15

Byrd, Va.	Hayden	Lusk
Chavez	Hennings	Martin
Douglas	Humphrey	Murray
Fulbright	Kefauver	O'Mahoney
Hartke	Kerr	Smathers

So the motion to recommit was rejected.

Mr. HART. Mr. President, I move that the vote by which the motion to recommit was rejected be reconsidered.

Mr. JOHNSON of Texas. Mr. President, I move to lay on the table the motion to reconsider.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment.

Mr. HRUSKA. Mr. President, I ask for the yeas and nays.

Mr. JOHNSON of Texas. On the question of agreeing to the resolution.

The PRESIDING OFFICER. Is the request for the yeas and nays on the question of agreeing to the committee amendment or on the question of agreeing to the resolution?

Mr. HRUSKA. On the question of agreeing to the resolution.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

Mr. LAUSCHE. Mr. President, is there still time in which to speak on the committee amendment?

The PRESIDING OFFICER. There is not; all time has expired.

The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the resolution, as amended. On this question, the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. LUSK], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], are absent on official business.

I further announce that the Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Missouri [Mr. HENNINGS], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Florida [Mr. SMATHERS] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent, by leave of the Senate, on official business.

The results was announced—yeas 48, nays 37, as follows:

[No. 318]

YEAS—48

Anderson	Gruening	Mansfield
Bartlett	Hart	Monroney
Bible	Hill	Morse
Burdick	Holland	Moss
Byrd, W. Va.	Jackson	Proxmire
Cannon	Johnson, Tex.	Randolph
Carroll	Johnston, S.C.	Robertson
Church	Jordan	Russell
Clark	Kennedy	Sparkman
Dodd	Long, Hawaii	Stennis
Eastland	Long, La.	Symington
Ellender	McCarthy	Talmadge
Engle	McClellan	Thurmond
Ervin	McGee	Williams, N.J.
Frear	McNamara	Yarborough
Green	Magnuson	Young, Ohio

NAYS—37

Aiken	Curtis	Mundt
Allott	Dirksen	Muskie
Beall	Dworshak	Pastore
Bennett	Fong	Prouty
Bridges	Goldwater	Saltonstall
Bush	Gore	Schoeppel
Butler	Hickenlooper	Scott
Capehart	Hruska	Smith
Carlson	Javits	Wiley
Case, N.J.	Keating	Williams, Del.
Case, S. Dak.	Kuchel	Young, N. Dak.
Cooper	Lausche	
Cotton	Morton	

NOT VOTING—15

Byrd, Va.	Hayden	Lusk
Chavez	Hennings	Martin
Douglas	Humphrey	Murray
Fulbright	Kefauver	O'Mahoney
Hartke	Kerr	Smathers

So the resolution (S. Res. 334) was agreed to, as follows:

Resolved, 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. HART. Mr. President, I move to reconsider the vote by which the resolution was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment to the preamble.

The amendment was agreed to.

The preamble, as amended, was agreed to, as follows:

Whereas one of the solemn constitutional tasks enjoined upon the Senate is to give or withhold its advice and consent with respect to nominations made to the Supreme Court of the United States, doing so, if possible, in an atmosphere free from pressures inimical to due deliberations; and

Whereas the nomination of a person to the office of Justice of the Supreme Court should be considered only in the light of the qualifications the person brings to threshold of the office; and

Whereas Presidents of the United States have from time to time made recess appointments to the Supreme Court, which actions were unquestionably taken in good faith and with a desire to promote the public interest, but without a full appreciation of the difficulties thereby caused the Members of this body; and

Whereas there is inevitably public speculation on the independence of a Justice serving by recess appointment who sits in judgment upon cases prior to his confirmation by this body, which speculation, however ill founded, is distressing to the Court, to the Justice, to the litigants, and to the Senate of the United States: Now, therefore, be it

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, I should like to ask the acting majority leader whether any other legislation is scheduled for action tonight. It was my earlier impression that at the conclusion of action on the resolution which came from the Judiciary Committee, that would terminate the business for today; but I am informed there are some bills presently pending on the calendar which the acting majority leader intends to call up. Some of them are controversial; others probably not controversial. But it would be an excellent thing now if a statement were made to the Members of the Senate, while they are present, about what the remaining business is for tonight, and how long it is proposed to remain in session this evening.

CREATION OF THE FREEDOM COMMISSION

Mr. MANSFIELD. Mr. President, I move that Calendar No. 1882, Senate bill 1689, establishing the Freedom Commission, be laid before the Senate as the unfinished business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1689) to create the Freedom Commission for the development of the science of

counteraction to the world Communist conspiracy for the training and development of leaders in a total political war.

The PRESIDING OFFICER. The question is on the motion of the Senator from Montana.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments.

LEGISLATIVE PROGRAM—ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, it is the intention of the leadership, after consultation with the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], to announce that the following measures may be called up for consideration in the days to come, depending on the amount of time taken in debate:

Calendar No. 1884, House bill 10548, to amend the Helium Act.

Calendar No. 1897, House bill 12483, to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia."

Calendar No. 1916, Senate bill 3713, providing a salary increase for District of Columbia policemen and firemen.

Calendar No. 1939, House bill 2074, for the relief of Eric and Ida Mae Hjeipe.

Calendar No. 1965, House bill 4428, for the relief of John David Aleida.

Calendar No. 1607, House bill 4601, amending the Hiss Act.

Calendar No. 1671, Senate bill 3421, amending the Federal Employees Group Life Insurance Act.

Calendar No. 1678, House bill 10, dealing with self-employed pension plans.

Calendar No. 1706, Senate bill 3258, amending the District of Columbia Alcoholic Beverage Control Act.

Calendar No. 1753, Senate bill 3739, amending the District of Columbia Teachers' Salary Act.

Calendar No. 1943, House bill 7618, for the relief of H. P. Lambert Co. and Southeastern Drilling Corp.

Calendar No. 1971, House bill 12759, extending the Alien Farm Labor Act.

Calendar No. 1987, House Joint Resolution 784, extending the time within which the U.S. Constitution 175th Anniversary Commission shall report to Congress.

These measures may or may not be brought up, depending on the length of the session. It is not anticipated that the Senate will be in session too long or too late tonight. We hope to get the approval of the Senate on the noncontroversial items, and perhaps, if some bills entail some debate, they will be carried over until tomorrow or later.

Mr. DIRKSEN. I inquire of the acting majority leader whether, when he says it is not anticipated that the Senate will be in session too late, he means probably 8 o'clock, or 8:30, or 9 o'clock, or some earlier time.

Mr. MANSFIELD. I will say to the distinguished minority leader that the Senate ought to be out of here somewhere between 8 and 9 tonight.

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

Mr. MANSFIELD. I yield.

Mr. MORSE. There was some conversation going on, and I am not sure I heard what the Senator said. Did the Senator list the District of Columbia sales tax bill?

Mr. MANSFIELD. That is not on the list, but if it is brought up, I assure the Senator from Oregon that he, particularly, will receive prompt and prior notice.

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

Mr. MANSFIELD. I yield.

Mr. ANDERSON. The Senator mentioned calendar No. 1691. I do not even find it on the calendar.

Mr. MANSFIELD. It is calendar No. 1671, Senate bill 3421, to amend the Federal Employees' Group Life Insurance Act.

Mr. ANDERSON. Will the Senator agree that in case calendar No. 1884, H.R. 10548, to amend the Helium Act, should be called up, the two Colorado Senators will be notified, both Senator CARROLL and Senator ALLOTT?

Mr. MANSFIELD. Yes, as well as the Senator from Ohio [Mr. LAUSCHE].

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

Mr. MANSFIELD. I yield.

Mr. SYMINGTON. Will there be any more yea-and-nay votes tonight?

Mr. HICKENLOOPER. Mr. President, some of us who remain in our seats, as the rules provide, would like to hear what is being said. I for one do not propose to get into the huddle in the front part of the Chamber. I would like to hear what is being said.

Mr. RUSSELL. Mr. President, I have heard about the morning hour in the Senate, but what we are having now is the informal hour.

Mr. HICKENLOOPER. Twilight hour, I think it is.

Mr. DIRKSEN. Mr. President, I would like to renew the question which has been asked, as to whether or not there will be any yea-and-nay votes tonight.

Mr. MANSFIELD. I hope there will be no further yea-and-nay votes this evening, but neither the minority leader nor I can give an ironclad guarantee.

Mr. DIRKSEN. I am wondering whether we could contrive an understanding that if there is a demand for a yea-and-nay vote, the vote can go over until tomorrow.

Mr. MANSFIELD. I shall be delighted to attempt to arrive at an agreement to that effect with the minority leader.

Mr. JAVITS. Mr. President, will the Senator yield before he does that?

Mr. MANSFIELD. Yes.

Mr. JAVITS. May I ask the intention of the leadership about recessing or adjourning the Senate?

Mr. MANSFIELD. I wish I knew.

Mr. JAVITS. What is the intention of the leadership tonight?

Mr. MANSFIELD. That the Senate will adjourn between 8 and 9 o'clock.

Mr. JAVITS. Does the Senator intend to adjourn tonight?

Mr. MANSFIELD. The Senate will probably recess.

Mr. JAVITS. Suppose there should be a contest about that. It might involve a yea-and-nay vote.

Mr. MANSFIELD. I am glad the Senator from New York is putting Members of the Senate on notice in answer to the question raised by the Senator from Illinois, and I hope all Senators will be on notice to that effect.

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

Mr. MANSFIELD. I yield.

Mr. YARBOROUGH. Is Calendar No. 1708, House bill 4306, the war orphans education bill, one of those that will be called?

Mr. MANSFIELD. Not for this evening, no.

Mr. YARBOROUGH. Could we obtain early consideration of that measure?

Mr. MANSFIELD. We shall do our best on that, either tomorrow or the next day.

Mr. DIRKSEN. Mr. President, I should like to inquire further as to the hour when the Senate will convene tomorrow. It was my understanding that we would come in at 11 o'clock tomorrow.

Mr. MANSFIELD. If that was the understanding of the minority leader, I ask unanimous consent that when the Senate recesses tonight it recess to meet at 11 o'clock tomorrow morning.

Mr. JAVITS. Mr. President, I object. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. JAVITS. I wish to preserve my rights. The request is that the Senate recess and not adjourn. I should like to move that the Senate adjourn and not recess. My parliamentary inquiry is, Will I be yielding my rights if I consent to the unanimous-consent request?

Mr. MANSFIELD. Mr. President, I believe I can answer the question of the Senator from New York.

I ask unanimous consent that when the Senate completes its business tonight it meet at 11 o'clock tomorrow.

Mr. JAVITS. Reserving the right to object, Mr. President, if that unanimous-consent request is agreed to may I nonetheless move to adjourn the session tonight rather than to recess it, which I understand has priority?

The PRESIDING OFFICER. A motion to adjourn would take precedence.

Mr. JAVITS. Would that motion be made impossible if I consented to the unanimous-consent request as now phrased?

Mr. MANSFIELD. No.

Mr. JAVITS. I am asking the Presiding Officer, if the Senator will allow me to.

The PRESIDING OFFICER. The request in the modified form, in the opinion of the Chair, would not preclude the Senator from making the motion.

Mr. JAVITS. I have no objection.

Mr. MANSFIELD. I renew my request.

Mr. SYMINGTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SYMINGTON. I have a resolution before the Senate. Is it necessary for the Senate to adjourn before the resolution can be taken up? The resolution is lying on the table.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian——

Mr. DIRKSEN. Mr. President, will the Presiding Officer talk a little louder, please.

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the resolution is in its day of introduction and it must wait another legislative day, so if a recess is had the resolution will not be eligible for consideration except by unanimous consent.

Mr. SYMINGTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SYMINGTON. I believe the Presiding Officer answered the question I was about to ask. I can have the resolution considered by unanimous consent; is that correct?

The PRESIDING OFFICER. That is correct.

Mr. MANSFIELD. Mr. President——

Mr. JAVITS. Mr. President, reserving the right to object, I should like to propound two parliamentary inquiries.

Mr. MANSFIELD. Mr. President, I wish to serve notice on the Senate, in view of the statements which have been made by the Senator from New York, that every Member of the Senate should be on notice. Senators have no assurance that there will be no votes tonight. I would suggest all Senators stay on the job, looking after the people's business.

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

Mr. MANSFIELD. I am delighted to yield.

Mr. JAVITS. I shall not object to the unanimous-consent request as so phrased, but I should like to tell my colleagues what this is all about, in a word.

A Senator cannot have a bill read for the second time unless the Senate adjourns. He cannot submit and have seasoned for 1 day a petition to discharge a committee unless the Senate adjourns.

Since I am very serious about the fact that we ought to do something about the proposed civil rights legislation which is elementary, I think now is the time to begin to do something about it. I think the only way we can effectively do it is by finding out whether at the end of the session, as at the beginning, the Senate is or is not interested. Any other procedure would be missing the main point. I am of the mind that we had better get to the main point, to find out how the Senate feels. Then we will all know, instead of going through a lot of curlicue procedural maneuvers which will tell us no more and no less.

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

Mr. MANSFIELD. I yield to the Senator from Arkansas.

COPYING OF CERTAIN EVIDENCE FOR PRESENTATION IN THE CASE OF THE UNITED STATES v. SALLY T. HUCKS ET AL.

Mr. McCLELLAN. Mr. President, I submit a resolution and ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

Mr. JOHNSTON of South Carolina. Mr. President——

Mr. CASE of South Dakota. Mr. President, reserving the right to object, may we have the title read?

Mr. McCLELLAN. I shall be glad to explain the resolution.

Mr. President, the purpose of the resolution is to grant authority to me, as the former chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field, to release certain records and also to appear in court, along with members of the staff, to testify in criminal proceedings growing out of the hearings, now pending in the Federal courts in Washington, D.C.

Mr. CASE of South Dakota. Mr. President, I withdraw my reservation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 382).

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

Mr. MANSFIELD. I yield.

Mr. McCLELLAN. Just a moment.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. MORSE. I am sorry. I thought the resolution had been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution (S. Res. 382) was agreed to, as follows:

Whereas the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations has in its possession, by virtue of Senate Resolution 255, section 5, Eighty-sixth Congress, certain evidence pertaining to an investigation dealing with Sally T. Hucks, Joseph M. Williamson, and Moss Herman, which investigation was conducted by the Senate Select Committee on Improper Activities in the Labor or Management Field under Senate Resolution 44, Eighty-sixth Congress; and

Whereas criminal action is pending in the United States District Court for the District of Columbia against said Sally T. Hucks et al., charging conspiracy to obstruct justice and perjury; and

Whereas the United States Department of Justice has advised that a criminal trial in the aforementioned matter is scheduled to commence October 18, 1960, in the United States District Court for the District of Columbia; and

Whereas the United States Department of Justice has advised that at said criminal trial there will be required the introduction of certain evidence in the possession of the Permanent Subcommittee on Investigations, as well as the testimony of the former chairman of the Senate Select Committee on Improper Activities in the Labor or Management Field, Senator John L. McClellan, and former staff members of said select committee, namely, Robert F. Kennedy, Carmine S. Bellino, Walter R. May, John Constandy, Sherman Willse, Arthur G. Kaplan, Walter J. Sheridan, and Michael McInerney; and

Whereas by the privileges of the Senate no Member or Senate employee is authorized to produce Senate documents but by order of the Senate: Therefore be it

Resolved, That the Permanent Subcommittee on Investigations of the Senate Committee on Government Operations is granted leave to permit the copying and presentation of certain evidence for examination in connection with the aforementioned court case, the evidence thereupon to be returned to the possession of the Permanent Subcommittee on Investigations; and be it further

Resolved, That the former chairman of the said select committee, Senator John L. McClellan, and former staff members of said select committee, Robert F. Kennedy, Carmine S. Bellino, Walter R. May, John Constandy, Sherman Willse, Arthur G. Kaplan, Walter J. Sheridan, and Michael McInerney, are authorized to appear and testify in the above-mentioned proceedings.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I yield to the Senator from Oregon.

Mr. MORSE. I should like to have the attention of the Senator from Montana for a moment. I have been asked by the District of Columbia Committee, and one of the members of the committee, the Senator from Maryland [Mr. BEALL], to get action on two District of Columbia bills which have already been cleared with the leadership on both sides of the aisle. The first is S. 1870, to which there are House amendments which are acceptable. I should like to have those amendments agreed to. The second is S. 3648, another District of Columbia bill which has been cleared on both sides of the aisle, to which there is a House amendment.

Mr. MANSFIELD. Will the Senator read the titles of those bills?

EXAMINATION, LICENSING, REGISTRATION, AND REGULATION OF PROFESSIONAL AND PRACTICAL NURSES

Mr. MORSE. Mr. President, I ask the Presiding Officer to lay before the Senate the amendments of the House of Representatives to S. 1870, which is the nursing bill. The amendments of the House are acceptable. After the amendments have been laid before the Senate, I shall move that the Senate agree to the House amendments.

Mr. MANSFIELD. Mr. President, I move that the pending business be temporarily laid aside and that the request of the Senator from Oregon be granted.

The PRESIDING OFFICER. The Chair is advised that this is a privileged matter.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1870) 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, which were, to strike out all after the enacting clause and insert:

That this Act shall be known and may be cited as the "District of Columbia Practical Nurses' Licensing Act".

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term "Commissioners" means the Commissioners of the District of Columbia sitting as a board or their authorized agent or agents.

(b) The word "person" includes corporations, companies, associations, firms, partnerships, societies, and schools of practical nursing, as well as natural persons.

(c) The word "she" and the derivatives thereof shall be construed to include the word "he" and the derivatives thereof.

(d) The term "school of practical nursing" means a school or institution for the training of practical nurses.

SEC. 3. This Act shall not apply to any person employed in the District of Columbia by the Federal Government or any agency thereof, while such person is acting in the discharge of her official duties.

SEC. 4. Nothing in this Act shall be construed to prevent any person from nursing any other person in the District of Columbia, either gratuitously or for hire: *Provided*, That such person so nursing shall not represent herself as being a licensed practical nurse.

SEC. 5. (a) From and after the effective date of this Act, no person shall, in the District of Columbia, in any manner whatsoever, represent herself to be a licensed practical nurse or allow herself to be so represented unless she is licensed in accordance with the provisions of this Act.

(b) Any person licensed to practice as a licensed practical nurse in the District of Columbia shall have the right to use the title "Licensed Practical Nurse" and the abbreviation "L.P.N.". No other person shall assume such title or use such abbreviation.

SEC. 6. The Commissioners are hereby vested with full power and authority to delegate, from time to time, to their designated agent or agents, any of the functions vested in them by this Act.

SEC. 7. The Commissioners may establish a Practical Nurses' Examining Board to perform any of the functions vested in the Commissioners by this Act, and, if so established, such Board shall be composed of such number of graduate nurses and practical nurses and possessing such qualifications as the Commissioners shall determine: *Provided*, That the graduate nurse members of such Board shall be in the majority; shall be registered under the Act of February 9, 1907, as amended (D.C. Code, sec. 2-401 et seq.); and shall have had at least five years of experience since graduation in the nursing service: *Provided further*, That all practical nurse members of such Board shall, from and after the expiration of ninety days from the effective date of this Act, be licensed under this Act: *And provided further*, That at least two practical nurse members of such Board shall be present at each meeting of the Board. The members of such Board shall serve for such terms and for such compensation as the Commissioners shall determine.

SEC. 8. (a) The Commissioners are authorized to adopt from time to time and prescribe such rules and regulations as may be necessary to enable them to carry into effect the provisions of this Act. The Commissioners shall prescribe minimum curricula and standards for schools and for programs preparing persons for licensure under this Act. They may provide for surveys of such schools and programs at such times as they may deem necessary. They shall accredit such schools and programs as meet the Commissioners' requirements and the requirements of this Act. They shall evaluate and approve programs for affiliation. They shall examine, license, and renew the license of any duly qualified applicant.

(b) The Commissioners may make such studies and investigations, and obtain or require the furnishing of such information under oath or affirmation or otherwise, as they deem necessary or proper to assist them in prescribing any regulation or order under this Act, or in the administration and enforcement of this Act, and regulations and orders thereunder. For such purposes, the Commissioners may administer oaths and affirmations, may require by subpena or otherwise the attendance and testimony of witnesses and the production of documents at any designated place. In the event of contumacy or refusal to obey any such subpena or requirement under this section, the Commissioners may make application to the municipal court for the District of Columbia for an order requiring obedience thereto. Thereupon the court, with or without notice and hearing, as it, in its discretion, may decide, shall make such order as is proper and may punish as a contempt any failure to comply with such order in accordance with the provisions of subsection (c), section 5, of the Act of April 1, 1942 (56 Stat. 193, ch. 207; sec. 11-756(c), D.C. Code, 1951 edition).

SEC. 9. (a) Except as provided in section 10, an applicant for a license to practice as a licensed practical nurse shall submit to the Commissioners written evidence, verified by her oath, that the applicant (1) is at least 18 years of age; (2) is of good moral character; (3) is in good physical and mental health, as certified by a physician licensed to practice in the District of Columbia; (4) has completed at least two years of high school or the equivalent thereof as determined by the Commissioners; and (5) has successfully completed an accredited program for the training of licensed practical nurses approved by the Commissioners, or the equivalent thereof as determined by them. The applicant shall meet such other qualification requirements as the Commissioners may prescribe. Except as otherwise provided in this Act, the applicant shall be required to pass a written examination in such subjects as the Commissioners may determine. Each written examination may be supplemented by an oral or practical examination. If the applicant passes such examinations, the Commissioners shall issue to the applicant a license to practice as a licensed practical nurse if they are satisfied that she possesses the required qualifications.

(b) The Commissioners may issue a license to practice as a licensed practical nurse without examination to any applicant who has been duly licensed or registered as a licensed vocational or practical nurse or a person entitled to perform similar service under a different title, by examination, under the laws of a State, territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, if they are satisfied that the applicant meets the qualifications required of licensed practical nurses in the District of Columbia.

(c) An applicant for a license to practice as a licensed practical nurse shall at the time such application is made pay the required fee for an original license. An application shall be closed and filed as closed and incomplete at the end of a year from the time that the application was received if the applicant has failed to take all steps required of her to obtain a license. In order to reopen an application which has been closed or withdrawn, the applicant shall pay the same fee as is required for an original license.

SEC. 10. Upon receipt of an application, accompanied by the required fee for an original license, the Commissioners shall issue a license to practice as a licensed practical nurse, without written examination, to any person who shall make application therefor prior to the expiration of one year immediately following the effective date of this Act: *Provided*, That (A) the Commissioners find that such person (1) is at least twenty-one years of age; (2) is of good moral character; (3) is in good physical and mental health as certified by a physician licensed to practice in the District of Columbia; (4) has been actively engaged in caring for the sick in the District of Columbia for the year immediately preceding the effective date of this Act; (5) has had three or more years of experience in the case of the sick prior to the effective date of this Act; and (6) has submitted evidence satisfactory to the Commissioners that she is competent to practice as a licensed practical nurse, and (B) either the application is endorsed by two physicians licensed to practice in the District of Columbia who have personal knowledge of the applicant's nursing qualifications and by two persons who have employed the applicant in the capacity of practical nurse, or the applicant is listed on a nurses' registry licensed in the District of Columbia.

SEC. 11. (a) The license of every person licensed under the provisions of this Act shall expire on June 30 of each year and be annually renewed. On or before May 31 of each year, the Commissioners shall mail an application for renewal of license to every person who at the time of such mailing holds a vaild license under this Act. The applicant shall, before the following July 1, complete and execute such application and return the same to the Commissioners with the required renewal fee. Upon receipt of such application and fee, the Commissioners shall verify the accuracy of the application and issue to the applicant a certificate of renewal for the year beginning on such July 1 and expire the following June 30. Any licensee who allows her license to lapse by failing to renew the license as provided above, may be reinstated by the Commissioners by showing cause satisfactory to the Commissioners for such failure and on payment of the required fee.

(b) Any person licensed under the provisions of this Act but not so practicing in the District of Columbia shall give written notice of such fact to the Commissioners. Upon receipt of such notice, the Commissioners shall place the name of such person upon the nonpracticing list. While remaining on such list, the person shall not be subject to the payment of any renewal fee and shall not hold herself out as a licensed practical nurse in the District of Columbia. Application for renewal of license and payment of renewal fee for the current year shall be made to the Commissioners by any such person desiring to resume practice as a licensed practical nurse.

SEC. 12. (a) Any person conducting or desiring to conduct a school of practical nursing may apply to the Commissioners and submit evidence that such person is prepared to give a course of study of not less than twelve months, including clinical experience, and is prepared to meet the standards prescribed by the Commissioners. Each such person shall pay the required fees at the time such application is made. A survey of such school shall be made by the Commissioners. If, in the opinion of the Commissioners, the requirements for an accredited school of practical nursing are met, they shall approve such school as an accredited school for the training of practical nurses.

(b) The Commissioners may, whenever they deem it necessary, survey any accredited school of practical nursing in this District of Columbia. If the Commissioners determine that any accredited school of practical nursing does not meet the standards required by this Act and by the Commissioners, notice thereof in writing specifying the defect or defects shall be given to such school. If the defects are not corrected within a reasonable

time, such school shall, after hearing, be removed from the list of accredited schools of practical nursing.

SEC. 13. (a) The Commissioners are authorized and empowered after public hearing, to determine and from time to time to increase or decrease fees for all services rendered under authority of any provision of this Act, including fees for the following services: (1) For licenses and renewals thereof; (2) for repeat examinations; (3) for the evaluation of each school record of a candidate for admission to a school of practical nursing; (4) for verification of records; (5) for a duplicate license to practice as a licensed practical nurse upon proof acceptable to the Commissioners that the original license has been lost or destroyed; (6) for duplicate certificates of renewal of licenses; (7) for mailing a certificate a second time if no timely notification of change of address has been made; (8) for the proctoring of out-of-State applicants when the examination is held at a time other than the regular examination of the District of Columbia. The Commissioners shall fix such fees in such amounts, as will, in the judgment of the Commissioners, approximate the cost to the District of Columbia of such services.

(b) All moneys collected for fees and charges under this Act shall be paid into the Treasury to the credit of the District of Columbia.

SEC. 14. The Commissioners are authorized and empowered to deny, revoke, or suspend any license, or certificate of renewal of license, issued by the Commissioners or applied for in accordance with the provisions of this Act if the applicant or holder thereof—

(1) has been guilty of fraud or deceit in procuring or attempting to procure any license, or renewal thereof provided for in this Act;

(2) has been convicted of a crime involving moral turpitude;

(3) is an intemperate consumer of intoxicating liquors or is addicted to the use of habit-forming drugs;

(4) has been guilty of unprofessional conduct;

(5) has willfully or repeatedly violated any of the provisions of this Act or rules or regulations promulgated by the Commissioners pursuant to authority contained in this Act; or

(6) is mentally incompetent:

Provided, That said denial, revocation, or suspension shall be made only upon specific charges in writing. A certified copy of any such charge and at least five days' notice of the hearing of the same shall be served upon the holder of or applicant for such license. The Commissioners are hereby authorized to furnish a list of names and addresses of persons to whom licenses, or renewal of licenses, have been denied, revoked, or suspended under this section to the board of examiners of a State, territory, or possession of the United States, the Commonwealth of Puerto Rico, or a foreign country, upon written request of such board.

SEC. 15. Any person aggrieved by any final decision or final order of the Commissioners denying, suspending, or revoking any license, or renewal of license, issued or applied for under this Act may obtain a review thereof in the municipal court of appeals for the District of Columbia, and may seek a review by the United States Court of Appeals for the District of Columbia Circuit of any judgment of the Municipal Court of Appeals entered pursuant to its review of any such decision or order, all in accordance with subsection (f) of section 7 of the Act approved April 1, 1942, as added by the Act approved August 31, 1954 (68 Stat. 1048).

SEC. 16. It shall be unlawful for any person in the District of Columbia to (a) sell or fraudulently obtain or furnish any diploma, license, or record required by this Act, or required by the Commissioners under authority of this Act, or aid or abet in the selling, fraudulently obtaining or furnishing thereof; (b) practice nursing as a licensed practical nurse under cover of any diploma, license, or record required by this Act or required by the Commissioners under authority of this Act, illegally or fraudulently obtained or signed or issued unlawfully or under fradulent representation; (c) use in connection with his or her name any designation tending to imply that he or she is a licensed practical nurse unless licensed so to practice under the provisions of this Act; or (d) practice nursing as a licensed practical nurse during the time his or her license issued under the provisions of this Act shall be suspended or revoked.

SEC. 17. Any person who shall violate any of the provisions of section 5 or 16 of this Act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding $300 or by imprisonment for not more than ninety days.

SEC. 18. (a) Prosecution for violations of any provision of section 5 or 16 of this Act shall be conducted in the name of the District of Columbia in the municipal court for the District of Columbia by the Corporation Counsel or any of his assistants.

(b) It shall be necessary to prove in any prosecution or hearing under this Act only a single act prohibited by law or a single holding out or an attempt without proving a general course of conduct in order to constitute a violation.

SEC. 19. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the remainder of the Act, and the application of such provision to other persons and circumstances, shall not be affected thereby.

SEC. 20. There is hereby authorized to be appropriated out of the revenues of the District of Columbia such sums as may be necessary to pay the expenses of administering and carrying out the purposes of this Act.

SEC. 21. This Act shall take effect one hundred and twenty days after funds are appropriated for the purpose of administering the provisions of this Act.

And to amend the title so as to read: "An act to provide for examination, licensing, and for regulation of practical nurses, and for practical nursing education in the District of Columbia, and for other purposes."

Mr. MORSE. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

Mr. DIRKSEN. Mr. President, do I correctly understand the amendments have been cleared with the minority?

Mr. MORSE. I assure the Senator from Illinois they have been cleared with the leadership on both sides.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter from the Engineer Commissioner, District of Columbia, explaining the bill.

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

AUGUST 25, 1960.

Hon. ALAN BIBLE,
Chairman, Commtitee on the District of Columbia, U.S. Senate, Washington, D.C.

DEAR SENATOR BIBLE: I have just been advised of the action taken by the House District Committee on S. 1870, a bill providing for the examination and licensing of practical nurses and schools of practical nursing in the District of Columbia. The action of the House District Committee amends S. 1870 so as to eliminate all provisions relating to registered nurses and schools of registered nursing, and confines the bill to the licensing of practical nurses and schools of practical nursing in the District of Columbia. It is my understanding that the existing statuate regulating the examination and registration of graduate nurses in the District of Columbia is not in any wise affected by S. 1870, as amended by the House District Committee.

I wish to advise you that I have no objection to the amendments of S. 1870 made by the House District Committee, and recommend that this amended version be reported out favorably by your committee and be passed by the Senate.

Yours very sincerely,

F. J. CLARKE,
Colonel, Corps of Engineers, U.S. Army, Engineering Commissioner, District of Columia.

TRANSFER OF CERTAIN REAL PROPERTY TO DISTRICT OF COLUMBIA REDEVELOPMENT LAND AGENCY

Mr. MORSE. Mr. President, I ask the Presiding Officer to lay before the Senate the amendment of the House of Representatives to S. 3648. I ask that the pending business be temporarily laid aside.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill, S. 3648, to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States, to the District of Columbia Redevelopment Land Agency title to certain real property in said District, which was, to strike out all after the enacting clause and insert:

That subject to the provisions of this Act the Commissioners of the District of Columbia are authorized on behalf of the United States to transfer to the District of Columbia Redevelopment Land Agency established by section 4 of the Act approved August 4, 1946 (60 Stat. 793), as amended (sec. 5-703, D.C. Code, 1951 edition), all right, title, and interest of the United States in and to part or all of certain property in the said District, as follows: The area bounded by the east line of Fourteenth Street Southwest, the existing southerly (or westerly) building line of Maine Avenue Southwest, the northerly line of Fort Lesley J. McNair at P Street Southwest, and the bulkhead line established pursuant to the Rivers and Harbors Act of 1899 (30 Stat. 1151), as amended, together with any land area extending channelward from said bulkhead line.

SEC. 2. The said Commissioners shall, prior to transferring to the Agency right, title, and interest in and to any of the said property described in the preceding section, determining whether such property is necessary to the redevelopment of the southwest section of the District of Columbia in accordance with an urban renewal plan approved by them, and, if they so find, they shall, acting on behalf of the United States, transfer and donate to the Agency all right, title, and interest of the United States in and to so much of said property as they determine is necessary to carry out such urban renewal plan.

SEC. 3. Subject to the provisions of section 5 of this Act, the Commissioners shall, at

the time of transferring to the Agency right, title, and interest in and to any of the property described in the first section hereof, also transfer to the Agency their jurisdiction as provided by the first section of the Act approved March 3, 1899 (30 Stat. 1377, chapter 458; sec. 9–101, D.C. Code, 1951 edition), over so much of the said property as may be so transferred.

SEC. 4. (a) The Agency is hereby authorized, in accordance with the District of Columbia Redevelopment Act of 1945, to lease to a redevelopment company or other lessee such real property as may be transferred to the Agency under the authority of this Act but may not otherwise dispose of such property except to the United States or any department or agency thereof, or to the District of Columbia, in accordance with section 5 of this Act. In the event that real property acquired by the Agency from the United States pursuant to this Act is transferred to the District of Columbia or to any department or agency of the United States pursuant to this section, such transfer shall be without reimbursement or transfer of funds.

(b) In connection with the leasing of the real property transferred to the Agency under the authority of this Act, together with the leasing of any real property lying between such real property so transferred and the southerly or westerly line of Maine Avenue as the same may be relocated in connection with carrying out an urban renewal plan, the Agency is authorized and directed to provide to the owner or owners of any business concern displaced by reason of the enactment of the joint resolution approved August 28, 1958 (72 Stat. 983; Public Law 85–821), from the area described in the first section of this Act, a priority of opportunity to lease, either individually or as a redevelopment company solely owned by the owner or owners of one or more such business concerns, so much of such real property lying channelward of the southerly or westerly line of Maine Avenue as so relocated, at a rental based on the use-value of the real property so leased determined in accordance with the provisions of section 10 of the District of Columbia Redevelopment Act of 1945, as amended (D.C. Code, sec. 5–709), and section 110(c)(4) of the Housing Act of 1949, as amended (70 Stat. 1098; 42 U.S.C. 1460(c)(4)), as may be required for the construction of commercial facilities at least substantially equal to the facilities from which such business concern was so displaced. When the real property affected by the provisions of this subsection becomes available for leasing by the Agency, the Agency shall notify, in writing, the owners of the business concerns displaced by reason of the operation of such joint resolution approved August 28, 1958, as to the availability of such real property for leasing to such owners in accordance with the provisions of this subsection. The Agency shall give such owners so notified a period of one hundred and eighty days to notify the Agency, in writing, of their intention to proceed in accordance with the general development plan of the Agency for the area lying channelward of Maine Avenue, as so relocated, and to demonstrate to the Agency their ability to carry out so much of such plan as may be embraced within the area which they desire to lease. If at the end of such period of one hundred and eighty days, such owners have failed to make a demonstration to that effect which is satisfactory to the Agency, the priority of opportunity provided by this subsection shall no longer continue to be available to such owners.

SEC. 5. Notwithstanding the preceding provisions of this Act, if any of the real property transferred to the Agency under the authority of this Act is not leased by the Agency in accordance with an urban renewal plan approved by the Commissioners, or otherwise disposed of, on or before the date the Housing and Home Finance Administrator makes the final Federal capital grant payment to the Agency for the project pursuant to title I of the Housing Act of 1949, as amended, then the right, title, and interest in and to so much of the said real property as is not so leased or otherwise disposed of by such date shall revert to the United States, subject to the exclusive control and jurisdiction of the Commissioners of the District of Columbia, and subject to the provisions of the Act approved May 20, 1932 (47 Stat. 161; secs. 8–115 and 8–116, D.C. Code, 1951 edition).

SEC. 6. Nothing herein contained shall be construed as requiring the said Commissioners to transfer the right, title, and interest in and to so much of the property described in the first section of this Act as the Commissioners may determine, in their discretion, is required for municipal purposes or is to continue to be owned by the United States under the jurisdiction of the Commissioners, for the benefit of the District of Columbia.

SEC. 7. No transfer or donation of any interest in real property under the authority of this Act shall constitute a local grant-in-aid in connection with any urban renewal project being undertaken with Federal assistance under title I of the Housing Act of 1949, as amended.

SEC. 8. As used in this Act, the terms "Agency", "lessee", "real property", "redevelopment", and "redevelopment company" shall have the respective meanings provided for such terms by section 3 of the District of Columbia Redevelopment Act of 1945, as amended (D.C. Code, sec. 5–702).

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Has the Senate temporarily laid aside the pending business to take up this House amendment?

Mr. MANSFIELD. That is correct.

Mr. MORSE. I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon.

The motion was agreed to.

Mr. MORSE. I thank the Senator from Montana very much.

Mr. MANSFIELD. Mr. President, I yield to the Senator from South Carolina [Mr. JOHNSTON].

THE DOMINICAN REPUBLIC

Mr. JOHNSTON of South Carolina. Mr. President, the Richmond News Leader of Friday, August 26, 1960, contained one of the clearest cut editorials regarding the ridiculous policy of our State Department concerning the Dominican Republic which I have ever read.

The editorial sums up the action of the United States in breaking off relations with the Dominican Republic Government as being a stab in the back by our Government to a friend. The editorial points out that while Rafael Trujillo had been called the Caesar of the Caribbean, it would be a fair epithet to say that this Carribean Caesar now has a Brutus of his own.

I agree with this editorial further when it asks the question: "By what combination of blindness, stupidity, subversion, or misplaced idealism" do we turn our backs upon the anti-Communists and support forces intent upon ousting formerly friendly governments such as that in the Dominican Republic?

The policy of our country in joining forces to condemn the Dominican Republic Government, and then cutting off our diplomatic relations with this country—while we cannot even get a strong chastisement against the government of Fidel Castro, which has seized nearly every piece of American property in that country and embraced Communist Russia and its ideals—borders on one of traitorous nature.

If the efforts of our State Department had been directed originally to prevent Cuba's falling into the hands of Communists instead of needling and picking on the Dominican Republic, we would not be in the shape we now find ourselves.

I commend the Richmond News Leader for this excellent editorial entitled "So We Knife Another Friend," and I ask unanimous consent that this editorial be printed in the body of the RECORD following my remarks.

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

[From the Richmond News Leader, Aug. 26, 1960]

SO WE KNIFE ANOTHER FRIEND

Let it be conceded: Generalissimo Rafael Leonidas Trujillo Molina, commander in chief of the Dominican Republic, is not cast exactly in the mold of Thomas Jefferson. General Trujillo has suppressed political opposition, throttled free speech, jailed his enemies without fair trials and engaged in various intrigues of high and low degree. He is no beauty.

But when that has been said, it remains beyond comprehension why the State Department, the Congress, and the President suddenly have joined in an effort to topple one of the staunchest friends the United States Government has in the Caribbean. How is it possible, with the ominous example of Cuba before our eyes, that our government can duplicate the very blunders that led us to Castro?

Even his severest critics have admitted that General Trujillo has taken great strides in recent years toward the relief of living conditions in the Dominican Republic. Edwin Lieuwen, in his "Arms and Politics in Latin America," credits Trujillo with "a period of political stability and economic progress unparalleled in the history of the republic." In the past few years, "new highways have been built, harbors modernized, powerplants constructed, agriculture diversified, industrialization promoted, schools built, illiteracy reduced, hospitals erected, and disease attacked."

Yet Trujillo today is the target of an organized campaign to overthrow his administration and to cast his country into chaos. In the hills a few miles from the capital city that bears his name, armed rebels, supplied by Communist Cuba, await with itching fingers.

Do we never learn? Do we learn nothing by the overthrow of a Batista in Cuba and the entrance of a Castro? By what combination of blindness, stupidity, subversion or misplaced idealism do we fawn upon Patrice Lumumba of the Congo, and turn our backs upon the anti-Communist Tshombe of Katanga? Who are the forces that would oust Trujillo? Why, they are the leftist dictators of neighboring Latin American countries, as repressive in their own ways as Trujillo is in his.

It is now proposed to take away from the Dominican Republic, so long as Trujillo is in power, a sugar quota of vital importance to this tiny country. Other diplomatic and economic sanctions are to follow. The State Department already has meddled in the Dominican Republic's internal affairs with denunciations of its policies on free press. Yet this same State Department encourages a wide variety of trade with Russia, Poland, and Yugoslavia, and invites Nikita Khrushchev to come sleep at Camp David. What price consistency?

As far back as 1938, a magazine writer described Trujillo as the "Caesar of the Caribbean." It is a fair epithet. Caesar had his Brutus. And Rafael Trujillo has a Brutus of his own in the U.S. Government today.

CIVIL RIGHTS AND THE REPUBLICAN ADMINISTRATION

Mr. KEATING. Mr. President, the question of civil rights is one which is being much discussed and debated throughout the country.

In some quarters it has been charged that the Republican Party has not made the efforts in this field that should have been made.

I believe, Mr. President, that the record of the Republican Party in this field has been one of action—of deeds, not words.

Because of its importance, a compilation of this record is not amiss. Therefore, I ask unanimous consent to have inserted into the RECORD at this point an article entitled "Civil Rights and the Republican Administration," by my distinguished colleague, the senior Senator from New Jersey.

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

CIVIL RIGHTS AND THE REPUBLICAN ADMINISTRATION

(By U.S. Senator CLIFFORD P. CASE, of New Jersey)

This Republican administration has been successful in its progressive sponsorship of the Civil Rights Acts of 1957 and 1960, the first major civil rights legislation in 82 years. These, and the following items, are a matter of record, not just hopeful promises, and they represent accomplishments in all fields of civil rights: education, employment, housing, and the local administration of justice as well as the most important area of voting rights.

SUMMARY OF RECORD IN AREAS OTHER THAN VOTING RIGHTS

1. Created first U.S. Commission on Civil Rights.

2. Created new Assistant Attorney General and Civil Rights Division of Department of Justice.

3. Made "hate" bombings and bomb scares a Federal crime.

4. Provided free public schooling for Armed Forces children when local schools closed due to segregation.

5. Created President's Committee on Government Contracts headed by Vice President NIXON to obtain compliance of Federal contractors to administration policy of free job opportunity.

6. Successfully advocated abolition of segregation in the District of Columbia;

7. Vigorously completed desegregation of Armed Forces and abolition of segregation in schools on military reservations in 1954;

8. Commenced litigation by Attorney General to eliminate segregation on public beaches in Biloxi, Miss., where Federal contract exisited; participated in school desegregation cases; prosecuted local police abuses of the administration of justice.

9. Implemented administration's desegregation policy in federally assisted housing.

10. Desegregated interstate transportation.

11. Implemented desegregation and free job opportunity policies in assisting airport develoment and improvement.

The civil rights record of the Eisenhower administration represents a more progressive series of accomplishments, as opposed to promises, than in any previous Democratic administration, and certainly is not limited only to the important field of voting rights. In the past 3 years alone, the first two Civil Rights Acts in more than 80 years have become law under the sponsorship of the Republican administration. Aside from securing the important right to vote for all qualified citizens regardless of race or color, the Civil Rights Acts of 1957 and 1960 have:

1. Created in 1958 the first U.S. Commission on Civil Rights for the investigation of complaints of discrimination at elections and the study of the denial of equal protection of the law in areas of discrimination. The Commission's report in 1959 and its recommendations was one of the primary causes for the enactment of the Civil Rights Act of 1960.

2. Created a new Assistant Attorney General to head a new Division of the Department of Justice for Civil Rights. The number of Federal attorneys carrying the administration's progressive civil rights policies into the courts has trebled over those earmarked for this purpose under Democratic administrations.

3. Made it a Federal crime to threaten "hate" bombings or execute them or even possess explosives with knowledge or intent that they may be used for such a purpose.

4. Provided for free public schooling for children of members of the Armed Forces, regardless of race or color, where local schools are closed to them.

In addition to these provisions of the 1957 and 1960 Civil Rights Acts which go beyond securing the right to vote, the following achievements of this Republican administration further demonstrate that the Republican Party is the party of progressive action instead of belated progressive talk in the field of civil rights:

5. On August 13, 1953, President Eisenhower established by Executive Order 10479, the President's Committee on Government Contracts, with Vice President NIXON as Chairman. This order established a standard antidiscrimination clause for all Government contracts and authorized the Committee to follow all Federal funds going to private employers under Government contracts in order to obtain compliance with the administration policy of free job opportunity. This committee has investigated almost 1,000 complaints of job discrimination by Government contractors and, on its own initiative, has surveyed several primary employment areas and through its action many employers have increased job opportunities for minorities. The effectiveness of this President's Committee would be far greater if it were not for a Democratic-sponsored amendment to permanent legislation which forces the committee to work through Government agencies rather than directly in its own name.[1] The Republican Party platform for 1960 would remedy this, however, by giving the Committee a statutory basis for its program of nondiscrimination in private employment under Federal contracts.

6. On January 18, 1955, President Eisenhower ordered (Executive Order 10590) the creation of the President's Committee on Employment Policy, which is the first committee created for the enforcement of nondiscrimination in Federal employment which reports directly to the President. The administration's policy of free job opportunity is stated clearly in this Executive order. Surveys conducted in 1956 indicated that approximately one-fourth of our Federal employees were Negroes and preliminary figures in a resurvey being concluded now indicate improvements in the upgrading of Negro Federal employees as well.

7. When the administration took office on January 20, 1953, in the Capital of the world's greatest democracy, a Negro could not be served in white restaurants; he could not sleep in white hotels; and he could not sit with whites in many motion picture theaters. Action by the administration helped bring this disgrace to an end.

8. Vigorous executive action brought to completion the elimination of segregation in the Armed Forces and abolished segregation which remained untouched among civilian employees of Navy yards and in veterans' hospitals.

9. The Republican administration has provided the Justice Department with a progressive Attorney General in the field of civil rights. Confirmation of the appointment of the Assistant Attorney General for the Civil Rights Division has been held up for approximately 6 months by the Democratically controlled Constitutional Rights Subcommittee of the Senate Judiciary Committee to which all civil rights matters go, which is headed by Senator EASTLAND, Democrat of Mississippi, the most outspoken segregationist in the Senate. Nevertheless, the Attorney General has been vigorous in his support of all litigation to safeguard individual equal protection of the laws as well as voting rights. Federal court action, for instance, has been instituted to stop segregation of the public beaches in Biloxi, Miss., on the basis of a Federal contract under which the beach was constructed, and the Attorney General participated in many school desegregation cases as a friend of the court. Since 1957, 23 State police officers have been prosecuted by the Justice Department for violations of the constitutional rights of prisoners, and 14 are presently on trial for such abuses in a Federal court in Florida.

10. The Housing and Home Finance Agency, which is responsible for the principal housing programs and functions of the administration, such as urban renewal, slum clearance, public housing and home mortgage loan insurance, has refused since 1957 to approve or insure projects of builders who have been found to have violated local housing antidiscrimination laws. On August 14, 1959, HHFA Administrator Norman Mason announced that certification of future insurance of mortgages on low-cost homes for families from urban renewal areas would disregard the racial quota system used in the past. This enables all eligible displaced families to purchase or rent section 221 housing, irrespective of their race, and without allocation or quotas by color. The HHFA has also established a new requirement for an intergroup relations officer for urban renewal in each regional office of HHFA and in February 1960 announced that, before any locality can qualify for urban renewal benefits, it must establish a Citizens Advisory Committee to deal fairly with racial minority problems.

11. The Interstate Commerce Commission, in accordance with the progressive civil rights policy of the Republican administration, outlawed segregated passenger coaches and terminal facilities for Negro interstate passengers on November 7, 1955, in a historic ruling ending the "separate but equal" principle in interstate transportation subject to the Commission's jurisdiction. They also have received and investigated about 100 complaints of discrimination in interstate commerce in the last 8 years, 60 of which were handled in the last 2½ years.

[1] Russell amendment to sec. 213 of 58 Stat. 337.

12. The Federal Aviation Agency has issued a regulation, under its grant-in-aid program for airport development and improvement, that no Federal funds shall be available for participation in the development of terminals if such facilities are designated for use now, or in the future, on a segregated basis. The FAA has most recently begun to require localities contracting for airport development with Federal grant money to insert a nondiscrimination clause covering all jobs created by such contracts.

SALARY INCREASES FOR MEMBERS OF POLICE, FIRE DEPARTMENT, OF THE DISTRICT OF COLUMBIA, THE PARK POLICE, AND THE WHITE HOUSE POLICE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business be laid aside and that the Senate proceed to the consideration of Calendar No. 1916, Senate bill 3713.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A 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.

Mr. JAVITS. Mr. President, reserving the right to object, may I ask if the request is for unanimous consent or on motion?

The PRESIDING OFFICER. The Senator is asking unanimous consent that the unfinished business be temporarily laid aside.

Mr. JAVITS. May I ask the Senator a question under my reservation of objection. I wish to be recognized in order to pursue very briefly, in order to make the RECORD, the matter of adjournment and recessing. A number of Senators are interested in what we shall do. I shall do so some time this evening. I am perfectly happy to do it now, for it will save the time of Senators, who I know are interested in what I am about to do. I submit that to the leader, so at the earliest time that suits his convenience the way be cleared for getting that permission. Of course, I have no objection to the consideration of the bill.

Mr. MANSFIELD. Mr. President, I appreciate the courtesy of the Senator from New York. He, of course, has the right to be recognized under the bill, but I express the hope that he would allow us to consider and act upon three or four relatively noncontroversial bills.

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

Mr. MANSFIELD. I yield.

Mr. JAVITS. I say that only in the interest of the convenience of Senators. I know there are a number of Senators who are very much interested and who will have to remain here until that time comes. I am willing to submit it to the Senator.

The PRESIDING OFFICER. Is there objection to the present consideration of Senate bill 3713?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the District of Columbia, with amendments on page 1, line 3, after the word "Columbia", to insert "or of the United States"; at the top of page 2, to insert a new section, as follows:

SEC. 2. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the District of Columbia or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this Act who retired during the period beginning on the day following the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act for services rendered during such period and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act by any such employee who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

At the top of page 3, to insert a new section, as follows:

SEC. 3. For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, as amended, all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of enactment of this Act.

And at the beginning of line 7, to change the section number from "2" to "4", and in line 8, after the word "the", to insert "first day of the"; 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 each employee of the District of Columbia or of the United States whose salary is fixed and regulated by the District of Columbia Police and Firemen's Salary Act of 1958 (72 Stat. 480) shall receive, in addition to the compensation provided by such Act, compensation at the rate of 7.5 per centum of the basic compensation provided by such Act.

SEC. 2. (a) Retroactive compensation or salary shall be paid by reason of this Act only in the case of an individual in the service of the District of Columbia or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this Act who retired during the period beginning on the day following the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act for services rendered during such period and (2) in accordance with the provisions of the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended, for services rendered during the period beginning on the first day of the first pay period which began on or after July 1, 1960, and ending on the date of enactment of this Act by any such employee who dies during such period.

(b) For the purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

SEC. 3. For the purpose of determining the amount of insurance for which an individual is eligible under the Federal Employees' Group Life Insurance Act of 1954, as amended, all changes in rates of compensation or salary which result from the enactment of this Act shall be held and considered to be effective as of the date of enactment of this Act.

SEC. 4. The provisions of this Act shall become effective on the first day of the first pay period beginning after July 1, 1960.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments. Without objection, the amendments are agreed to.

Mr. BRIDGES. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from New Hampshire will be stated.

The LEGISLATIVE CLERK. On page 3 after line 9 it is proposed to insert the following:

SEC. 5. Any person who shall retire for age after serving at least thirty years as Director of the Federal Bureau of Investigation shall receive an annuity during the remainder of his life equal to the salary payable to him at the time of his retirement.

Mr. BRIDGES. Mr. President, the purpose of this amendment is very simple. It is to afford a measure of recognition to FBI Director J. Edgar Hoover for a lifetime dedicated to the welfare of this country. This amendment would permit Director Hoover to retire at full salary at such time as he elects to do so.

There is a precedent for this amendment inasmuch as Congress enacted a similar provision for Mr. Lindsay Warren when he was Comptroller General of the United States. I believe, in consideration of the outstanding contributions of this great American during the more than 30 years he has served as FBI Director, it is fitting that we pay tribute to him in this manner.

Mr. Hoover's noteworthy record as head of the FBI is too well known for me to take the time now for a review of his many accomplishments. I should make it decidedly clear, however, that he does not contemplate retirement at this time. Our country needs his valuable service and I sincerely hope that he will continue as head of the Bureau for many years.

I earnestly feel that we should accord him this token of our appreciation and I recommend that my amendment be adopted.

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

Mr. BRIDGES. I yield.

Mr. CASE of South Dakota. There is precedent in that Lindsay Warren was authorized to receive the pay after his

retirement equal to that which he received while he was occupying the position of Comptroller General, but the precedent rests in that fact rather upon 30 years of service. Lindsay Warren had a distinguished career in Government service, but he was not Comptroller General for 30 years.

Mr. BRIDGES. The amendment applies the test of 30 years of service to this one office, and it will be a long time—probably none of us will be around—when the law will have to be applied again. I think it is a good amendment. I think Mr. Hoover's outstanding record warrants its adoption.

Mr. FREAR. Mr. President, I should like to say that the remarks of the Senator from New Hampshire are certainly worthy. I concur in all that he said, and I would like to add whatever emphasis I can to his statement, for certainly J. Edgar Hoover is cherished by all Americans and deserves this consideration. I understand that the House will concur in the amendment if the Senate accepts and passes it.

Mr. BRIDGES. I understand that if the Senate agrees to the amendment, the House will gladly accept and concur in it.

Mr. LAUSCHE. Mr. President, I wish to direct some remarks to the amendment offered by the Senator from New Hampshire. I hold J. Edgar Hoover in the highest respect. I value deeply the services he has performed. However, I am obliged to say that regardless of his patriotism and the righteousness of what he has done, we would embark upon a program that would likely rise to plague us. The amendment contemplates allowing him in his retirement to draw the same salary that he is drawing while he is working. I have seen States in which liberal retirement pay and pensions have been allowed. They begin innocuously. It is contended that they will not become a precedent. But I cannot bring myself to the conviction that there is anyone who serves the Government who ought to be permitted to retire and to receive the same pay that he did while he was working.

Mr. BRIDGES. I point out to the distinguished Senator that Justices of the Supreme Court of the United States, circuit and district judges of the U.S. courts, five-star generals, and admirals all receive the same pay after retirement.

Mr. LAUSCHE. The argument of the Senator from New Hampshire is what may be called begging the question. The fact that others are receiving the same pay does not constitute an argument that the principle is sound.

Mr. BRIDGES. I agree. However, the Senator said we would be establishing a new principle by adopting the amendment, or setting a new precedent. My response answers in part that argument.

Mr. LAUSCHE. My argument was predicated on what was said by the Senator from South Dakota, when he said that there had been a precedent established for the receiving of full pay. Would I dare ask, after 30 years of service in the Senate, that I be paid my full salary? Pensions are contemplated on the principle that they make possible a reasonably comfortable life. They should not be intended to create for the recipient a basis upon which they would be a luxury, rather than the means to the enjoyment of a reasonably comfortable life. I cannot see my way clear, in spite of my high regard for J. Edgar Hoover, to subscribe to this program. Moreover, I do not believe he would. I object to any consent approval of the amendment.

Mr. FREAR. Under the present situation, I assume the Senate will have to vote on accepting the amendment. I move that the amendment be agreed to.

The PRESIDING OFFICER (Mr. CANNON in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FREAR. Mr. President, have the committee amendments been agreed to?

The PRESIDING OFFICER. Yes. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I voted against the original salary increase bill, but nevertheless the bill was passed. We have set the precedent. Now, it is no more than right that we extend to these employees the same principle that we have extended to others. However, if we are going to raise salaries, we should be willing to provide the money to pay for the cost.

We all know there is much more enthusiasm in the granting of salary increases than in voting for the necessary taxes to pay for them. Therefore, I am sending to the desk an amendment which is the text of H.R. 10346, a revenue-producing measure requested by the District of Columbia. I ask that the amendment be read, and I ask for the yeas and nays.

Mr. JAVITS. May we first hear the amendment read?

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed—

That (a) section 125 of the District of Columbia Sales Tax Act (D.C. Code 47-2602) is amended by striking out "2 per centum" and by inserting in lieu thereof "3 per centum".

(b) Subsection (a) of section 127 of such Act (D.C. Code 47-2604(a)) is amended to read as follows:

"(a) On each sale, other than sales of food for human consumption off the premises where such food is sold, and other than sales or charges for rooms, lodgings, or accommodations furnished to transients, such amounts as may be prescribed by the Board of Commissioners of the District of Columbia to carry out the purposes of this section."

SEC. 2. Section 212 of the District of Columbia Use Tax Act (D.C. Code 47-2702) is amended by striking out "2 per centum" and inserting in lieu thereof "3 per centum".

SEC. 3. The amendments made by the first two sections of this Act shall take effect on the first day of the first month which begins more than sixty days after the date of enactment of this Act. From and after the effective date of such amendments, all references in the District of Columbia Use Tax Act to sections 125 and 127 of the District of Columbia Sales Tax Act shall be deemed to be references to such sections 125 and 127, as amended by the first section of this Act.

Mr. WILLIAMS of Delaware. As I said before, I am offering the amendment because I believe the two proposals should be considered together. I will support not only the amendment but also the bill if the amendment is adopted. I ask for the yeas and nays.

Mr. MANSFIELD. Mr. President, will the Senator yield first before he requests the yeas and nays?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. I invite the Senator's attention to the fact that there is a separate measure on the calendar seeking to do what the Senator wants to do. I point out that the proposed salary increase, as the Senator has pointed out, is in line with increases which have already been granted to Federal employees, extending from Post Office employees on up. I am afraid that if we consider it on the proposed basis, it may bring about prolonged debate; whereas if it is considered as a sales tax proposal, we can accomplish a great deal more.

Mr. WILLIAMS of Delaware. If the leader wants to take up the revenue producing measure first, I will be glad to cooperate. That is the procedure which I think should be followed. I ask for the yeas and nays on the amendment. There will be no prolonged debate so far as I am concerned. I am ready to vote.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. CASE of South Dakota. Is the bill we are considering Calendar No. 1916, S. 3713?

The PRESIDING OFFICER. The Senator is correct.

Mr. CASE of South Dakota. Any amendment to increase the sales tax would be a revenue measure and would be deemed unconstitutional if attached to S. 3713, which is a Senate bill.

Mr. WILLIAMS of Delaware. We need not be bothered about that if this bill is approved it will be substituted for the language of the companion House bill that is also on the calendar. Then it will be constitutional. We have no rule of germaneness in the Senate. The final bill approved here will be a House bill. Again I ask for the yeas and nays.

Mr. MANSFIELD. Before the Senator does that, I should like to make a request of him. Would he consent to postponing consideration of the pending measure until later in the evening, so that we may get other proposed legislation considered and passed, and then come back to the consideration of the pending measure?

Mr. WILLIAMS of Delaware. It is entirely up to the majority leader whether we act now or later. Any procedure you wish is agreeable to me. I will certainly cooperate with him. First, I ask for the yeas and nays, so that we will be on notice when we come back that there will be a vote.

Mr. MANSFIELD. I withdraw my request.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Would the ordering of the yeas and nays affect in any way a motion to lay the amendment on the table?

The PRESIDING OFFICER. No; a motion can be offered even though the yeas and nays have been ordered.

Mr. MORSE. A motion to lay on the table would be in order?

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. Mr. President, I request the yeas and nays.

The yeas and nays were not ordered.

Mr. WILLIAMS of Delaware. 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. MORSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection——

Mr. DWORSHAK. Mr. President, what was the request?

The PRESIDING OFFICER. That the order for the quorum call be rescinded.

Mr. DWORSHAK. Reserving the right to object, we stayed here Saturday night——

The PRESIDING OFFICER. The Senator cannot reserve the right to object.

Mr. DWORSHAK. I object.

The PRESIDING OFFICER. Objection is heard.

The legislative clerk resumed the call of the roll.

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

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

Mr. WILLIAMS of Delaware. Mr. President, on my amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MORSE. Mr. President, I move that the amendment of the Senator from Delaware be laid on the table.

Mr. WILLIAMS of Delaware. Mr. President, on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon to lay on the table the amendment of the Senator from Delaware. The yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennesee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Hawaii [Mr. LONG], the Senator from Oregon [Mr. LUSK], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY] the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], the Senator from Mississippi [Mr. STENNIS] and the Senator from Missouri [Mr. SYMINGTON] are absent on official business.

The Senator from Missouri [Mr. HENNINGS] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Tennessee [Mr. GORE], the Senator from Alaska [Mr. GRUENING], the Senator from Indiana [Mr. HARTKE], the Senator from Arizona [Mr. HAYDEN], the Senator from Alabama [Mr. HILL], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from Hawaii [Mr. LONG], the Senator from Minnesota [Mr. MCCARTHY], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Florida [Mr. SMATHERS], the Senator from Mississippi [Mr. STENNIS], and the Senators from Missouri [Mr. HENNINGS and Mr. SYMINGTON] would each vote "yea."

Mr. KUCHEL. I announce that the Senator from Iowa [Mr. MARTIN] is absent by leave of the Senate on official business.

The Senator from Connecticut [Mr. BUSH], the Senator from Hawaii [Mr. FONG], the Senator from Arizona [Mr. GOLDWATER], the Senator from Kentucky [Mr. MARTIN], and the Senator from Massachusetts [Mr. SALTONSTALL] are detained on official business.

The result was announced—yeas 50, nays 21, as follows:

[No. 319]

YEAS—50

Allott	Engle	McGee
Anderson	Ervin	McNamara
Bartlett	Frear	Magnuson
Beall	Green	Mansfield
Bible	Hart	Morse
Burdick	Holland	Moss
Butler	Jackson	Muskie
Byrd, W. Va.	Javits	Pastore
Cannon	Johnson, Tex.	Prouty
Capehart	Johnston, S.C.	Proxmire
Carroll	Jordan	Randolph
Case, N. J.	Keating	Robertson
Church	Kennedy	Sparkman
Clark	Kuchel	Williams, N.J.
Cooper	Lausche	Yarborough
Dodd	Long, La.	Young, Ohio
Ellender	McClellan	

NAYS—21

Aiken	Dirksen	Scott
Bennett	Dworshak	Smith
Bridges	Hickenlooper	Talmadge
Carlson	Hruska	Thurmond
Case, S. Dak.	Mundt	Wiley
Cotton	Russell	Williams, Del.
Curtis	Schoeppel	Young, N. Dak.

NOT VOTING—29

Bush	Hartke	Martin
Byrd, Va.	Hayden	Monroney
Chavez	Hennings	Morton
Douglas	Hill	Murray
Eastland	Humphrey	O'Mahoney
Fong	Kefauver	Saltonstall
Fulbright	Kerr	Smathers
Goldwater	Long, Hawaii	Stennis
Gore	Lusk	Symington
Gruening	McCarthy	

So the motion to lay the amendment of Mr. WILLIAMS of Delaware on the table was agreed to.

Mr. MORSE. Mr. President, I move that the Senate reconsider the vote by which the motion to lay the amendment on the table was agreed to.

Mr. JOHNSON of Texas. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President——

The PRESIDING OFFICER. The Senator from Delaware.

Mr. JAVITS. Mr. President——

The PRESIDING OFFICER. The Senator from New York.

RESOLUTION TO DISCHARGE JUDICIARY COMMITTEE FROM FURTHER CONSIDERATION OF S. 958, TO ASSIST IN MEETING COSTS OF SPECIAL PROFESSIONAL SERVICES NEEDED IN CARRYING OUT PUBLIC SCHOOL DESEGREGATION PROGRAMS

Mr. JAVITS. Mr. President, I send to the desk a resolution for which I request immediate consideration. As part of my unanimous-consent request——

Mr. JOHNSON of Texas. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from New York has the floor.

Mr. JOHNSON of Texas. I thought the Senator from Delaware was recognized.

Mr. WILLIAMS of Delaware. No.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution, as follows:

Resolved, That the Senate Committee on the Judiciary be, and hereby is, discharged from further consideration of the bill (S. 958) to assist in meeting the costs of special professional services needed in carrying out public school desegregation programs, and for other purposes.

Mr. JAVITS. Mr. President, I withdraw that request for a moment, and would just like to be recognized for a minute.

This bill has been pending before the Judiciary Committee since April 10, 1959. It was submitted by the Senator from Illinois [Mr. DIRKSEN], on behalf of himself, the Senator from New York [Mr. KEATING], the Senator from Massachusetts [Mr. SALTONSTALL], myself, the Senator from Connecticut [Mr. BUSH], the Senator from Colorado [Mr. ALLOTT], the Senator from Maryland [Mr. BEALL], the Senator from Kansas [Mr. CARLSON], the Senator from New Jersey [Mr. CASE], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Kentucky [Mr. COOPER]. It is one of the two measures which the President has urged upon us as having been fully debated and as being the very minimal earnest in respect of civil rights upon which we should do something before we go home. It relates to the giving of some financial assistance and technical assistance to school districts wanting to desegregate. They seek to do that

themselves, and ask for the assistance of the United States.

I also point out that we are just at the beginning of the school season; and if we go home without doing anything about this, that horse will be out of the barn by the time we return.

Now I ask unanimous consent that the discharge resolution which I have just sent to the desk may be immediately considered.

The PRESIDING OFFICER. Is there objection?

Mr. RUSSELL. Mr. President, of course there is objection. This is very palpably just a political move on the eve of the adjournment of Congress; and I object.

Mr. JAVITS. Mr. President, I have another request: I ask unanimous consent that the resolution for the discharge of the committee, which I have presented, may go on the calendar.

Mr. RUSSELL. Mr. President, I likewise object to that unanimous-consent request.

The PRESIDING OFFICER. The resolution will go over 1 day, under the rule.

Mr. JAVITS. I thank my colleague.

SALARY INCREASES FOR MEMBERS OF POLICE, FIRE DEPARTMENT, OF THE DISTRICT OF COLUMBIA, THE PARK POLICE, AND THE WHITE HOUSE POLICE

The Senate resumed the consideration of 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.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. WILLIAMS of Delaware. Mr. President, I shall not delay the Senate on this bill.

This bill provides for salary increases for the firemen and policemen of the District of Columbia and its cost is estimated at $2,381,450. The bill to raise salaries for teachers in the District which immediately follows this bill will cost $2,600,000 or a total additional cost of about $5 million. If we are going to vote these salary increases, the Senate has the responsibility to provide the necessary revenue.

If we are not going to provide the revenue, let us stop spending the money. This bill, if enacted, would cost $2,381,000 to the District of Columbia. The next bill, which will come up immediately following, is one which would increase salaries for teachers in the District of Columbia, and will cost $2,600,000. Together, we are increasing the cost of running the District of Columbia by approximately $5 million.

The proposal which the Senate has just rejected, and which I offered as an amendment, would have provided additional revenues for the District of Columbia in the amount of $5½ million, and would have financed the salary increases which the Senate seems so enthusiastic to vote for.

I think the Senate will be negligent in its responsibilities if it enacts the salary increases without providing the necessary revenue. Let us not kid ourselves; every Senator knows the ultimate fate of the proposal to raise the revenue. We all know there is a threatened filibuster against the revenue producing measure and a considerable lack of enthusiasm to vote for the bill.

I think this is another illustration of fiscal irresponsibility, in not providing the money at a time when we vote to spend it. Either these bills should have been brought up together, or the bill providing for revenue should have been brought up for consideration first.

Apparently we are willing to spend $5 million on the eve of a political election to raise salaries, but do not have the nerve to provide the revenues until after the election. It is being argued that the unpopular part of this proposal can be postponed until next year.

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

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, I want to say I have no desire to curry any favor with the policemen or firemen of the District of Columbia. None of them can vote for me. But they have a pretty tough job in the District of Columbia, because of the multiple problems involved. I think if Government employees, from postal employees on up, are entitled to a 7½-percent increase in their pay, then the policemen and firemen are entitled to it just as much. It is not a question of currying favor; it is a question of doing justice where justice is due. So I hope the bill will be passed.

Mr. FREAR. Mr. President——

Mr. WILLIAMS of Delaware. Mr. President, who has the floor?

The PRESIDING OFFICER. The Senator from Delaware.

Mr. WILLIAMS of Delaware. There are two of us. Which one has been recognized?

The PRESIDING OFFICER. The junior Senator from Delaware has the floor.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry. When has the senior Senator from Delaware been taken off the floor?

The PRESIDING OFFICER. The Chair has recognized the junior Senator from Delaware.

Mr. HICKENLOOPER. Mr. President, a parliamentary inquiry. The senior Senator from Delaware did not relinquish the floor. He was still on the floor. How can the Chair take him off the floor when he has not yielded?

Mr. WILLIAMS of Delaware. I had yielded to the Senator from Montana. It is all right. I can yield to the Senator from Ohio a little while later.

Mr. FREAR. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FREAR. Who has the floor?

The PRESIDING OFFICER. The junior Senator from Delaware has the floor.

Mr. FREAR. Mr. President, I respect the opinion of my senior colleague and fully recognize what revenues it is anticipated would come in under the bill. I concur in his opinion, and also recognize that the salaries for the policemen and firemen are an expense of the people of the country and of the District of Columbia. I think we ought to protect both of them. If they walk in the streets of Washington at night and are unprotected, who is going to be responsible? We have had case after case in the District of Columbia of crimes because we have lacked policemen.

The chief of police now says that even with what he has today he cannot get policemen to do the job. If we are not going to give them the increase when we recognize they need it, then I do not know how we can expect to control crime in the District of Columbia. I believe we ought to pay for the salary increases, and I think the sales tax is the way to do it. It may be that we should couple both bills together. Perhaps that is the way to do it. Unfortunately, thus far, the committee has not seen fit to do it that way.

I respect my senior colleague very much and I want to have the sales tax, and I will vote for the sales tax; but I do not think we should deny a salary increase to the policemen and firemen of the District of Columbia if we do not get the sales tax.

I cannot get any policemen in the District of Columbia to vote for me. If there was anything to that, I would surely try, but I recognize this measure is for the protection of the citizens of the District of Columbia, as well as visitors to the District of Columbia.

In conclusion, I wish to say that I presented a bill to increase the sales tax, and I surely hope it can be passed. I recognize what the senior Senator from Delaware has said.

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

Mr. FREAR. I yield to the Senator from Ohio.

Mr. LAUSCHE. Is the Senator from Delaware able to state when the last pay increase was granted?

Mr. FREAR. In 1958.

Mr. LAUSCHE. What was the percentage of increase granted in 1958?

Mr. FREAR. It was 13.2 percent.

Mr. LAUSCHE. When the 13.2 percent was granted in 1958, was it for the purpose of bringing salaries in the District up to a level corresponding to those in other areas?

Mr. FREAR. In some categories the salaries in the District of Columbia may be higher than what they are in other cities; but also, salaries are higher for some police and firemen in some other cities than they are in the District. The District of Columbia does not have the highest paid constabulary in the country.

Mr. LAUSCHE. So that since 1958 there will be an increase of 22 percent—13½ percent in 1958 and 7½ percent this year. Is that correct?

Mr. FREAR. I am sure the Senator's arithmetic is accurate.

Mr. LAUSCHE. What is the starting salary of a patrolman now?

Mr. FREAR. It is $4,800 per annum.

Mr. LAUSCHE. What is the progression of increase that they have? Is a regular increment added each year or every second year?

Mr. FREAR. Does the Senator have a report on this bill?

Mr. LAUSCHE. No; I do not.

Mr. FREAR. There is one available, and the scale is set forth in the report.

Mr. LAUSCHE. If it is set forth in the report, very well.

May I ask when prior to 1958 the last increase was granted?

Mr. FREAR. If my memory is correct, I think it was in 1955.

Mr. LAUSCHE. Does the report show it?

Mr. FREAR. The report does not show it. I think it was in 1955.

Mr. LAUSCHE. The Senator from Delaware has said this information is all contained in the report. I am sure he understands that in the haste in which we are acting it is absolutely impossible to make studies of reports.

Mr. FREAR. I recognize that, but the report has been available for several days.

Mr. LAUSCHE. There has been a lot of other pressing work.

Mr. FREAR. Absolutely. I will say to the Senator from Ohio that he is one who stays on the floor and takes an interest in the work of the Senate and reads all the reports he can; and I give him credit for it.

Mr. LAUSCHE. I thank the Senator from Delaware very much, and I return the compliment to him.

This pay increase contemplates taking care of the police, the firemen, and the schoolteachers?

Mr. FREAR. No; the police and firemen. We added an amendment to take care of the Director of the FBI.

Mr. LAUSCHE. In the contemplation of the granting of the pay increase, was it not considered that we would concomitantly provide the revenues which would be required to meet the new obligation?

Mr. FREAR. The junior Senator from Delware reported a bill, which passed the committee and is on the Senate Calendar, to increase the sales tax in certain sales made in the District of Columbia, which bill would provide revenues.

Mr. LAUSCHE. It was the purpose to provide the revenues with which to meet the added cost; is that correct?

Mr. FREAR. The bills were not joined. The cost as determined by the Commissioners with respect to this bill is approximately $2.2 million, with an additional cost of $180,000 to the U.S. Government. The anticipated income from the sales tax would be in excess of $5.5 million.

Mr. LAUSCHE. I know the Senator from Delaware does not subscribe to this principle which I shall now declare——

Mr. FREAR. The Senator from Ohio does not know.

Mr. LAUSCHE. In passing the bill without providing the revenues, we are following the well-established precedent, "Spend, but do not tax."

Mr. FREAR. We have a taxing program, I advise the Senator from Ohio. I will further state that there is a sufficient amount of revenue in the District of Columbia to carry this program without the addition of the sales tax until the first of the year.

I certainly concur in what the Senator from Ohio has said. I believe in the sales tax. I think it ought to be passed. I think the revenue ought to go into the District of Columbia treasury. I also think the police, firemen, and teachers should get an increase in salary.

Mr. LAUSCHE. If I had any doubts about the way I ought to vote, knowing the type of "pennypincher" the Senator from Delaware is, I must subscribe to what he said.

Mr. FREAR. I thank the Senator.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3713) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. FREAR. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of——

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry.

Mr. FREAR. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. WILLIAMS of Delaware. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

Mr. FREAR. Mr. President, I ask unanimous consent that there be substituted the language of the bill just passed for H.R. 13053, Calendar No. 1994, and that action on the Senate bill be indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

Mr. WILLIAMS of Delaware. Mr. President, a parliamentary inquiry, reserving the right to object.

Is that in order, in view of the fact that the bill has been passed.

The PRESIDING OFFICER. The Chair is unable to hear the Senator.

Mr. WILLIAMS of Delaware. Should not the substitution have been made prior to the passage of the bill?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that it would be in order to take up the House bill on that same subject.

Mr. WILLIAMS of Delaware. The language could be substituted, even though the bill has been passed, the motion to reconsider made, and the motion laid on the table. Could the language be substituted after that?

The PRESIDING OFFICER. The Parliamentarian advises the Chair that any language may be substituted for the language of the House bill, if the House bill is considered.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry——

Mr. WILLIAMS of Delaware. First, it is necessary to make a motion to consider the House bill. That is the point.

The PRESIDING OFFICER. The Senator is correct.

Mr. WILLIAMS of Delaware. It is necessary first to make a motion that the House bill be considered.

The PRESIDING OFFICER. That is correct.

Mr. WILLIAMS of Delaware. A further parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WILLIAMS of Delaware. After the bill has been taken up by motion, the bill will be subject to amendment?

Mr. JOHNSON of Texas. Surely. All after the enacting clause could be striken, and the Senate language could be substituted in lieu thereof.

Mr. WILLIAMS of Delaware. Yes; but the bill would also be open to amendment.

The PRESIDING OFFICER. The Senator is correct.

Is there objection to the present consideration of Calendar No. 1994, H.R. 13053?

Mr. WILLIAMS of Delaware. I object.

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1994.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 13053) 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.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 13053) 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.

Mr. JOHNSON of Texas. Mr. President, I move that all language after the enacting clause in H.R. 13053 be stricken and that the language of the Senate bill, S. 3713, as amended, be substituted in lieu thereof.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (H.R. 13053) was passed.

Mr. JOHNSON of Texas. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

Mr. FREAR. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

AMENDMENT OF DISTRICT OF COLUMBIA TEACHERS SALARY ACT OF 1955, AS AMENDED

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1993, H.R. 12993.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 12993) to amend the District of Columbia Teachers Salary Act of 1955, as amended.

The PRESIDING OFFICER. Is there objection?

Mr. CASE of South Dakota. Mr. President, reserving the right to object——

Mr. JOHNSON of Texas. Mr. President, I moved that the Senate proceed to consider the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

ORDER OF BUSINESS

Mr. CASE of South Dakota and Mr. JOHNSON of Texas addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, I yield to the Senator from South Dakota.

Mr. CASE of South Dakota. Mr. President, I wish to be recognized on the bill. I get a little tired of being yielded to.

Mr. JOHNSON of Texas. I simply intended to make the bill, H.R. 12993, the unfinished business tonight.

Mr. CASE of South Dakota. Mr. President, once in a while other Members of the Senate would like to be recognized in their own right, and not be recognized under the sufferance of the majority leader. The Senator from South Dakota rarely asks for recognition.

Mr. JOHNSON of Texas. I yield to the Senator.

Mr. CASE of South Dakota. The Senator is going to be recognized in his own right and not under the sufferance of the distinguished majority leader.

Mr. JOHNSON of Texas. Mr. President, the majority leader does not intend to yield the floor. The majority leader is prepared to make a motion to recess, in accordance with his understanding with the minority leader some time ago. I shall be glad to yield to the Senator if he wishes to make a statement.

This bill is to be the unfinished business for tomorrow. We do not expect to pass other bills this evening. I shall be glad to yield to the Senator if he desires to speak at this time, or I shall make the motion to recess.

Mr. CASE of South Dakota. If the Senator from South Dakota cannot be recognized in his own right tonight, he will wait until he can be recognized, when he can talk.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. JOHNSON of Texas. I yield.

Mr. President, I ask unanimous consent that I may yield to the Senator from Delaware without losing my right to the floor.

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

FIGHTING FOR FREEDOM—AT HOME AND ABROAD—ADDRESS BY SENATOR BRIDGES

Mr. WILLIAMS of Delaware. Mr. President, a recent address by the distinguished senior Senator from New Hampshire [Mr. BRIDGES] documents the importance of fiscal responsibility. While this speech by the Senator from New Hampshire [Mr. BRIDGES] is not political in the ordinary sense, its message is especially timely as a reminder that "there is no magic formula that will solve the domestic problems confronting our Nation. They cannot be solved by political drumbeating or the reckless spending of the people's money."

The address makes many other telling points, which I also commend to the Senate's attention.

Mr. President, I ask unanimous consent that the address entitled "Fighting for Freedom at Home and Abroad," by the Senator from New Hampshire [Mr. BRIDGES] be printed at this point in the body of the RECORD.

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

FIGHTING FOR FREEDOM AT HOME AND ABROAD

(By U.S. Senator STYLES BRIDGES, of New Hampshire)

With the 2d session of the 86th Congress drawing to a close, there are many questions in our minds about the future. Some fateful decisions that will affect the lives of all of us will be made very soon.

There are many things going on in the world that will affect all our lives for all time to come.

SUMMIT COLLAPSE NOT A NATIONAL TRAGEDY

Foremost in our minds is the international situation. The collapse of the summit conference startled many of us. It was as though we were strolling along a quiet country road, and suddenly a dog, snapping and snarling, runs at us from a farmyard. We don't know whether to kick at him, or throw a stone, or to keep on our way, ignoring him. So it was when Khrushchev began snapping and snarling at Paris.

But, let me assure you of this: the collapse of the summit conference was no national tragedy. A great many Americans have opposed such conferences all along. We remembered earlier summits, when Western heads of state were outmaneuvered and cheated by Khrushchev's predecessor—the cunning Stalin.

Khrushchev's 180° turn from so-called peaceful coexistence at Paris was just a reminder of how fully he remains a dedicated Communist. When he saw that he wasn't going to get away with anything, he flip-flopped around and tried to embarass the President for his own political advantage.

Khrushchev is a pure Communist agitator, from the top of his head to the soles of his feet, but especially in the area of the larynx.

Any time he can talk the world into a crisis, you can be sure he will do so. His failure at Paris was that he did not panic the world. Our President, to his everlasting credit, withstood his inflammatory onslaught with dignity and forbearance. In my opinion, that saved the day for the free world.

RED-INSPIRED RIOTS WILL NOT BREAK JAPANESE-AMERICAN TIES

But crisis follows crisis in these troubled times; the Communist agitators never rest. They stirred up student Socialist riots in Japan in a vain effort to scuttle the Japanese-American peace treaty. Then, when President Eisenhower's planned visit was postponed, they tried to make something of that, too. They said the United States lost face, but let's look at it another way. When you want to invite a friend to your home, but your children are so bad that you are ashamed to go through with it, who is embarrassed? Or, if you refuse to break bread with a friend because his household is too rowdy, who should be ashamed, you or your friend?

The fact is, we acted the part of the mature friend and gave Japan the opportunity to postpone the visit, thus saving face. In my opinion, our action was generous, just, and proper. Our friendship with the Japanese people and their Government, carefully nurtured during all the years since the tragedy of World War II, will continue and flourish. The Communists won't drive a wedge between us, because we won't let them.

OUR FOREIGN POLICY HAS KEPT THE PEACE

The fundamental purpose of our foreign policy is to keep the peace. That is the test. During the past 7½ years—since the end of the Korean war—our foreign policy has been eminently successful. No American armies are fighting in foreign lands. No American blood is wetting alien soil. No American boys are dying on faraway battlefields.

That is the acid test of our foreign policy. Let us pray that our efforts to wage peace will be equally successful in the years ahead.

Whether we call it cold war or what-have-you, resistance to the international Communist conspiracy is a condition of survival for the foreseeable future. We've got to maintain the moral strength and courage to sustain future diplomatic blowups, and we've got to back it up with military power. Certainly we could not have come through the past 7 years in peace, unless we had had the military strength to back up our foreign policies.

GROWTH OF U.S. MILITARY POWER SINCE KOREAN WAR

In 1953, no ship afloat was powered by atomic energy. Today we have 9 nuclear submarines in commission and 23 under construction or being converted.

In 1953 the polaris missile system was just a dream.

This year it is a reality, as two of these submarines, each capable of firing 16 warheaded missile while submerged, join our active defense forces.

At the close of the Korean war, just 7 years ago, an airplane expected to operate at speeds greater than the speed of sound was in its early design stage. Today, mach 2 aircraft are part of our regular forces, and a mach 3 plane is on the way.

In 1953, the Atlas intercontinental ballistic missile was a hazy concept. It was surrounded by doubters. They said it would be operational by 1965. But today—1960—we have Atlases on the launching pads, with an incredible record of successful test firings, and a proved accuracy far exceeding the most optimistic hopes of a few years ago.

In 1953, the intermediate range ballistic missiles, Jupiter and Thor, were not even contemplated. Today the Thor is in the

hands of our allies in the United Kingdom, and the Jupiter booster launched our first earth satellite in 1958.

Since that first launching, the United States has put 24 satellites into orbit, compared with a total of 6 space vehicles for the Soviets. Today we have 13 satellites circling in space, including the remarkable Transit-II-A, launched June 15. This two-package scientific achievement is designed to benefit all of humanity. The American people, who provided the knowledge and skill that went into Transit-II-A, deserve the congratulations and thanks of the entire world.

Two, perhaps three, Soviet space devices are in orbit today, transmitting no information. Beyond any question, we have far surpassed them in overall scientific achievement in the exploration of outer space.

Two years ago, the launching of a satellite made headlines in every newspaper. Today, it does well to make page 1 at all. Antiaircraft and tactical missiles, air defense and offense systems come off of the drawing boards and into ships, planes, and land installations—and are taken for granted. Our ground forces have been constantly modernized during the past few years, and just a few weeks ago, more funds were voted for these purposes.

All these changes I have mentioned have taken place in just 7 years—since the close of the Korean war—and during a Republican administration. It's amazing to me that so much could have been accomplished, and there is absolutely no doubt in my mind that this progress in the military field, backing up our foreign policy, has been the main factor in keeping the peace during these trying years.

PEACE LETS US GIVE ATTENTION TO DOMESTIC PROBLEMS

Following the great economic crisis of the 1930's, World War II in the 1940's, and the Korean war in the early 1950's, we took full advantage of the years of peace and gave attention to domestic problems.

As I recall a TV commercial—it goes, I think—"Better things for better living, through chemistry."

I'd like to paraphrase that and say, "Better living, for more Americans, through sound Government and the free enterprise system." And I'd like to add a personal opinion—that's a pretty good commercial for the progress that we have made since the close of the Korean war.

During this period the American free enterprise system has served our people magnificently.

I would also like to mention that, in 1952, the average weekly earnings of factory workers was $67.97. Last month, it was over $90. Is this not indicative of our tremendous economic growth?

During this same period, home ownership has risen at a steady and healthy rate—and I mention that because I know of no more reliable and significant indicator of economic health. Today, more than 60 percent of us own or are buying our own homes.

THE PROBLEM OF INFLATION

During the quarter century of crisis to which I referred, when economic catastrophe was followed by war, more economic troubles, and yet another war, the problem of inflation reared its ugly head, and the cost of living soared.

The 100-cent dollar slipped downward to 90 cents, to 80 cents, to 70 cents, and so on, until, during the Korean war, it skidded to 52 cents. We put the brakes on the inflationary roller coaster in 1953, and since then have held the depreciation of the dollar to just a few cents. It is now worth approximately 48 cents, in comparison with the 1939 dollar.

To express inflation another way—the Consumer Price Index rose 89.4 percent between 1940 and 1952. It rose 9.8 percent between 1952 and 1959.

But, no matter how you express it or illustrate it, it is a terrible thing.

In my opinion, although we have effectively slowed down inflation in the past 7 years, it is still the major domestic problem facing the Nation.

A study in 1957 by the Social Security Administration showed that the average monthly benefit for retired workers had risen only 13.6 percent in terms of real dollars between 1940 and 1957. This means that the typical social security retiree is scarcely better off today than he was nearly 20 years ago. Thus, all the economic progress we're so proud of has not been shared by retired persons.

Now, maybe I'm old fashioned, but I think a person who works 30 or 40 years and, one way or another, prepares for retirement through savings, participation in a pension plan, and/or the social security program, is entitled to live out his remaining years in comfort. When a person saves on the basis of a 100-cent dollar, but upon retirement finds he must pay for food, shelter, and clothing on the basis of a 50-cent dollar—it's like changing the rules on him in the middle of the game. And I don't think it's right to change the rules on him when he reaches retirement age. When the rules are changed inadvertently, as in inflation, I think we should try to do something to compensate the retiree for the damage.

THE BRIDGES SOCIAL SECURITY PROPOSAL

There are various proposals before Congress having to do with helping our senior citizens. One, which I introduced, would permit a man or woman to earn up to $1,800 a year without sacrificing any of his social security benefit. This, it seems to me, is logical and justifiable. This Nation needs the wisdom and skills of our elder statesman citizens. And they need the freedom to work and earn, to the limit of their own judgment. The present law puts a penalty on those who are able and happy to work and earn.

THE ADMINISTRATION'S MEDICARE PLAN

Another proposal before Congress of interest to our retirees is the plan for hospitalization insurance for citizens over 65 years old.

Actually, there are two proposals. One is the Forand bill—a compulsory, socialized-medicine approach that would be operated by the Federal Government. The other is the administration's medicare plan—a voluntary plan that would be operated jointly by the Federal Government and the States.

The Forand bill benefits many people who do not need the benefits, but leaves out 4 million aged not covered by social security, more than half of whom have incomes of less than $1,000 a year. And the Forand bill is compulsory for those it does cover.

I hate compulsion.

I believe in personal freedom.

I support the medicare plan because I think it is the best plan for the most people. And it is a voluntary plan.

FIGHTING INFLATION IS FIGHTING FOR RETIREES

I hope that the medicare plan and my proposal for the modernization of our social security laws will become law. Both will help. But, there is another fight which, in the long run, is even more important to our senior citizens. That is the battle against inflation.

There are three principal causes of inflation. One is profiteering by business. Another is excessive wage demands by labor. The third, and this is the one I am most directly interested in, is Government spending and monetary matters.

Government deficit spending is simply printing paper money and feeding it into the main stream of our economy without a compensating supply of goods and services. The result, as someone has expressed it, is: "Too much money chasing too few goods." The result is a soaring cost-of-living index, and the depreciating dollar.

RECKLESS GOVERNMENT SPENDING WON'T SOLVE PROBLEMS

There is no magic formula that will solve the domestic problems confronting our Nation. They cannot be solved by political drumbeating or the reckless spending of the people's money.

While every thoughtful citizen wants a full measure of goods and services for every dollar he spends, our senior citizens are the first to detect signs of inflation, and the first to feel its effects.

BALANCED BUDGET KEY TO PROGRESS

The mistaken idea has been planted that the drive for a balanced Federal budget stifles progress. On the contrary, by balancing the budget, the Federal Government can contribute to solid progress by stabilizing our dollars. The alternative is creeping or leaping inflation—depending on the amount of deficit spending.

Inflation is not progress—it is only the illusion of progress. During inflation we receive higher wages, but they buy less than before, so how can we say we are making progress?

The greatest service our Government could do for the people right now is to put its fiscal house in order. The greatest service the people could do for their Government is to demand fiscal responsibility of their elected representatives.

DOLLARS AND PEOPLE

One political accusation that I am sick and tired of hearing is the one that goes something like this: "My opponent is interested in dollars; I am interested in people."

That is the cry of the demagog. What hogwash.

This absurd charge is usually leveled at any conscientious public servant who questions a costly Government spending program designed to benefit a special-interest group.

Well, let me ask this: Whose dollars are we talking about? Aren't they the people's dollars? Or have we forgotten our own screams of anguish and our rages against Government spending the last time income taxes were due?

I think two questions should be asked of every Government spending proposal: (1) Can we afford it? (2) Is it the best use of the public's money in the public's interest?

I view with suspicion any politician who lacks the courage, honesty, or wisdom to face up to the hard decision of how best to spend public money.

We should think twice before entrusting such a man with our welfare and our tax money.

WELL-INFORMED CITIZENS—OUR HOPE FOR THE FUTURE

The hope for the future is a well-informed public. If the problems I have mentioned are solved—and I am confident they will be—it will come about mainly through the interest and efforts of the people.

By now the cold war has demonstrated that to survive and prosper in a free society America must rely on its human resources, including its most mature minds.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, August 29, 1960, he presented to the President of the United States the following enrolled bills:

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles";

S. 2306. An act to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia;

S. 3415. An act to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia;

S. 3727. An act to authorize the bonding of persons engaging in the home improvement business, and for other purposes; and

S. 3834. An act 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.

RECESS TO 12 O'CLOCK NOON TOMORROW

Mr. JAVITS. Mr. President——

Mr. JOHNSON of Texas. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

Several Senators addressed the Chair.

Mr. JOHNSON of Texas. Mr. President, I have made the motion that the Senate stand in recess until 12 o'clock tomorrow.

Mr. CASE of South Dakota. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CASE of South Dakota. Did the Presiding Officer recognize the Senator from South Dakota?

The PRESIDING OFFICER. A motion to recess is in order, and it is not debatable.

Mr. JOHNSON of Texas. And I have not yielded for anything else. I ask the Presiding Officer to put the question.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and (at 8 o'clock and 28 minutes p.m.) the Senate took a recess until tomorrow, Tuesday, August 30, 1960, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 29, 1960

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Joshua 1: 5: *I will be with thee; I will not fail thee, nor forsake thee.*

O Thou who art man's companion and counselor, we beseech Thee to guide and sustain with Thy infinite and infallible wisdom the Members of this legislative body as they face difficult decisions.

Grant that they may serve Thee and our beloved country without reproach and continue to carry on with patience and perseverance those deliberations and councils which will bring about a better understanding among all the various classes in our human society.

May the citizens of our Republic be aroused to the necessity of safeguarding their liberties and give themselves in loyal and patriotic devotion to the principles and virtues which make for peace.

Hear us in the name of the Captain of our salvation. Amen.

THE JOURNAL

The reading of the Journal of the proceedings of Friday, August 26, 1960, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

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. 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.;

H.R. 12536. An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers' sale price; and

H.R. 12659. An act to suspend for a temporary period the import duty on heptanoic acid.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 3299. An act to provide for the conveyance to the State of Maine of certain lands located in such State;

S. 3880. An act to provide for the establishment of the Roger Williams National Monument; and

S. Con. Res. 116. Concurrent resolution favoring further exploration for the establishment of an international food program for relief purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1066. An act to revise the boundaries and change the name of Fort Donelson National Military Park, and for other purposes;

S. 1214. An act to amend the act of March 11, 1948 (62 Stat. 78), relating to the establishment of the De Soto National Memorial, in the State of Florida; and

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles."

The message also announced that the Senate agrees to the House amendment to the bill (S. 2575) entitled "An act to provide a health benefits program for certain retired employees of the Government", with an amendment as follows:

Page 11, of the House engrossed amendment, strike out all of section 10, including the heading, and renumber following sections accordingly.

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. 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."

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. 11390) entitled "An act 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."

The message also announced that the Senate agrees to the amendments of the House to Senate amendments Nos. 9 and 21 to the foregoing bill.

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. 12619) entitled "An act making appropriations for Mutual Security 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 amendments of the House to amendments of the Senate numbered 3, 22, 31, 33, and 35 to the foregoing bill.

FOREIGN TAX CREDIT

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House have until midnight tonight to file a conference report to accompany the bill (H.R. 10087) to amend the Internal Revenue Code of 1954 to permit taxpayers to elect an overall limitation on the foreign tax credit.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

FOREIGN-AID PROGRAM

Mr. PASSMAN. 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 Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Speaker, after this brief political session has ended, some of us will have clear consciences; doubtless, others, guilty ones.

Last Thursday, the House and Senate conferees reached an agreement on funds for the foreign-aid program. The House conferees bought some pretty bad stuff in compromising our differences.

Now, the bureaucrats downtown are so determined that their will and not the will of the Congress shall prevail that they are attempting to satisfy their greedy appetites for more of the taxpayers' money to give away by bypassing the regular committee that conducted the hearings, the full committee that approved the actions of the subcommittee, the House that approved the actions of both, and void the agreement of the conferees and the approval of the conference by the House. They are now attempting to get funds by misrepresentation, half-truths, and innuendoes. God forbid that such a betrayal of the will of this body should succeed.

WATERSHED AND FLOOD PREVENTION PROJECTS

The SPEAKER laid before the House the following communication which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

COMMITTEE ON PUBLIC WORKS,
HOUSE OF REPRESENTATIVES,
CONGRESS OF THE UNITED STATES,
Washington, D.C., August 26, 1960.

Hon. SAM RAYBURN,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Pursuant to the provisions of section 2 of the Watershed Protection and Flood Prevention Act, as amended, the Committee on Public Works has approved the work plans transmitted to you which were referred to this committee. The work plans involved are:

State	Watershed	Ex. Com. No.	Committee approval
Oklahoma	Fourche Maline Creek.	2395	Aug. 25, 1960
Do	Leader-Middle Clear Boggy Creek.	2395	Do.
Do	Upper Black Bear Creek.	2183	Do.
Michigan	Misteguay Creek	2239	Do.

Sincerely yours,
CHARLES A. BUCKLEY,
Member of Congress,
Chairman, Committee on Public Works.

FILING OF REPORTS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs may have until midnight tonight to file reports on S. 1105, S. 1889, H.R. 8712, S. 2757, S. 2914, S. 3267, S. 3399, S. 1670, and S. 1663.

The reason for this request is to give the House notice of bills that may be brought up at any time during the last days of the session.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

STATE DEPARMENT ACTION CALLED FOR ON CUBA

Mr. POFF. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, the American people are sick and tired of Castro. Whether he is sane, insane, or simply egotistical is beside the point. Whether he is a Communist, a Socialist, or simply a political neuter is entirely academic. That flaming firebrand, if left unquenched, is going to ignite a third world war.

I call upon the State Department for definitive action. If we are to sever diplomatic relations with Dictator Trujillo, then let us sever diplomatic relations with Dictator Castro. If we are to impose economic sanctions on the Dominican Republic, then let us impose economic sanctions on Cuba. If we are to ostracize one, let us ostracize both.

Never fear the propaganda impact in other Latin-American countries. They cannot respect an America which does not respect herself enough to defend herself. We can no longer tolerate these unprovoked insults. We can no longer afford confiscation. We can no longer compromise with this evil. Appeasement is folly. Vacillation is dangerous. Timidity may be suicidal.

OPERATION VERACITY

Mr. RHODES of Arizona. 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 Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, today begins Operation Veracity.

Throughout the week, Republican Congressmen will expose certain untruths in the Democrat platform.

I charge as the first untruth this Democrat platform statement:

> Over the past 7½-year period, the Republicans have failed to balance the budget.

This transparent inaccuracy should be corrected to read:

> Over the past 7½ years, the Republicans balanced the budget in fiscal years 1956, 1957, 1960, and 1961.

A key issue of this campaign is experience versus inexperience.

The youngsters who play at "New Frontiersmanship" should have included in their platform a bit of grownup veracity.

THE LATE HONORABLE WILLIAM RICHARD THOM

Mr. BOW. 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 Ohio?

There was no objection.

Mr. BOW. Mr. Speaker, I was saddened this morning to learn of the passing of William Richard Thom, a former Member of the House of Representatives from the 16th Ohio Congressional District.

Mr. Thom served in the 73d, the 74th, and the 75th Congresses and also in the 77th and 79th.

He came to Washington originally as a secretary to former Congressman John J. Whitacre. Thereafter he was a member of the House of Representatives press gallery in 1915 and 1916, and during the time he was a member of the press gallery he studied law at Georgetown University here in Washington.

Although Mr. Thom and I were of opposing political parties, we were lifelong friends.

Mr. Thom was active in civic affairs in his home city of Canton, Ohio, but undoubtedly closest to his heart was his activity on behalf of the Democratic Party. There never was a campaign or issue that Mr. Thom did not take an active part in leadership.

Mr. Speaker, William Richard Thom was 75 years of age. He lived a full and productive life. He had worked in his law office several hours on Saturday and shortly before noon he was stricken with a heart attack. He died shortly thereafter.

Mr. Thom will long be remembered for his service in the House, his contributions to his home city of Canton and, most of all, for the friendships that he had among the Republicans as well as Democrats, people in high places, and the man who labors. They all knew and respected William Richard Thom. Mrs. Bow and I extend to his family our deep sympathy—we shall both miss Bill Thom.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BOW. I yield.

Mr. McCORMACK. I am very sorry to hear of the death of my former colleague and friend Bill Thom. He was not only a dedicated legislator and a great American, but he had one of the kindest and sweetest dispositions of any person I have ever met. His friends who served with him in this body will always remember Bill Thom's service in this body and our associations with him. He certainly was a constructive legislator and one who contributed, and a man whose friendship, as the gentleman has said, transcended the middle aisle.

In their bereavement, I extend my deep sympathy to his loved ones.

Mr. BOW. I thank the gentleman.

Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and accomplishments of William Thom.

The SPEAKER. Is there objection?

There was no objection.

Mr. RAYBURN. Mr. Speaker, in the passing of William R. Thom his community, his State, and the country have lost a valuable and patriotic citizen in public service. It was my pleasure to serve with Bill Thom during his 5 terms in Congress. He was always on the side with the right as in his heart he wanted to serve his day and generation. He was a fine Representative, a fine man, and a great American patriot.

OPERATION VERACITY

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, I commend the efforts of the Republican Congressmen participating in Operation Veracity. In special orders today and tomorrow, some of the glar-

ing misstatements of fact in the Democrat platform will be exposed to public view.

I wish to call attention to this inaccurate statement in the Democrat platform:

> Their [the Republican] years of power have consisted of two recessions, in 1953–54 and 1957–60, separated by the most severe peacetime inflation in history.

This statement is an absolute falsehood.

In the single year, March 1946 to March 1947, the consumer price index, which is our basic indicator of inflation, rose over 20 percent. In 1 year during a Democrat administration a 20-percent rise. During the entire Eisenhower administration—January 1953 to this date, prices have risen less than 11 percent.

What confidence can people have in a platform that is so flagrantly in error?

THE HONORABLE LEO E. ALLEN

Mr. BROWN of Ohio. 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 Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, there is every indication that the 86th Congress will adjourn sine die sometime this week, and with that sine die adjournment, unless Congress should be called back into special session, one of our leading Members, a man whom I feel is a truly great American, my colleague in the House and on the Rules Committee, the Honorable LEO E. ALLEN, of Illinois, will conclude his services in this body after 28 years of membership.

We have all known LEO ALLEN long, favorably and, of course, very well. It has been my privilege and my honor to serve with him on the House Rules Committee for a great many years. I have never known, in my long service in the House, a more dedicated public servant, a man who has been more honest and frank in his convictions and the expression thereof, or in his ability to meet every situation fairly and squarely, and to use exceptionally good judgment in its solution, than our colleague LEO ALLEN.

I am sure every Member of the House who has been here any length of time not only appreciates the many sterling qualities LEO ALLEN has shown here in this legislative Hall, but also join in wishing for him many happy, healthful, and successful years to come.

LEO ALLEN of Illinois has indeed proven himself to be a truly great American by the services he has rendered his country, both on the battlefields and in the Congress.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Indiana.

Mr. HALLECK. I am sure every member of the Rules Committee has the desire to call to the attention of the House of Representatives the fact that LEO ALLEN, much to our regret, is leaving the Congress of the United States. It was my good privilege and pleasure to serve on the Rules Committee with LEO ALLEN and my responsibility to be majority leader of our side when Mr. ALLEN was chairman of the committee. I certainly want to add my words to those of the gentleman from Ohio.

LEO ALLEN is a great American and an outstanding Member of this body who has always put the welfare of his country above personal motivations, doing what he thought was best for the nation, thereby upholding the truest traditions of the House of Representatives.

All of us can profit by the example of the deep sense of loyalty that LEO ALLEN has shown to the cause for which he has fought tirelessly through the years.

He has been a man of convictions who has held to those convictions when the chips were down and the going was rough.

For me, he has been a warm and generous friend, and I shall miss him around here more than I can say.

While LEO ALLEN may be laying down the burdens of his office here in the Congress, I am sure that his talents and his vigor will not go unused in the future. And as one who has known, first hand, of his capabilities, I can safely predict for my great friend continued success in whatever endeavors he may undertake.

As we here in this Chamber will not forget him, it is my fond hope that he will not forget us, but will find the time and the inclination to renew, on many occasions, the friendship that has meant so much to me, as it has to all of us.

Mr. BROWN of Ohio. I am sure you are all fully aware that Mr. ALLEN is leaving Congress voluntarily, despite the fact that many of us who knew he was considering such action urged him to remain with us.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Illinois.

Mr. ARENDS. The gentleman from Ohio just beat me by a couple of days. I had anticipated sometime this week saying something about Mr. ALLEN's long service in this body.

LEO ALLEN was here 2 years when I first came to Congress in January 1935. From him I learned much about the way Congress operated and he gave me great help on many occasions, which I appreciated. He gave me good advice and over the years I have followed much of which he recommended.

Along with my other colleagues on both sides of the aisle, I am sorry to see LEO ALLEN leave Congress. He has been a devoted public servant. He has rendered outstanding service. The representation he has given his district has been splendid. It has been the kind of representation that is not only good for all America but especially for the part of the country from which he comes.

I have on occasion been privileged to tell his fine constituency of LEO's determined and forthright efforts to not only represent the people of his district but to serve his country as a true American. LEO has been an outstanding public servant. I am truly sorry he is leaving this body. I wish him and his family the very best in health and happiness in the years that lie ahead.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The gentleman from Illinois [Mr. ALLEN] and I have been very close personal friends throughout the years of our association in this body. While the gentleman and I have not agreed on some occasions, if not many occasions, I have always had profound respect for the integrity, the honorableness, the trustworthiness, and the intellectual honesty of my friend LEO ALLEN. He has been honest in his convictions, as the gentleman from Ohio [Mr. BROWN] has so well stated.

Mr. Speaker, I can disagree with persons, but if they honestly entertain the views that they express I have profound respect for them in disagreement. I have great respect for LEO ALLEN as a legislator. I have profound respect for him as a gentleman, and particularly I value the friendship that has so closely existed between us for many years.

I also join with my friend from Ohio and his other friends in wishing LEO ALLEN every happiness and success in the years that lie ahead.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I would like to join the majority leader in his expressions on behalf of a very good friend of mine, one of the real pillars of strength on the other side of the aisle, who is leaving us at the end of this session. I do not know of a keener political mind, I do not know of a more forthright, outspoken and strong-minded character than the gentleman from Illinois [Mr. ALLEN].

I certainly will miss him, as will all of us on this side of the aisle.

GENERAL LEAVE TO EXTEND

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the public service of LEO ALLEN.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MASON. Mr. Speaker, 10 years ago when Illinois had its last congressional reapportionment, LEO ALLEN was given Winnebago County as a part of his district. This county happened to be one of my best Republican counties and I was sorry to lose it. However, at a farewell banquet in Rockford for me, combined with a welcome for their new Congressman, I said:

> My loss is ALLEN's gain, and Winnebago County is getting a more seasoned Congressman, a Congressman with greater seniority, and a Congressman that will represent the people of Winnebago County more ably and more effectively than I can.

That has been true. LEO has ably and effectively represented the people of Winnebago and of the other counties of his district. His decision not to run for another term must have been a great

disappointment to his people. It will be very difficult for LEO's successor to fill his shoes. We who have known LEO will miss him. His retirement will leave a great gap in our Republican ranks in Congress.

Mr. HOEVEN. Mr. Speaker, I deeply regret that my good friend LEO ALLEN is leaving the House of Representatives after the expiration of his present term. He is ending a long period of congressional service wholly devoted to the best interests of his constituents, the State of Illinois and the Nation. LEO ALLEN is one of the stalwarts in the House of Representatives. His record in behalf of constitutional government, sound government and good government is a matter of public record. It is a good record of accomplishment and achievement which has endeared him to his constituents as evidenced by the fact that he has been reelected to the Congress time and time again. My heartiest best wishes go with LEO as he retires from a job well done.

Mr. LIBONATI. Mr. Speaker, it is unfortunate that the Honorable LEO ALLEN, the brilliant Congressman representing the 16th District of Illinois, determined to retire at this session of the Congress. The people of our country are being deprived of the specialized legislative talents of one of the great statesmen of our time.

I recall my first meeting with LEO at the University of Michigan at Ann Arbor—in attendance at the opening of the law school September term 1922—we were seatmates and became close friends. He was a skillful boxer and became an active member of the University of Michigan Boxing Club. We both became members of the university boxing team. As lawyer, statesman, soldier, teacher, coach, and clerk of the circuit court he fulfilled every requisite for leadership in the performance of his duties.

It is with little wonder that in his assignment to the powerful Rules Committee, both in his capacity of chairman and as a member for 24 years he was outstanding.

He enjoyed his duties and in official performance was an astute leader of his party. His advice and solidarity for party regularity never weakened in the face of popular movements or changes. It can truly be said that he was a solid anchor for adherence to party principles.

It was his wish to retire and enjoy the fruits of his success with his fine family. He said that he yearned for that intimacy with old friends and associates that most men are forced to relinquish in public service away from home.

His retirement is a sad loss but well deserved for a job well done. We will miss our good friend—we wish him well and God's blessing in his new role—as Private Citizen LEO ALLEN—a great American and a valued statesman. We have suffered a great loss both in the Congress and the Nation, but especially our delegation of the State of Illinois.

Mr. O'HARA of Illinois. Mr. Speaker, in the spring of 1898, when war with Spain was declared, I left high school in Benton Harbor, Mich., to enlist in the Army of my country. Six months later LEO ALLEN was born, and when our country again went to war, this time with Germany, LEO ALLEN left high school in Illinois to enlist in the Army of his country. For 27 months he served in uniform, a sergeant in the Field Artillery of the famous Thirty-third Division, much of the time in the front lines in France.

I am very fond of LEO ALLEN. It could not be otherwise because when I came to the Congress in 1949, and LEO ALLEN was even then a high ranking member in seniority, and a part of the leadership of the Republican Party, he received me as though it were the reunion of two high school lads who had left their books to fight for their country. We were of different generations, as schoolboys had been soldiers in different wars, and moreover we were members of opposite political parties, and yet the warmth of LEO ALLEN's welcome to me, a Democratic freshman, I shall never forget.

I have never known LEO ALLEN in his personal associations that his smile did not spread good cheer. He will be missed greatly by all his colleagues. The friendships he has made in his 27 years of service in this Chamber are imperishable.

As a member of the Illinois delegation it is natural that I should take pride in the outstanding contributions that my State of Illinois has made to this historic body. It seldom happens that one State of the Union has two numbered among the leadership in this body of one of the major political parties. In all the Congresses of which I have been a Member LEO ALLEN and LES ARENDS have been vital parts of the Republican leadership. In the retirement of LEO ALLEN the Republicans in the House are suffering a loss, the weight of which cannot be minimized. Those of us on the other side of the aisle, those of us who have not seen eye-to-eye with LEO ALLEN on partisan matters and political philosophy, are suffering the loss of a personal association in friendship that we feel deeply. My best wishes always will go to LEO ALLEN in all his undertakings and in all his doings in private life. He has served well and faithfully his State and his country, according to his convictions, and is leaving a record of achievement of which his party, his friends, and his family well may be proud.

Mr. MACK. Mr. Speaker, LEO ALLEN has been a great and dedicated public servant. He has brought honor to our State through his services in this great legislative body. He served as chairman of perhaps the most important committee in this Congress. I, too, differed with LEO on some of my votes but I am thoroughly convinced that he ably, efficiently, and accurately represented the views of the majority of his constituents. He has served his country well and while his services will be missed he richly deserves his well earned retirement.

Since coming to Washington nearly 12 years ago I have admired and respected LEO ALLEN. I consider him a warm personal friend and wish to join with my other colleagues in extending best wishes for him and his family in the future.

Mr. O'BRIEN of Illinois. Mr. Speaker, LEO ALLEN and I came to Washington after the election of November of 1932 to begin our congressional service as members of the 73d Congress. LEO came as a Republican at a time when Republican Members of the Congress were dropping like frost-bitten leaves, and everyone knows that I am and always have been a Democrat. LEO went through the elections when things were bad for the Republicans and when things were looking up. I want to say that the Republicans were fortunate in having LEO ALLEN on their ticket. I have been fortunate in having LEO ALLEN as a colleague and as a personal friend. However, much we may have differed on partisan matters and on philosophical approaches, when it came to things of concern to Illinois, LEO ALLEN was always on the firing line, just as he was in France as a sergeant of the famed 33d Division in World War I. I shall not forget the help he gave Chicago on the Rules Committee with the Lake Michigan Water Diversion bill. LEO ALLEN has served his district, and the State of Illinois with tireless industry and with great distinction. Illinois is proud that it has contributed to the House of Representatives Speaker Cannon, a Republican, and Speaker Rainey, a Democrat. It is proud that in LEO ALLEN, now voluntarily retiring from public life after years of service it has made a contribution to the Republican leadership of the House, both when his was the majority party and when it was the minority party. There are few Members of Congress who have been privileged to enjoy such distinction. LEO and I, of opposite political faiths, have worked together as warm personal friends for near a quarter of a century, and my warmest good wishes go with him in the years ahead.

Mr. McINTIRE. Mr. Speaker, may I add to the comments of my colleagues by expressing my appreciation to LEO ALLEN for the sound counsel and warm friendship that he has extended me in the 9 years that it has been my privilege to serve in the House of Representatives.

LEO ALLEN has rendered distinguished service to both his State and his Nation. We shall miss his stalwart defense of sound principles of government.

I extend my very best wishes to LEO and Mrs. Allen, and I express the sincere wish that their years ahead will harbor a bounty of good health and a great harvest of happiness.

Mr. RAYBURN. Mr. Speaker, LEO ALLEN has served in the House of Representatives of the Congress of the United States for 28 years. He came here young and vigorous, and he still is young and vigorous in mind and heart. Although on the other side of the aisle, he has been one of my closest personal friends for many, many years. He is a man of character, a man of ability, and one who has served with great ability and has done the things, without fear or fame, that were in the interest of the American people. It may surprise some people, but friendships do not stop at the center of the aisle, because some of the closest friendships I have known

have been between Democratic and Republican Members. This is true in the case of LEO ALLEN and me.

I trust that in the years that are allotted to him that he will be happy, contented, healthy, and prosperous.

Mr. CHIPERFIELD. Mr. Speaker, when I first came to Congress in 1939 LEO ALLEN was quite well seasoned as he had already served three terms. As a freshmen Member myself he was most helpful to me in his guidance.

Now after 28 years of service to his people and the country our colleague is retiring from the heavy burdens he has carried.

LEO ALLEN is an outstanding Member of this House who has always put his duty ahead of political expediency. He has always held firmly to his convictions and fought for his high principles. In my 22 years of service I have never known a more dedicated Member or a man who has been more honest and frank in his convictions and faced every issue fairly and squarely.

I am sure every Member of the House of Representatives joins me in wishing for LEO ALLEN good health and happiness in the years to come.

Mr. REES of Kansas. Mr. Speaker, before leaving Congress I would like to pay a word of tribute to LEO E. ALLEN, who is retiring from service in the House of Representatives this year.

LEO ALLEN has established a great record. He has, for a number of years, held the responsible assignment of membership on the Rules Committee. He has discharged his duty with credit to himself and to the House, as well as to his country. We trust that his dreams for the future may be fully realized. We wish for LEO ALLEN the best that life can hold.

THE LATE JOHN CARDINAL O'HARA

Mrs. GRANAHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Pennsylvania?

There was no objection.

Mrs. GRANAHAN. Mr. Speaker, it is with a heavy heart that I call to the attention of the House the death on Sunday of John Cardinal O'Hara, one of America's greatest churchmen and one of her greatest contemporary citizens. He was beloved by people of all faiths and he was an educator for so many years and so closely identified with Notre Dame University that his name was synonomous with Notre Dame. He came to Philadelphia in 1951 as the archbishop of Philadelphia, and was made a cardinal in 1958. Mr. Speaker, I shall ask unanimous consent that an outstanding article on Cardinal O'Hara appearing in today's Philadelphia Inquirer and an editorial from the same newspaper today be included in the CONGRESSIONAL RECORD.

Mr. TOLL. Mr. Speaker, will the gentlewoman yield?

Mrs. GRANAHAN. I yield to the gentleman from Pennsylvania.

Mr. TOLL. Mr. Speaker, I want to commend the distinguished gentlewoman from Pennsylvania [Mrs. GRANAHAN] for bringing to the attention of the House the loss to our city and to our country of Cardinal O'Hara, who was one of the greatest educators and greatest humanitarians that ever came to our city and State.

H.R. 8093

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, we are told that a rule on the bill H.R. 8093, will be filed and that it will be called up for House consideration. I regret this because the entire California, Oregon, and Washington delegations urged that no rule be granted, but instead that the General Accounting Office be allowed to check the figures and the differences in the testimony in order that in the next Congress it can be properly considered. I also regret it because I feel that there have been no hearings on the Senate side and that it could not properly be enacted into law. If there is no political motivation in calling up H.R. 8093, at least there is a minimum absence of any lack of political consideration about this situation, and I want to just say with regret that I hereby serve notice to the House that some of us who object to calling up this bill will be forced to exercise our individual rights and to object to the consideration of other maybe worthwhile bills and other measures that will come before the House following the filing of the rule on H.R. 8093.

COMMITTEE ON AGRICULTURE

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. COOLEY], I ask unanimous consent that the Committee on Agriculture may sit this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERSONAL EXPLANATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. DOYLE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DOYLE. Mr. Speaker, on Friday last, late in the afternoon, when the rollcall vote was had on rollcall No. 197 (H.R. 12580), if I had been personally present I would have voted "aye." I firmly believe it is essential that in the best interests of our Nation that our elder citizens have the protection against bills as a result of illness and the otherwise unobtainable hospital and medical care for them. While this bill, in my humble judgment, is not as adequate as I would hope, I vote for it as it apparently is the only opportunity we will have in this present short session to make any definite progress along this line.

Mr. Speaker, I appreciate you and the others of this great legislative body unanimously having granted me leave of absence to hurriedly fly to southern California on account of the very critical illness of my eldest daughter whom I hope and pray to be with timely as in compliance with Mrs. Doyle's long-distance phone message advising me to come as soon as possible.

Mr. Speaker, when I reported to you the very critical condition of my lovely daughter in California, questioning, nevertheless, whether I should depart previous to the full completion of the voting on two or three important bills imminent before this session closes, I thank you for being so kind and considerate to me, as you always are, in "ordering" me to go "right now." All the members of our immediate family and my daughter's many close friends will everlastingly thank you, Mr. Speaker.

OPERATION UNTRUTH

Mr. McCORMACK. Mr. Speaker I ask unianimous 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. McCORMACK. Mr. Speaker, we have read in the newspapers about the so-called political Operation Truth of the Republican Members of the House that some of them intend to engage in, and we have seen a very weak exhibition this morning. From the exhibition this morning and the subjects referred to by the two gentlemen, it might well be referred to as Republican Political Operation Untruth. The first Member talked about a balanced budget. The fact is that the national debt is at least $20 billion to $25 billion more today than it was when former President Truman left office. The second Member talked about inflation. The fact is that we have the highest cost of living today in the entire history of our country. Despite the promise of the Republican Party to reduce the national debt, the national debt today is $20 billion to $25 billion more, and despite the promise to reduce the cost of living and reduce inflation, we have a greater cost of living today than ever in the history of our country.

FOREIGN SERVICE ACT AMENDMENTS OF 1960

Mr. HAYS. Mr. Speaker, I call up the conference report on the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, and I 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 Ohio?

Mr. GROSS. Mr. Speaker, reserving the right to object, I assume the gentleman will take time, before the vote on this conference report, to explain what was arrived at in conference.

Mr. HAYS. I expect to do so, and I also expect to yield time to the ranking minority member.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2173)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, 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 disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: Strike out all after the enacting clause and insert "That this Act may be cited as the 'Foreign Service Act Amendments of 1960'.

"SEC. 2. Section 416 of the Foreign Service Act of 1946, as amended, is amended to read as follows:

"'SEC. 416. (a) A person appointed as a staff officer or employee shall receive basic salary at one of the rates of the class to which he is appointed which the Secretary shall, taking into account his qualifications and experience and the needs of the Service, determine to be appropriate for him to receive.

"'(b) Whenever the Secretary determines that the needs of the Service warrant the appointment of staff officers or employees in a particular occupational group uniformly at a rate above the minimum rate of the applicable class, he may adjust the basic salary of any staff officer or employee in the same class and occupational group who is receiving less than such established rate.'

"SEC. 3. Section 417 of such Act is amended by striking out '(b)' in the first sentence.

"SEC. 4. Section 431 of such Act is amended by striking out in the first sentence of paragraph (a) the phrase 'the termination of time spent on authorized leave, whichever shall be later,' and inserting in lieu thereof the phrase 'upon termination of his service in accordance with the provisions of paragraph (b) of this section,'; and by amending paragraph (b) of this section to read as follows:

"'(b) The official services of a chief of mission shall not be deemed terminated by the appointment of a successor but shall continue until he has relinquished charge of the mission and for such additional period as may be determined by the Secretary, but in no case shall such additional period exceed fifty days, including time spent in transit. During such period the Secretary may require him to render such services as he may deem necessary in the interests of the Government.'

"SEC. 5. Section 441 of such Act and the heading to such section are amended to read as follows:

"'CLASSIFICATION OF POSITIONS IN THE FOREIGN SERVICE AND IN THE DEPARTMENT

"'SEC. 441. (a) Under such regulations as he may prescribe, and in order to facilitate effective management, the Secretary shall classify all positions in the Service at posts abroad, excluding positions to be occupied by chiefs of mission, and in the case of those occupied by Foreign Service officers, Reserve officers, and staff officers and employees, he shall establish such positions in relation to the classes established by sections 412, 414, and 415, respectively. Positions occupied by alien employees and consular agents, respectively, shall be allocated to such classes as the Secretary may establish by regulation.

"'(b) Under such regulations as he may prescribe, the Secretary may, notwithstanding the provisions of the Classification Act of 1949, as amended (5 U.S.C. 1071 and the following), classify positions in or under the Department which he designates as Foreign Service Officer positions to be occupied by officers and employees of the Service, and establish such positions in relation to the classes established by sections 412, 414, and 415.'

"SEC. 6. Section 444 of such Act and the heading to such section are amended to read as follows:

"'COMPENSATION PLANS FOR ALIEN EMPLOYEES

"'SEC. 444. (a) The Secretary shall, in accordance with such regulations as he may prescribe, establish compensation plans for alien employees of the Service: *Provided*, That such compensation plans shall be based upon prevailing wage rates and compensation practices for corresponding types of positions in the locality, to the extent consistent with the public interest.

"'(b) For the purpose of performing functions abroad, other Government agencies are authorized to administer alien employee programs in accordance with the applicable provisions of this Act.'

"SEC. 7. Title V of such Act is amended by adding at the beginning thereof the following new section:

"'POLICY

"'SEC. 500. It is the policy of the Congress that chiefs of mission and Foreign Service officers appointed or assigned to serve the United States in foreign countries shall have, to the maximum practicable extent, among their qualifications, a useful knowledge of the principal language or dialect of the country in which they are to serve, and knowledge and understanding of the history, the culture, the economic and political institutions, and the interests of such country and its people.'

"SEC. 8. (a) The heading to section 516 of such Act is amended to read as follows: 'ADMISSION TO CLASS 7 OR 8'.

"(b) Section 516 of such Act is amended by striking out 'SEC. 516.' and inserting in lieu thereof 'SEC. 516. (a)' and by adding at the end thereof a new paragraph (b) which shall read as follows:

"'(b) The Secretary may furnish the President with the names of those persons who have passed such examinations and are eligible for appointment as Foreign Service officers of class 8, whom he recommends for appointment directly to class 7 when in his opinion, their age, experience, or other qualifications make such an appointment appropriate.'

"SEC. 9. (a) Section 517 of such Act is amended by striking out the words 'A person who has not served in class 8' which appear at the beginning of the first sentence, and inserting in place thereof the following: 'A person who has not been appointed as a Foreign Service officer in accordance with section 516 of this Act'.

"(b) Section 517 of such Act is further amended by striking out the second and third sentences of such section.

"SEC. 10. (a) The heading to section 520 of such Act is amended by striking out the phrase 'REINSTATEMENT AND RECALL' and substituting in lieu thereof the phrase 'REAPPOINTMENT, RECALL OR REEMPLOYMENT'.

"(b) The first sentence of paragraph (a) of section 520 of such Act is amended by inserting a period after the word 'Service' where it appears for the third time, and by striking out the remainder of that sentence.

"(c) Paragraph (b) of section 520 of such Act is amended to read as follows:

"'(b) The Secretary may recall any retired Foreign Service officer temporarily to duty in the Service whenever he shall determine such recall is in the public interest.'

"(d) Section 520 of such Act is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"'(c) Notwithstanding the provisions of title 5, United States Code, section 62 and title 5, United States Code, section 715a, a Foreign Service officer heretofore or hereafter retired under the provisions of section 631 or 632 or a Foreign Service staff officer or employee hereafter retired under the provisions of section 803 shall not, by reason of his retired status, be barred from employment in Federal Government service in any appointive position for which he is qualified. An annuitant so reemployed shall serve at the will of the appointing officer.'

"SEC. 11. Section 528 of such Act is amended by striking out in the second sentence of such section the phrase 'subsection (d), section 7, of the Classification Act of 1923' and substituting in lieu thereof the phrase 'the Classification Act of 1949'.

"SEC. 12. Section 531 of such Act is amended to read as follows:

"'SEC. 531. The Secretary may, under such regulations as he may prescribe, appoint staff officers and employees on the basis of qualifications and experience. The Secretary may make provisions for temporary, limited, and such other types of appointment as he may deem necessary. He is authorized to establish appropriate probationary periods during which newly appointed staff officers or employees, other than those appointed for temporary or limited services, shall be required to serve. The Secretary may terminate at any time, without regard to the provisions of section 637, or the provisions of any other law, the services of staff officers or employees appointed for temporary or limited service and staff officers or employees who have not completed probationary periods, except that if such separation is by reason of misconduct the provisions of section 637 shall be applicable.'

"SEC. 13. Section 532 of such Act is amended to read as follows:

"'SEC. 532. Under such regulations as he may prescribe, the Secretary may assign a staff officer or employee to any post or he may assign him to serve in any position in which he is eligible to serve under the terms of this or any other Act. A staff officer or employee may be transferred from one post to another by order of the Secretary as the interests of the Service may require.'

"SEC. 14. (a) Section 571 of such Act is amended by striking out paragraphs (a), (b), (c), and (d), and the heading to such section, and inserting in lieu thereof the following:

"'ASSIGNMENTS TO ANY GOVERNMENT AGENCY OR INTERNATIONAL ORGANIZATION

"'SEC. 571. (a) Any officer or employee of the Service may, in the discretion of the Secretary, be assigned or detailed for duty in any Government agency, or in any international organization, international commission, or international body, such an assignment or combination of assignments to be for a period of not more than four years, except that under special circumstances the Secretary may extend this four-year period for not more than four additional years.

"'(b) If a Foreign Service officer shall be appointed by the President, by and with the advice and consent of the Senate, or by the President alone, to a position in any Government agency, any United States delegation or mission to any international organization, in any international commission, or in any international body, the period of his

service in such capacity shall be construed as constituting an assignment within the meaning of paragraph (a) of this section and such person shall not, by virtue of the acceptance of such an assignment, lose his status as a Foreign Service officer. Service in such a position shall not, however, be subject to the limitations concerning the duration of an assignment contained in that paragraph.

"'(c) If the basic minimum salary of the position to which an officer or employee of the Service is assigned pursuant to the terms of this section is higher than the salary such officer or employee is entitled to receive as an officer or employee of the Service, such officer or employee shall, during the period such difference in salary exists, receive the salary and allowances of the position in which he is serving in lieu of his salary and allowances as an officer or employee of the Service. Any salary paid under the provisions of this section shall be the salary on the basis of which computations and payments shall be made in accordance with the provisions of title VIII. No officer or employee of the Service who, subsequent to the date of enactment of the Foreign Service Act Amendments of 1960, is assigned to, or who, after June 30, 1961, occupies a position in the Department that is designated as a Foreign Service officer position, shall be entitled to receive a salary differential under the provisions of this paragraph.'

"(b) Parapraph (e) of section 571 of such Act is amended by striking the phrase 'with heads of Government agencies' where it appears in the second sentence and by redesignating the paragraph as '(d)'.

"SEC. 15. Section 575 of such Act is amended by striking out all after the word 'accordance' and inserting in lieu thereof the phrase 'with the appropriate provisions of titles III and IX of Public Law 402, Eightieth Congress (62 Stat. 7 and 13; 22 U.S.C. 1451–1453, 1478 and 1479).'

"SEC. 16. Title V of such Act is further amended by adding at the end thereof the following new section:

"'FOREIGN LANGUAGE KNOWLEDGE PREREQUISITE TO ASSIGNMENT

"'SEC. 578. The Secretary shall designate every Foreign Service officer position in a foreign country whose incumbent should have a useful knowledge of a language or dialect common to such country. After December 31, 1963, each position so designated shall be filled only by an incumbent having such knowledge: *Provided,* That the Secretary or Deputy Under Secretary for Administration may make exceptions to this requirement for individuals or when special or emergency conditions exist. The Secretary shall establish foreign language standards for assignment abroad of officers and employees of the Service, and shall arrange for appropriate language training of such officers and employees at the Foreign Service Institute or elsewhere.'

"SEC. 17. Section 625 of such Act and the heading of such section are amended to read as follows:

"'WITHIN-CLASS SALARY INCREASES OF FOREIGN SERVICE OFFICERS AND RESERVE OFFICERS

"'SEC. 625. Any Foreign Service officer or any Reserve officer, whose services meet the standards required for the efficient conduct of the work of the Service and who shall have been in a given class for a continuous period of nine months or more, shall, on the first day of each fiscal year, receive an increase in salary to the next higher rate for the class in which he is serving. Without regard to any other law, the Secretary is authorized to grant to any such officer additional increases in salary, within the salary range established for the class in which he is serving, based upon especially meritorious service.'

"SEC. 18. Title VI of such Act is amended by inserting after section 625 the following new section and the heading thereto:

"'RELATIONSHIP BETWEEN PROMOTIONS AND FUNCTIONAL AND GEOGRAPHIC AREA SPECIALIZATION

"'SEC. 626. The achievement of the objectives of this Act requires increasing numbers of Foreign Service officers to acquire functional and geographic area specializations and to pursue such specializations for a substantial part of their careers. Such specialization shall not in any way inhibit or prejudice the orderly advancement through class 1 of any such officer in the Foreign Service.'

"SEC. 19. The heading 'PART D—SEPARATION OF FOREIGN SERVICE OFFICERS FROM THE SERVICE' under title VI of such Act is amended to read as follows: 'PART D—SEPARATION OF OFFICERS AND EMPLOYEES FROM THE SERVICE'.

"SEC. 20. Section 631 of such Act and the heading to such section are amended to read as follows:

"'FOREIGN SERVICE OFFICERS WHO ARE CAREER AMBASSADORS OR CAREER MINISTERS

"'SEC. 631. Any Foreign Service officer who is a career ambassador or a career minister, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and the consent of the Senate, shall upon reaching the age of sixty-five, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such an officer's service for a period not to exceed five years.'

"SEC. 21. Section 632 of such Act and the heading to such section are amended to read as follows:

"'PARTICIPANTS IN THE FOREIGN SERVICE RETIREMENT AND DISABILITY SYSTEM WHO ARE NOT CAREER AMBASSADORS OR CAREER MINISTERS

"'SEC. 632. Any participant in the Foreign Service Retirement and Disability System, other than one occupying a position as chief of mission or any other position to which he has been appointed by the President, by and with the advice and consent of the Senate, who is not a career ambassador or a career minister shall, upon reaching the age of sixty, be retired from the Service and receive retirement benefits in accordance with the provisions of section 821, but whenever the Secretary shall determine it to be in the public interest, he may extend such participant's service for a period not to exceed five years.'

"SEC. 22. Subparagraphs (1) and (2) of paragraph (b) of section 634 of such Act are amended to read as follows:

"'(1) one-twelfth of a year's salary at his then current salary rate for each year of service and proportionately for a fraction of a year, but not exceeding a total of one year's salary at his then current salary rate, payable without interest, from the Foreign Service Retirement and Disability Fund, in three equal installments on the 1st day of January following the officers' retirement and on the two anniversaries of this date immediately following: *Provided,* That in special cases, the Secretary may in his discretion accelerate or combine the installments; and

"'(2) a refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), except that in lieu of such refund such officer, if he has at least five years of service credit toward retirement under the Foreign Service Retirement and Disability System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a), may elect to receive retirement benefits on reaching the age of sixty in accordance with the provisions of section 821. In the event that an officer who was separated from class 4 or 5 and who has elected to receive retirement benefits dies before reaching the age of sixty, his death shall be considered a death in service within the meaning of section 832. In the event that an officer who was separated from class 6 or 7 and who has elected to receive retirement benefits dies before reaching the age of sixty, the total amount of his contributions made to the Foreign Service Retirement and Disability Fund, with interest as provided in section 841(a), shall be paid in accordance with the provisions of section 841(b).'

"SEC. 23. Section 635 of such Act and the heading to such section are amended to read as follows:

"'FOREIGN SERVICE OFFICERS RETIRED FROM CLASS 7 OR 8

"'SEC. 635. Any Foreign Service officer in class 7 who is appointed under the provisions of section 516(b) and any Foreign Service officer in class 8 shall occupy probationary status. The Secretary may terminate his service at any time.'

"SEC. 24. Section 636 of such Act is amended by striking out the phrase 'Any Foreign Service officer' and inserting in lieu thereof the phrase 'Any participant in the Foreign Service Retirement and Disability System'.

"SEC. 25. (a) Paragraphs (a), (b), (c), and (d) of section 637 of such Act and the heading to such section are amended to read as follows:

"'SEPARATION FOR CAUSE

"'SEC. 637. (a) The Secretary may, under such regulations as he may prescribe, separate from the Service any Foreign Service officer, Reserve officer, or staff officer or employee, on account of the unsatisfactory performance of his duties, or for such other cause as will promote the efficiency of the Service, with reasons given in writing, but no such officer or employee shall be so separated until he shall have been granted a hearing by the Board of the Foreign Service and the unsatisfactory performance of his duties, or other cause for separation, shall have been established at such hearing, unless he shall have waived in writing his right to a hearing. The provisions of this section shall not apply to Foreign Service officers of class 8 or any other officer or employee of the Service who is in a probationary status or whose appointment is limited or temporary, except when separation is by reason of misconduct.

"'(b) Any participant in the Foreign Service Retirement and Disability System separated under the provisions of paragraph (a) of this section shall receive a refund of the contributions made to the Foreign Service Retirement and Disability Fund, with interest, as provided in section 841(a) except that in lieu of such refund such officer may (except in cases where the Secretary determines that separation was based in whole or in part on the ground of disloyalty to the United States) if he has at least five years of service credit toward retirement under this System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a), elect to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821 commencing at the age of sixty years. In the event that an officer who has elected under the provisions of this section to receive a deferred annuity dies before reaching the age of sixty, his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881.

"'(c) Any officer or employee of the Service separated under the provisions of paragraph (a) of this section who is not a participant in the Foreign Service Retirement and Disability System shall be entitled only

to such benefits as shall accrue to him under the retirement system in which he is a participant.

"'(d) Any payments made in accordance with the provisions of paragraph (b) of this section shall be made out of the Foreign Service Retirement and Disability Fund.'

"SEC. 26. Section 638 of such Act and the heading to such section are amended to read as follows:

"'TERMINATION OF LIMITED APPOINTMENTS OF FOREIGN SERVICE RESERVE OFFICERS AND STAFF OFFICERS AND EMPLOYEES

"'SEC. 638. Notwithstanding the provisions of this or any other law, the Secretary may, under such regulations as he may prescribe, terminate at any time the services of any Reserve officer or staff officer or employee serving under limited appointment, except that, if the termination is because of misconduct, the provisions of section 637 shall be applicable.'

"SEC. 27. Section 641 of such Act is amended to read as follows:

"'SEC. 641. All promotions of staff officers and employees to a higher class shall be made at a higher salary on the basis of performance and merit in accordance with such regulations as the Secretary may prescribe.'

"SEC. 28. Section 642 of such Act and the heading thereto are amended to read as follows:

"'WITHIN CLASS AND LONGEVITY SALARY INCREASES

"'SEC. 642. (a) Under such regulations as the Secretary may prescribe, any staff officer or employee whose services meet the standards required for the efficient conduct of the work of the Service shall receive an increase in salary at periodic intervals to the next higher salary rate for the class in which he is serving. Without regard to any other law the Secretary is authorized to grant any such officer or employee additional increases in salary within the salary range established for the class in which he is serving, based upon specially meritorious service.

"'(b) Under such regulations as the Secretary may prescribe, any staff officer or employee who has attained the maximum salary rate prescribed by section 415 for the class in which he is serving may be granted from time to time an additional salary increase beyond the maximum salary rate for his class in recognition of longevity or proficiency in the Service. Each such salary increase shall be equal to the maximum salary rate increase of the applicable class and no person shall receive more than four such salary increases while serving in the same class.'

"SEC. 29. Section 701 of such Act is amended by adding at the end thereof the following: 'The Secretary may also provide to the extent that space is available therefor appropriate orientation and language training to spouses of officers and employees of the Government in anticipation of the assignment abroad of such officers and employees. Other agencies of the Government shall wherever practicable avoid duplicating the facilities of the Institute and the training provided by the Secretary at the Institute or elsewhere.'

"SEC. 30. (a) Paragraph (a) of section 704 of such Act is amended by striking out '1923' in the two places where it appears and inserting in lieu thereof '1949'.

"(b) Section 704 of such Act is amended by adding at the end of such section new paragraphs (e) and (f) which shall read as follows:

"'(e) The Secretary may, under such regulations as he may prescribe, in the absence of suitably qualified United States citizens, employ persons who are not citizens of the United States by appointment to the staff of the Institute either on a full- or part-time basis or by contract for services in the United States or abroad at rates not in excess of those provided by the Classification Act of 1949, as amended (5 U.S.C. 1071).

"'(f) The Secretary may, under such regulations as he may prescribe, provide special monetary or other incentives not inconsistent with this Act to encourage Foreign Service personnel to acquire or retain proficiency in esoteric foreign languages or special abilities needed in the Service.'

"SEC. 31. (a) Section 803(b)(2) of such Act is amended to read as follows—

"'(2) have paid into the Fund a special contribution for each year of such service in accordance with the provisions of section 852(b).'

"(b) Section 803 is further amended by adding at the end thereof a new paragraph (c) which shall read as follows:

"'(c)(1) In accordance with such regulations as the President may prescribe, any Foreign Service staff officer or employee appointed by the Secretary of State who has completed at least ten years of continuous service in the Department's Foreign Service, exclusive of military service, shall become a participant in the System and shall make a special contribution to the Fund in accordance with the provisions of section 852.

"'(2) Any such officer or employee who, under the provisions of paragraph (c)(1) of this section, becomes a participant in the System, shall be mandatorily retired for age during the first year after the effective date of this paragraph if he attains age sixty-four or if he is over age sixty-four; during the second year at age sixty-three; during the third year at age sixty-two; during the fourth year at age sixty-one, and thereafter at age sixty.

"'(3) Any officer or employee who becomes a participant in the System under the provisions of paragraph (c)(1) of this section who is age 57 or over on the effective date of this paragraph, may retire voluntarily at any time before mandatory retirement under paragraph (c)(2) of this section and receive retirement benefits under section 821.'

"SEC. 32. Section 804 of such Act is amended to read as follows:

"'SEC. 804. (a) Annuitants shall be persons who are receiving annuities from the Fund and all persons, including surviving wives and husbands, widows, dependent widowers, children and beneficiaries of participants or annuitants who shall become entitled to receive annuities in accordance with the provisions of this Act, as amended, or in accordance with the provisions of section 5 of the Act of May 1, 1956 (70 Stat. 125).

"'(b) When used in this title the term—

"'(1) "Widow" means the surviving wife of a participant who was married to such participant for at least two years immediately preceding his death or is the mother of issue by such marriage.

"'(2) "Dependent widower" means the surviving husband of a participant who was married to such participant for at least two years immediately preceding her death or is the father of issue by such marriage, and who is incapable of self-support by reason of mental or physical disability, and who received more than one-half of his support from such participant.

"'(3) "Child" means an unmarried child, under the age of eighteen years, or such unmarried child regardless of age who because of physical or mental disability incurred before age eighteen is incapable of self-support. In addition to the offspring of the participant and his or her spouse the term includes (a) an adopted child, and (b) a step-child or recognized natural child who received more than one-half of his support from the participant.'

"SEC. 33. Section 811 of such Act is amended to read as follows:

"'SEC. 811. (a) Six and one-half per centum of the basic salary received by each participant shall be contributed to the Fund for the payment of annuities, cash benefits, refunds, and allowances. An equal sum shall also be contributed from the respective appropriation or fund which is used for payment of his salary. The amounts deducted and withheld from basic salary together with the amounts so contributed from the appropriation or fund, shall be deposited by the Department of State in the Treasury of the United States to the credit of the Fund.

"'(b) Each participant shall be deemed to consent and agree to such deductions from basic salary, and payment less such deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for all regular services during the period covered by such payment, except the right to the benefits to which he shall be entitled under this Act, notwithstanding any law, rule, or regulation affecting the individual's salary.'

"SEC. 34. (a) Paragraphs (a), (b), and (c) of section 821 of such Act are amended to read as follows:

"'SEC. 821. (a) The annuity of a participant shall be equal to 2 per centum of his average basic salary for the highest five consecutive years of service, for which full contributions have been made to the Fund, multiplied by the number of years, not exceeding thirty-five, of service credit obtained in accordance with the provisions of sections 851, 852, and 853. However, the highest five years of service for which full contributions have been made to the Fund shall be used in computing the annuity of any participant who serves as chief of mission and whose continuity of service as such is interrupted prior to retirement by appointment or assignment to any other position determined by the Secretary to be of comparable importance. In determining the aggregate period of service upon which the annuity is to be based, the fractional part of a month, if any, shall not be counted.

"'(b) At the time of retirement, any married participant may elect to receive a reduced annuity and to provide for an annuity payable to his wife or her husband, commencing on the date following such participant's death and terminating upon the death of such surviving wife or husband. The annuity payable to the surviving wife or husband after such participant's death shall be 50 per centum of the amount of the participant's annuity computed as prescribed in paragraph (a) of this section, up to the full amount of such annuity specified by him as the base for the survivor benefits. The annuity of the participant making such election shall be reduced by 2½ per centum of any amount up to $2,400 he specifies as the base for the survivor benefit plus 10 per centum of any amount over $2,400 so specified.

"'(c)(1) If an annuitant dies and is survived by a wife or husband and by a child or children, in addition to the annuity payable to the surviving wife or husband, there shall be paid to or on behalf of each child an annuity equal to the smallest of: (i) 40 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $600; or (iii) $1,800 divided by the number of children.

"'(2) If an annuitant dies and is not survived by a wife or husband but by a child or children, each surviving child shall be paid an annuity equal to the smallest of: (i) 50 per centum of the annuitant's average basic salary, as determined under paragraph (a) of this section, divided by the number of children; (ii) $720; or (iii) $2,160 divided by the number of children.'

"(b) Section 821 of such Act is further amended by adding new paragraphs (d), (e), and (f) which shall read as follows:

"'(d) If a surviving wife or husband dies or the annuity of a child is terminated, the annuities of any remaining children shall

be recomputed and paid as though such wife, husband, or child had not survived the participant.

"'(e) The annuity payable to a child under paragraph (c) or (d) of this section shall begin on the first day of the next month after the participant dies and such annuity or any right thereto shall be terminated upon death, marriage, or attainment of the age of eighteen years, except that, if a child is incapable of self-support by reasons of mental or physical disability, the annuity shall be terminated only when such child dies, marries, or recovers from such disability.

"'(f) At the time of retirement an unmarried participant may elect to receive a reduced annuity and to provide for an annuity equal to 50 per centum of the reduced annuity payable after his or her death to a beneficiary whose name shall be designated in writing to the Secretary. The annuity payable to a participant making such election shall be reduced by 10 per centum of an annuity computed as provided in paragraph (a) of this section and by 5 per centum of an annuity so computed for each full five years the person designated is younger than the retiring participant, but such total reduction shall not exceed 40 per centum. No such election of a reduced annuity payable to a beneficiary shall be valid until the participant shall have satisfactorily passed a physical examination as prescribed by the Secretary. The annuity payable to a beneficiary under the provisions of this paragraph shall begin on the first day of the next month after the participant dies. Upon the death of the surviving beneficiary all payments shall cease and no further annuity payments authorized under this paragraph shall be due or payable.'

"SEC. 35. (a) Paragraphs (a), (b), and (c) of section 831 of such Act are amended to read as follows:

"'(a) Any participant who has five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with provisions of section 851 or 852(a)(2), and who becomes totally disabled or incapacitated for useful and efficient service by reason of disease, illness, or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the Secretary, be retired on an annuity computed as prescribed in section 821. If the disabled or incapacitated participant has less than twenty years of service credit toward his retirement under the System at the time he is retired, his annuity shall be computed on the assumption that he has had twenty years of service, but the additional service credit that may accrue to a participant under this provision shall in no case exceed the difference between his age at the time of retirement and the mandatory retirement age applicable to his class in the Service.

"'(b) In each case, the participant shall be given a physical examination by one or more duly qualified physicians or surgeons designated by the Secretary to conduct examinations, and disability shall be determined by the Secretary on the basis of the advice of such physicians or surgeons. Unless the disability is permanent, like examinations shall be made annually until the annuitant has reached the statutory mandatory retirement age for his class in the Service. If the Secretary determines, on the basis of the advice of one or more duly qualified physicians or surgeons conducting such examinations that an annuitant has recovered to the extent that he can return to duty, the annuitant may apply for reinstatement or reappointment in the Service within one year from the date his recovery is determined. Upon application the Secretary shall reinstate any such recovered disability annuitant in the class in which he was serving at time of retirement, or the Secretary may, taking into consideration the age, qualifications, and experience of such annuitant, and the present class of his contemporaries in the Service, appoint him or, in the case of an annuitant who is a former Foreign Service officer, recommend that the President appoint him, by and with the advice and consent of the Senate, to a class higher than the one in which he was serving prior to retirement. Payment of the annuity shall continue until a date six months after the date of the examination showing recovery or until the date of reinstatement or reappointment in the Service, whichever is earlier. Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Fund. If the annuitant fails to submit to examination as required under this section, payment of the annuity shall be suspended until continuance of the disability is satisfactorily established.

"'(c) If a recovered disability annuitant whose annuity is discontinued is for any reason not reinstated or reappointed in the Service, he shall be considered to have been separated within the meaning of section 834 as of the date he was retired for disability and he shall, after the discontinuance of the disability annuity, be entitled to the benefits of that section or of section 841(a) except that he may elect voluntary retirement in accordance with the provisions of section 636 if he can qualify under its provisions.'

"(b) Section 831 of such Act is further amended by adding new paragraphs (d) and (e) which shall read as follows:

"'(d) No participant shall be entitled to receive an annuity under this Act and compensation for injury or disability to himself under the Federal Employees' Compensation Act of September 7, 1916, as amended, covering the same period of time. This provision shall not bar the right of any claimant to the greater benefit conferred by either Act for any part of the same period of time. Neither this provision nor any provision of the Act of September 7, 1916, as amended, shall be so construed as to deny the right of any person to receive an annuity under this Act by reason of his own services and to receive concurrently any payment under such Act of September 7, 1916, as amended, by reason of the death of any other person.

"'(e) Notwithstanding any provision of law to the contrary, the right of any person entitled to an annuity under this Act shall not be affected because such person has received an award of compensation in a lump sum under section 14 of the Act of September 7, 1916, as amended, except that where such annuity is payable on account of the same disability for which compensation under such section has been paid, so much of such compensation as has been paid for any period extended beyond the date such annuity becomes effective, as determined by the Secretary of Labor, shall be refunded to the Department of Labor, to be paid into the Federal Employees' Compensation Fund. Before such person shall receive such annuity he shall (1) refund to the Department of Labor the amount representing such computed payments for such extended period, or (2) authorize the deduction of such amount from the annuity payable to him under this Act, which amount shall be transmitted to such Department for reimbursement to such Fund. Deductions from such annuity may be made from accrued and accruing payments, or may be prorated against and paid from accruing payments in such manner as the Secretary of Labor shall determine, whenever he finds that the financial circumstances of the annuitant are such as to warrant such deferred refunding.'

"SEC. 36. Section 832 of such Act is amended to read as follows:

"'SEC. 832. (a) In case a participant dies and no claim for annuity is payable under the provisions of this Act, his contributions to the Fund, with interest at the rates prescribed in sections 841(a) and 881(a), shall be paid in the order of precedence shown in section 841(b).

"'(b) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a widow or a dependent widower, as defined in section 804, such widow or dependent widower shall be entitled to an annuity equal to 50 per centum of the annuity computed in accordance with the provisions of paragraph (e) of this section and of section 821(a). The annuity of such widow or dependent widower shall commence on the date following death of the participant and shall terminate upon death of the widow or dependent widower, or upon the dependent widower's becoming capable of self-support.

"'(c) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is survived by a wife or a husband and a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(1). The child's annuity shall begin and be terminated in accordance with the provisions of section 821(e). Upon the death of the surviving wife or husband or termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though such wife or husband or child had not survived the participant.

"'(d) If a participant who has at least five years of service credit toward retirement under the System, excluding military or naval service that is credited in accordance with the provisions of section 851 or 852(a)(2), dies before separation or retirement from the Service and is not survived by a wife or husband, but by a child or children, each surviving child shall be entitled to an annuity computed in accordance with the provisions of section 821(c)(2). The child's annuity shall begin and terminate in accordance with the provisions of section 821(e). Upon termination of the annuity of a child, the annuities of any remaining children shall be recomputed and paid as though that child had never been entitled to the benefit.

"'(e) If, at the time of his or her death, the participant had less than twenty years of service credit toward retirement under the System, the annuities payable in accordance with paragraph (b) of this section shall be computed in accordance with the provisions of section 821 on the assumption he or she has had twenty years of service, but the additional service credit that may accrue to a deceased participant under this provision shall in no case exceed the difference between his or her age on the date of death and the mandatory retirement age applicable to his or her class in the Service. In all cases arising under paragraphs (b), (c), (d), or (e) of this section, it shall be assumed that the deceased participant was qualified for retirement on the date of his death.'

"SEC. 37. A new section 834 is hereby added to such Act as follows:

"'DISCONTINUED SERVICE RETIREMENT

"'SEC. 834. (a) Any participant who voluntarily separates from the Service after obtaining at least five years of service credit toward retirement under the System, excluding military or naval service that is credited

in accordance with the provisions of section 851 or 852(a)(2), may, upon separation from the Service or at any time prior to becoming eligible for an annuity, elect to have his contributions to the Fund returned to him in accordance with the provisions of section 841, or to leave his contributions in the Fund and receive an annuity, computed as prescribed in section 821, commencing at the age of sixty years.

"'(b) If a participant who has qualified in accordance with the provisions of paragraph (a) of this section to receive a deferred annuity commencing at the age of sixty dies before reaching the age of sixty his contributions to the Fund, with interest, shall be paid in accordance with the provisions of sections 841 and 881.'

"SEC. 38. Section 841 of such Act is amended to read as follows:

"'SEC. 841. (a) Whenever a participant becomes separated from the Service without becoming eligible for an annuity or a deferred annuity in accordance with the provisions of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1960; semiannually as of December 31, 1960; annually thereafter as of December 31, and proportionately for the period served during the year of separation including all contributions made during or for such period, except as provided in section 881, shall be returned to him.

"'(b) In the event that the total contributions of a retired participant, other than voluntary contributions made in accordance with the provisions of section 881, with interest at 4 per centum per annum compounded annually as is provided in paragraph (a) of this section added thereto, exceed the total amount returned to such participant or to an annuitant claiming through him, in the form of annuities, accumulated at the same rate of interest up to the date the annuity payments cease under the terms of the annuity, the excess of the accumulated contributions over the accumulated annuity payments shall be paid inthe following order of precedence, upon the establishment of a valid claim therefor, and such payment shall be a bar to recovery by any other person:

"'(1) To the beneficiary or beneficiaries designated by the retired participant in writing to the Secretary;

"'(2) If there be no such beneficiary, to the surviving wife or husband of such participant;

"'(3) If none of the above, to the child or children of such participant and descendants of deceased children by representation;

"'(4) If none of the above, to the parents of such participant or the survivor of them;

"'(5) If none of the above, to the duly appointed executor or administrator of the estate of such participant;

"'(6) If none of the above, to other next of kin of such participant as may be determined by the Secretary in his judgment to be legally entitled thereto.

"'(c) No payment shall be made pursuant to paragraph (b)(6) of this section until after the expiration of thirty days from the death of the retired participant or his surviving annuitant.'

"SEC. 39. Section 851 of such Act is amended to read as follows:

"'SEC. 851. For the purposes of this title, the period of service of a participant shall be computed from the effective date of appointment as a Foreign Service officer, or, if appointed prior to July 1, 1924, as an officer or employee of the Diplomatic or Consular Service of the United States, or from the date he becomes a participant under the provisions of this Act, as amended, but all periods of separation from the Service and so much of any leaves of absence without pay as may exceed six months in the aggregate in any calendar year shall be excluded, except leaves of absence while receiving benefits under the Federal Employees' Compensation Act of September 7, 1916, as amended, and leaves of absence granted participants while performing active and honorable military or naval service in the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States.'

"SEC. 40. (a) Paragraphs (a), (b), and (c) of section 852 of such Act are amended to read as follows:

"'(a) A participant may, subject to the provisions of this section, include in his period of service—

"'(1) civilian service in the executive, judicial, and legislative branches of the Federal Government and in the District of Columbia government, prior to becoming a participant; and

"'(2) active and honorable military or naval service in the Army, Navy, Marine Corps, Air Force, or Coast Guard of the United States.

"'(b) A person may obtain prior civilian service credit in accordance with the provisions of paragraph (a)(1) of this section by making a special contribution to the Fund equal to 5 per centum of his basic annual salary for each year of service for which credit is sought subsequent to July 1, 1924, and prior to the effective date of the Foreign Service Act Amendments of 1960, and at 6½ per centum thereafter with interest compounded annually at 4 per centum per annum to the date of payment. Any such person may, under such conditions as may be determined in each instance by the Secretary, pay such special contributions in installments.

"'(c)(1) If an officer or employee under some other Government retirement system, becomes a participant in the System by direct transfer, such officer or employee's total contributions and deposits, including interest accrued thereon, except voluntary contributions, shall be transferred to the Fund effective as of the date such officer or employee becomes a participant in the System. Each such officer or employee shall be deemed to consent to the transfer of such funds and such transfer shall be a complete discharge and acquittance of all claims and demands against the other Government retirement fund on account of service rendered prior to becoming a participant in the System.

"'(2) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall be required to make contributions in addition to those transferred, for periods of service for which full contributions were made to the other Government retirement fund, nor shall any refund be made to any such officer or employee on account of contributions made during any period to the other Government retirement fund, at a higher rate than that fixed by section 811 of this Act for contributions to the Fund.

"'(3) No officer or employee, whose contributions are transferred to the Fund in accordance with the provisions of paragraph (c)(1) of this section, shall receive credit for periods of service subsequent to July 1, 1924, for which a refund of contributions has been made, or for which no contributions were made to the other Government retirement fund. A participant may, however, obtain credit for such prior service by making a special contribution to the Fund in accordance with the provisions of paragraph (b) of this section.'

"(b) Section 852 of such Act is further amended by adding at the end thereof new paragraphs (d) and (e) which shall read as follows:

"'(d) No participant may obtain prior civilian service credit toward retirement under the System for any period of civilian service on the basis of which he is receiving or will in the future be entitled to receive any annuity under another retirement system covering civilian personnel of the Government.

"'(e) A participant may obtain prior military or naval service credit in accordance with the provisions of paragraph (a)(2) of this section by applying for it to the Secretary prior to retirement or separation from the Service. However, in the case of a participant who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of a participant who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or caused by an instrumentality of war and incurred in line of duty during a period of war (as that term is used in chapter 11 of title 38, United States Code), or is awarded under chapter 67 of title 10 of the United States Code, the period of such military or naval service shall be included. No contributions to the Fund shall be required in connection with military or naval service credited to a participant in accordance with the provisions of paragraph (a)(2) of this section.'

"SEC. 41. Such Act is amended by adding after section 854 a new section as follows:

"'RECOMPUTATION OF ANNUITIES OF CERTAIN FORMER PARTICIPANTS

"'SEC. 855. The annuity of each former participant under the System, who retired prior to July 28, 1956, and who at the time of his retirement had creditable service in excess of thirty years, shall be recomputed on the basis of actual years of creditable service not in excess of thirty-five years. Service which was not creditable under the System on the date a former participant retired, shall not be included as creditable service for the purpose of this recomputation. The annuities payable to such persons shall, when recomputed, be paid at the rates so determined, but no such recomputation or any other action taken pursuant to this section shall operate to reduce the rate of the annuity any such person is entitled to receive under the System.'

"SEC. 42. The heading 'PART H—OFFICERS REINSTATED IN THE SERVICE' under title VIII of such Act is amended to read as follows:

'PART H—ANNUITANTS RECALLED, REINSTATED OR REAPPOINTED IN THE SERVICE OR REEMPLOYED IN THE GOVERNMENT'.

"SEC. 43. Section 871 of such Act is amended and a heading is added thereto as follows:

"'RECALL

"'SEC. 871. Any annuitant recalled to duty in the Service in accordance with the provisions of section 520(b) or reinstated or reappointed in accordance with the provisions of section 831(b) shall, while so serving, be entitled in lieu of his annuity to the full salary of the class in which he is serving. During such service, he shall make contributions to the Fund in accordance with the provisions of section 811. When he reverts to his retired status, his annuity shall be determined anew in accordance with the provisions of section 821.'

"SEC. 44. A new section 872 is hereby added to such Act as follows:

"'REEMPLOYMENT

"'SEC. 872. (a) Notwithstanding any other provision of law, any officer or employee of the Service, who has retired under this Act, as amended, and is receiving an annuity pursuant thereto, and who is reemployed in the Federal Government service in any appointive position either on a part-time or full-time basis, shall be entitled to receive the salary of the position in which he is serving plus so much of his annuity payable under this Act, as amended, which when combined with such salary does not exceed

during any calendar year the basic salary such officer or employee was entitled to receive under section 412 or 415 of the Act, as amended, on the date of his retirement from the Service. Any such reemployed officer or employee who receives salary during any calendar year in excess of the maximum amount which he may be entitled to receive under this paragraph shall be entitled to such salary in lieu of benefits hereunder.

"'(b) When any such retired officer or employee of the Service is reemployed, the employer shall send a notice to the Department of State of such reemployment together with all pertinent information relating thereto and shall cause to be paid, by transfer or otherwise, to the Department of State funds necessary to cover gross salary, employer contributions, and gross lump-sum leave payment relating to the employment of the reemployed officer or employee. The Department of State shall make to and on behalf of the reemployed officer or employee payments to which he is entitled under the provisions of paragraph (a) of this section, and shall make those withholdings and deductions authorized and required by law.

"'(c) In the event of any overpayment under this section the Secretary of State is authorized to withhold the amount of such overpayment from the salary payable to such reemployed officer or employee or from his annuity.'

"SEC. 45. (a) So much of paragraph (a) of section 881 of such Act as precedes subparagraph (1) thereof is amended to read as follows:

"'(a) Any participant may, at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 per centum of his basic salary, but not in excess of 10 per centum of such salary, which amounts together with interest at 3 per centum per annum, compounded annually at the end of each fiscal year through June 30, 1960; semiannually as of December 31, 1960; annually thereafter as of December 31, and proportionately for the period served during the year of his retirement, including all contributions made during or for such period, shall, at the date of his retirement and at his election, be—'.

"(b) Paragraph (c) of section 881 of such Act is amended by deleting the word 'annually' and inserting in lieu thereof the phrase 'as is provided in paragraph (a) of this section', and by changing the words 'withdrawal from active service' at the end of such paragraph to 'separation from the Service'.

"SEC. 46. Section 912 of such Act is amended by changing the heading thereto to read 'LOAN OF HOUSEHOLD FURNISHINGS AND EQUIPMENT' and by inserting between the words 'with household' the word 'basic' and by inserting between the words 'household equipment' the phrase 'furnishings and'.

"SEC. 47. Section 913 of such Act and the heading thereto is amended to read as follows:

"'TRANSPORTATION OF MOTOR VEHICLES

"'SEC. 913. The Secretary may, notwithstanding the provisions of any other law, transport for or on behalf of an officer or employee of the Service, a privately owned motor vehicle in any case in which he shall determine that water, rail, or air transportation of the motor vehicle is necessary or expedient for all or any part of the distance between points of origin and destination. Not more than one motor vehicle of any such officer or employee may be transported under authority of this section during any four-year period, except that, as a replacement for such motor vehicle, one additional motor vehicle of any such officer or employee may be so transported during such period upon approval, in advance, by the Secretary and upon a determination, in advance, by the Secretary that such replacement is necessary for reasons beyond the control of the officer or employee and is in the interest of the Government. After the expiration of a period of four years following the date of transportation under authority of this section of a privately owned motor vehicle of any officer or employee who has remained in continuous service outside the continental United States (excluding Alaska and Hawaii) during such period, the transportation of a replacement for such motor vehicle for such officer or employee may be authorized by the Secretary in accordance with this section.'

"SEC. 48. (a) Section 1021 of such Act is amended by inserting the phrase 'the Department including' immediately prior to the phrase 'the Service' wherever it appears in this section.

"(b) Section 1021(a) is further amended by striking out the phrase 'if recommended by the Director General' and inserting in lieu thereof the phrase 'at the discretion of the Secretary'.

"SEC. 49. Section 4 of the Foreign Service Buildings Act, 1926, as amended (22 U.S.C. 295), is amended by adding at the end thereof the following new subsection:

"'(c) For the purpose of carrying into effect the provisions of this Act there is hereby authorized to be appropriated, in addition to amounts previously authorized, an amount not to exceed $10,000,000, which shall remain available until expended.'

"SEC. 50. Section 11 of the Act of August 1, 1956 (70 Stat. 890), is hereby amended by inserting after the phrase 'Government-owned vehicles' the phrase 'or taxicabs', and by inserting after the phrase 'public transportation facilities' the phrase 'other than taxicabs'.

"SEC. 51. Paragraph (4) of section 104(a) of the Internal Revenue Code of 1954 (26 U.S.C. 104(a)(4)) (relating to the exclusion from gross income of compensation for injuries and sickness) is hereby amended to read as follows:

"'(4) amounts received as a pension, annuity, or similar allowance for personal injuries or sickness resulting from active service in the armed forces of any country or in the Coast and Geodetic Survey or the Public Health Service, or as a disability annuity payable under the provisions of section 831 of the Foreign Service Act of 1946, as amended (22 U.S.C. 1081; 60 Stat. 1021).'

"SEC. 52. The following headings and sections in the Foreign Service Act of 1946, as amended, are hereby repealed:

"(1) Section 442 of such Act and the heading thereto.

"(2) Section 525 of such Act and the heading thereto.

"(3) Section 576 of such Act and the heading thereto.

"(4) Section 577 of such Act and the heading thereto.

"SEC. 53. Any person who occupies a position in the Department of State to which he was appointed by the President, by and with the advice and consent of the Senate, at the time that he was an active Foreign Service officer, and who while holding this position has retired for age as a Foreign Service officer, and who on the effective date of this section, continues to hold such position is hereby reinstated, effective as of the date of such retirement, to active status as a Foreign Service officer and shall be entitled to all the provisions of the Foreign Service Act of 1946, as amended, as though he had never retired.

"SEC. 54. Notwithstanding the provisions of this Act, existing rules and regulations of or applicable to the Foreign Service of the United States shall remain in effect until revoked or rescinded or until modified or superseded by regulations made in accordance with the provisions of the Foreign Service Act of 1946, as amended by this Act, unless clearly inconsistent with the provisions of this Act or the provisions so amended.

"SEC. 55. Notwithstanding any other provisions of law, any Foreign Service staff officer who accepted an appointment as a Foreign Service Reserve officer in the Department of State during the period beginning September 1, 1958, and ending December 31, 1958, both dates inclusive, shall not be separated from the Foreign Service before the expiration of his original appointment as a Foreign Service Reserve officer, except as authorized by section 637 of the Foreign Service Act of 1946, as amended.

"SEC. 56. (a) The provisions of this Act shall become effective as of the first day of the first pay period which begins more than thirty days after the date of enactment of this Act, except as provided in paragraphs (b), (c), (d), and (e) of this section, and except as otherwise provided in the text of this Act.

"(b)(1) The provisions of paragraph (c)(1) of section 803 of the Foreign Service Act of 1946, as amended by section 31(b) of this Act, shall become effective on the first day of the first month which begins more than one year after the date of enactment of this Act, except that any Foreign Service staff officer or employee, who at the time this Act becomes effective meets the requirements for participation in the Foreign Service Retirement and Disability System, may elect to become a participant in the System before the mandatory provisions become effective. Such Foreign Service staff officers and employees shall become participants effective on the first day of the second month following the date of their application for earlier participation.

"(2) The provisions of paragraph (c)(2) of section 803 of the Foreign Service Act of 1946, as amended by section 31(b) of this Act, shall become effective on the first day of the first month which begins more than three years after the date of enactment of this Act.

"(c) The amendment made by section 33 of this Act, with respect to a contribution to the Foreign Service Retirement and Disability Fund to be made by the Department, shall become effective July 1, 1961.

"(d) The amendment made by section 41 of this Act shall take effect on the first day of the first month which begins more than thirty days after the date of enactment of this Act.

"(e) The amendment made by section 51 of this Act shall be effective with respect to taxable years ending after the date of enactment of this Act."

And the House agree to the same.

WAYNE L. HAYS,
EDNA F. KELLY,
LEONARD FARBSTEIN,
ALVIN M. BENTLEY,
FRANCES P. BOLTON,
Managers on the Part of the House.

J. W. FULBRIGHT,
JOHN SPARKMAN,
MIKE MANSFIELD,
BOURKE B. HICKENLOOPER,
HOMER E. CAPEHART,
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 amendment of the House to the bill (S. 2633) to amend the Foreign Service Act of 1946, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

LIMITED AND PROBATIONARY APPOINTMENTS

Section 12 of the House amendment to the Senate bill amends section 531 of the Foreign Service Act which deals with limited and

temporary appointments, including probationary periods of service, of Foreign Service Staff officers and employees. The Senate bill contains a similar provision. Under both versions the Secretary may terminate at any time and without regard to the provisions of any other law the services of Staff officers and employees appointed for temporary or limited service or who occupy probationary status. The Senate version contains a provision that should a Staff officer or employee in one of these categories be separated because of misconduct, he shall be given a hearing in accordance with the provisions of section 637 of the act. The managers on the part of the House accepted the Senate language.

TERMINATION OF SERVICES OF RESERVES AND LIMITED APPOINTEES

The managers on the part of the House accepted section 28 of the Senate bill with an amendment. This section permits the Secretary to terminate at any time the services of any Foreign Service Reserve officer or staff officer or employee who is serving under a limited appointment except that if such termination is because of misconduct the provisions of the language contained in section 27 of the Senate bill dealing with separation for cause will be applicable. The managers on the part of the House accepted this part of section 28 of the Senate bill.

Section 28 also provides that the conditions of employment of a small group of former staff officers who accepted Reserve officer appointments in the latter part of 1958 would not be affected by the provisions for termination of Reserve officer appointments contained in the first sentence of this section. The conferees deleted this portion of the Senate bill, as covered by section 52 of the House amendment, which was accepted by the Senate conferees. Section 52 of the House amendment (renumbered as section 55 of the conference substitute) provides that the services of this small group of Reserve officers would not be terminated before the expiration date of their appointments except where termination is for cause. The Senate accepted the language of the House amendment, with a perfecting amendment.

SEPARATION FOR CAUSE

Section 27 of the Senate bill brings into one section procedures for the separation of Foreign Service officers, Reserve officers or staff personnel for unsatisfactory performance of duty or for such other cause as will promote the efficiency of the Foreign Service. These procedures do not apply to Foreign Service officers of class 8 or any other officer or employee of the Service who is in a probationary status or whose appointment is limited or temporary except when the separation of such individuals is by reason of misconduct. It also provides that a participant in the Foreign Service retirement system separated under this section, if he has 5 years of service, may elect to receive a deferred annuity at age 60 except in cases where the Secretary determines that separation was based in whole or in part on grounds of disloyalty.

The managers on the part of the House accepted the Senate provision. The provisions for separation in this section will be used in those cases involving misconduct as provided in sections 14 and 28 of the Senate bill which the managers on the part of the House agreed to.

EXTENSION OF SERVICES

Section 20 of the Senate bill permits the Secretary of State whenever he shall determine it to be in the public interest to extend for a period of not more than 5 years the services of a career ambassador or a career minister who has reached the mandatory retirement age. The House amendment contains no limitation on the number of years of postretirement service that such an individual could serve. The managers on the part of the House accepted the limitation contained in the Senate bill.

HOUSING DIFFERENTIAL DURING SERVICE IN THE UNITED STATES

The Senate bill (sec. 18) contains a section providing for a housing differential for Foreign Service personnel assigned to duty in the continental United States and Foreign Service officers of class 7 and 8 assigned to duty in the continental United States prior to assignment abroad. The House amendment does not contain this provision. In receding from the Senate version the conferees of both Houses were in agreement that the Senate provision was desirable and reasonable. Unlike other Government employees the Foreign Service is a mobile service in which a tour of duty in Washington constitutes only a small part of their total service. They acquire little or no equity in housing. Because of the strong opposition of the executive branch the conferees agreed to omit this section from the bill.

ESOTERIC FOREIGN LANGUAGES

Section 32(b) of the Senate bill adds a provision to the Foreign Service Act which authorizes the Secretary of State to provide special monetary incentives to encourage Foreign Service personnel to acquire or to retain proficiency in esoteric foreign languages or other special abilities needed in the Service. The House amendment has no comparable provision. The acquisition and maintenance of proficiency in the esoteric languages is a time-consuming and frequently extracurricular requirement which imposes heavily upon an officer's or employee's time. Further, an officer who becomes such a language and area specialist will in most instances be called upon to spend a disproportionate part of his career in the Service at posts where living conditions are difficult. The need for officers trained in these difficult languages is becoming increasingly important in the conduct of foreign affairs activities. The managers on the part of the House accepted the Senate language in the belief that the Secretary should have authority to offer incentives that will stimulate the mastery of these languages.

FOREIGN LANGUAGE KNOWLEDGE PREREQUISITE TO ASSIGNMENT

The Senate bill requires that the Secretary designate every Foreign Service officer position in a foreign country whose incumbent should have a useful knowledge of a language or dialect common to such country. The House amendment requires that the Secretary determine annually the number of such positions.

The Senate bill also provides that each such position so designated shall be filled after December 31, 1963, only by an incumbent having such knowledge. The House amendment provides that after that date the prescribed quota of language officers be maintained for each country.

The Senate bill permits either the Secretary or the Deputy Under Secretary for Administration to make exceptions to this requirement for individuals or when special or emergency conditions exist. The House amendment permits exceptions only by the Secretary when special or emergency conditions exist.

The managers on the part of the House accepted the Senate language.

FOREIGN SERVICE BUILDINGS PROGRAM

Section 55 of the Senate bill carries an authorization for the Foreign Service buildings program of $100 million of which half is to be used for the purchase of local currencies to finance the program. The House amendment contains no language on this matter.

The Subcommittee on State Department Organization and Foreign Operations of the Committee on Foreign Affairs held extensive hearings during 1959 and 1960 on the buildings program. Testimony before the subcommittee showed inconsistencies in justification of new buildings and an arbitrary handling of the program by the Office of Foreign Buildings. Under these conditions neither the subcommittee nor the Committee on Foreign Affairs was willing to authorize additional sums. Apart from new construction and acquisition of property, money is needed for maintenance, rehabilitation, and planning. The managers on the part of the House agreed to an authorization of $10 million for the program. It is the intention of the conferees that to the maximum extent practicable local currencies owed to or owned by the United States will be used.

WAYNE L. HAYS,
EDNA F. KELLY,
LEONARD FARBSTEIN,
ALVIN M. BENTLEY,
FRANCES P. BOLTON,
Managers on the Part of the House.

Mr. HAYS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I want to discuss briefly the conference report on the Foreign Service Act amendments of 1960. There were 23 items in disagreement between the Senate bill, S. 2633, and the House amendment to that bill.

The managers on the part of the House were successful in upholding the House position. The Senate conferees receded on 15 items, the House conferees on 6, and in 2 cases an adjustment was reached between the 2 versions before the conferees.

There were four items in the Senate bill that the Committee on Foreign Affairs had taken out of its version before bringing the bill to the floor. These were first, the reorganization of the Foreign Service staff structure from 22 classes to 10 classes; second, hazardous duty pay for couriers; third, a housing differential for Foreign Service officers assigned to a tour of duty in the United States; and, fourth, special incentive payments for personnel acquiring proficiency in esoteric languages.

I am pleased to report to the House that on three of these items in disagreement the Senate accepted the House position and receded. There is no provision in the agreed bill for the reorganization of the Foreign Service staff, no extra pay for couriers, and no provision for a housing differential for personnel assigned to the United States. On the latter point the conferees of both bodies were in agreement that such a differential was desirable. During the conference we were advised that the Bureau of the Budget and the White House were strongly opposed to this provision. In order to get through the rest of the bill which we all thought desirable, the Senate receded and accepted the House position that no differential be provided. The only one of the four points on which the House had to recede in the face of strenuous arguments from the Senate was that provision for special incentive payments for individuals becoming proficient in esoteric foreign languages. This may add about $150,000 to the annual operations of the Department, but if it can supply our country with some of the linguistic skills so badly needed in these days it will be a sum well spent.

The conference report carries an authorization for $10 million for the continuation of the oversea building program. Let me make clear that this has nothing to do with the so-called housing differential. The authorization contained in section 49 of the conference text is for the maintenance, rehabilitation, and planning of office buildings and residences outside the United States.

The Senate bill contained an authorization of $100 million for this purpose. The House amendment had no language on this matter. The reason was simple. My Subcommittee on State Department Organization and Foreign Operations had exhaustive hearings on the Department's request for $100 million that was designed to carry the buildings program for the next 5 years. All of us on the subcommittee recognize the need for an orderly building program. Frankly, the evidence presented to the subcommittee was marked by inconsistencies. The head of the buildings operation in the Department was arbitrary and arrogant. It was, and is, our opinion that so long as the operation is headed by the present incumbent we would have no confidence in the buildings program. We considered in subcommittee an authorization sufficient to carry the program for a 2-year period, but even gave up on that and reported out no bill.

The $10 million authorization which the House conferees accepted in lieu of the $100 million in the Senate bill will be sufficient to provide for the maintenance, rehabilitation, and planning of buildings. It will not permit much construction for the next year. When the new Congress convenes next year, we can take a fresh look at the Department's needs and justifications.

The other points which the House accepted concern the administration of the Foreign Service. They are important for the effective operation of the Service and represent no major or radical departure; rather they are in the nature of clarification of the Secretary's responsibilities and authority over the Service.

In summary, I think the managers on the part of the House did a splendid job in upholding the views of the House. I urge the adoption of the conference report.

At this point, Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. BENTLEY], the ranking minority member of the subcommittee and of the conferees.

Mr. BENTLEY. Mr. Speaker, as the able and distinguished gentleman from Ohio [Mr. HAYS], the chairman of our subcommittee and chairman of the House conferees, has pointed out, the House was successful in imposing its viewpoint upon the conferees from the other body in 15 out of the 21 points of difference which were actually brought to the conference, 2 having been settled earlier by mutual agreement. The House conferees felt it necessary to recede in only 6 out of the 21 instances, which I maintain is a very fine record. I think the Members of the House should recognize the fact that the Senate, as I say, did recede on more than two-thirds of all of the points of difference at issue.

When this bill was last before the House, Mr. Speaker, there had been deleted, as I recall, four items which had been strenuously objected to by certain Members of the House. On three of those four items the Senate receded. The only one of these items which is now contained in the conference report before you, as has been pointed out by the gentleman from Ohio, can be found at the top of page 9 of the conference report, section 30(f), which reads:

> The Secretary may, under such regulations as he may prescribe, provide special monetary or other incentives not inconsistent with this act to encourage Foreign Service personnel to acquire or retain proficiency in esoteric foreign languages or special abilities needed in the Service.

The Department of State has estimated the annual cost of the implementation of this portion of the bill will come to approximately $156,000, which I am sure all Members will agree is a small enough cost if it will really accomplish the purpose for which it is intended, which is to provide incentive and initiative for officers and members of the Service to acquire and maintain proficiency in foreign languages, particularly those languages not usually taught in our educational system.

The only other new item where considerable cost is involved is this $10 million authorization for office buildings and residences. The original Senate bill contained $100 million for this purpose. The members of the Committee on Foreign Affairs originally intended to treat this in separate legislation, but for many reasons no such legislation came forth this year. The Senate conferees felt very strongly that because of the necessity for additional authorization to provide for maintenance in certain limited areas and new construction in others that some money should be forthcoming, owing to the fact that this year many new countries have been established in various parts of the world where we will have to have diplomatic or consular missions or both. Therefore, the House agreed to put in $10 million, which will be primarily for the upkeep and maintenance of existing buildings, and for planning for new buildings, but which will permit very little for actual new construction starts.

In summation, it is my opinion as ranking minority member of this subcommittee that the conferees have done a very outstanding job. I want to commend all of them, particularly the gentleman from Ohio. I strongly urge the House to adopt the conference report before us.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from Iowa.

Mr. GROSS. Under section 642, appearing on page 8 of the conference report, does the gentleman feel there are any built-in pay increases in that language?

Mr. BENTLEY. I may say to the gentleman from Iowa that of course the members of the Foreign Service are beneficiaries of the 7.5-percent pay increase for Federal employees adopted by the Congress a short time ago. On the other hand, so far as I know, there are no substantial built-in increases in this legislation. I believe the estimated cost of this interclass payment to which the gentleman refers is estimated by the Department of State to be not more than $20,500 for the first year. It was not the intention of the members of the committee or the conferees of either body, I believe, to provide for the Department any substantial pay increase in this connection.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from Iowa.

Mr. GROSS. The gentleman mentioned the 7½-percent increase. That leads to this question, which, perhaps, the gentleman cannot answer. But, is it the gentleman's thinking that in the future the Committtee on Foreign Affairs will handle pay legislation and legislation of this type or will there continue to be the split authority as between the Committee on Post Office and Civil Service and the Committee on Foreign Affairs.

Mr. BENTLEY. I recall the gentleman raised that question the last time this bill was before the House. I think the answer given to the gentleman at that time was that that question should be directed to the parliamentarian whose responsibility is to refer bills of this type. I would say that there are problems, and, speaking as a veteran of the Foreign Service, there are problems having to do with the Foreign Service that from a personnel standpoint I think should be handled by the Committee on Foreign Affairs. With respect to legislation confined to salaries and annuities, I am not so certain that the gentleman's own Committee on Post Office and Civil Service might not properly be the best committee to handle this type of bills, if confined to those subjects alone. Again, basically, it is up to the parliamentarian who, as the gentleman is aware, has the responsibility for deciding to which committee bill are referred.

Mr. GROSS. I thank the gentleman.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I understand you are merely talking about what the House committee might do and not what the Senate committee might do when you are over there.

Mr. BENTLEY. Oh, no; as far as the House is concerned, we have the responsibility, basically, for Foreign Service legislation, but I have no idea what ideas the other body might have on such bills.

Mr. HOFFMAN of Michigan. Probably you can advise us after the first of the year.

Mr. BENTLEY. I hope to have the privilege, I will say to the gentleman, and I can be grateful for his confident prediction that such a privilege will be mine.

Mr. HAYS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. WALTER). The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

HEALTH BENEFITS FOR CERTAIN RETIRED GOVERNMENT EMPLOYEES

Mr. MORRISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 2575) to provide a health benefits program for certain retired employees of the Government, with a Senate amendment to the House amendment thereto and agree to the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the amendment as follows:

Page 11, of the House engrossed amendment, strike out all of section 10, including the heading, and renumber the following sections accordingly.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

Mr. SCHERER. Mr. Speaker, reserving the right to object, may I ask the gentleman whether this is a matter on which you have had an agreement with the minority leader?

Mr. MORRISON. Yes.

Mr. SCHERER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The amendment was agreed to.

A motion to reconsider was laid on the table.

AMENDING MERCHANT MARINE ACT OF 1936

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 633, Rept. No. 2183) which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8093) to amend the Merchant Marine Act, 1936, in order to eliminate the 6 per centum differential applying to certain bids of Pacific coast shipbuilders. After general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority members of the Committee on Merchant Marine and Fisheries, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PROJECT GRANTS FOR GRADUATE TRAINING IN PUBLIC HEALTH

Mr. ROBERTS. Mr. Speaker, I call up the conference report 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, 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 Alabama?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2062)

The committee of conference on the disagreeing votes of the two Houses on 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'SEC. 309. (a) In order to enable the Surgeon General to make project grants to schools of public health, and to those schools of nursing or engineering which provide graduate or specialized training in public health for nurses or engineers, for the purpose of strengthening or expanding graduate public health training in such schools, there are hereby authorized to be appropriated not to exceed $2,000,000 for each fiscal year in the period beginning July 1, 1960, and ending June 30, 1965.

"'(b) Grants to schools under subsection (a) of this section may be made only for those projects which are recommended by the advisory committee appointed pursuant to section 306(d). Any grant for a project made from an appropriation under this section for any fiscal year may include such amounts for carrying out such project during succeeding years. Payment pursuant to such grants may be made in advance or by way of reimbursement, and in such installments as the Surgeon General shall prescribe by regulations after consultation with representatives of such schools.'

"(b) The first sentence of subsection (d) of section 306 of such Act (42 U.S.C. 242d) is amended by inserting 'and section 309' after 'this section' and by adding before the period at the end thereof 'and including, in the case of section 309, certification to the Surgeon General of projects which it has reviewed and approved'."

And the Senate agree to the same.

OREN HARRIS,
KENNETH A. ROBERTS,
GEORGE M. RHODES,
PAUL F. SCHENCK,
Managers on the Part of the House.

LISTER HILL,
RALPH YARBOROUGH,
HARRISON WILLIAMS,
CLIFFORD P. CASE,
JACOB JAVITS,
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 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, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment substituted for a substantial part of the first section of H.R. 6871, as passed by the House, new language which was intended to clarify the language of the House bill. The amendment agreed to by the conferees is substantially the same as the language of the bill as passed by the House. Under the language of section 309(b) of the Public Health Service Act as it would be written by the conference amendment, the Surgeon General would have discretion not to make grants recommended by the advisory committee or to make such grants in a lesser amount than recommended by such advisory committee.

OREN HARRIS,
KENNETH A. ROBERTS,
GEORGE M. RHODES,
PAUL F. SCHENCK,
Managers on the Part of the House.

Mr. ROBERTS. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, to explain the matter briefly, the bill passed by the House was amended by the other body. The conferees on the part of the House were able to get the original House passed bill adopted by the conference. It was unanimous and there was no disagreement on the part of the conferees. It has been cleared on both sides of the aisle. I hope the conference report will be approved by the House.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA LEGISLATION

The SPEAKER pro tempore. This is the day for District of Columbia business.

RETIREMENT COMPENSATION OF CERTAIN FORMER MEMBERS OF METROPOLITAN POLICE FORCE, FIRE DEPARTMENT OF THE DISTRICT OF COLUMBIA, U.S. PARK POLICE FORCE AND WHITE HOUSE POLICE FORCE, AND THE U.S. SECRET SERVICE AND OF THEIR WIDOWS, WIDOWERS, AND CHILDREN

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up H.R. 12775, to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children, and ask unanimous consent that the same be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a)

the amount of relief or retirement compensation payable to each person who, immediately before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, was receiving, or was entitled to receive, relief or retirement compensation from the District of Columbia by reason of his service as an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service is hereby increased by 10 per centum.

(b) In the case of each widow, widower, and child who, immediately before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, was receiving or was entitled to receive relief or retirement compensation from the District of Columbia by reason of the service on the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, the White House Police force, or the United States Secret Service, of a deceased officer or member or a deceased former officer or member, the date of death of such officer or member, or former officer or member, shall, for the purposes of such amendments of 1957, be held and considered to be such effective date.

(c) No retroactive relief or retirement compensation shall be payable by reason of the enactment of this Act to any person subject to subsection (a) of this section for any period before the first day of the month following the date of enactment of this Act.

(d) No increase in relief or annuity shall be payable by reason of the enactment of this Act for any period before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, and this Act shall not be applicable in the case of any widow or any child otherwise entitled to benefits under this Act who died on or after October 1, 1956, but prior to the date of enactment of this Act.

(e) Nothing in this Act shall be deemed to reduce the relief or retirement compensation any person receives, or is entitled to receive, from the District of Columbia on the date of the enactment of this Act.

SEC. 2. Section 4 of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957 is hereby repealed.

Mr. McMILLAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

On page 2, line 21, insert a period following the word "person" and strike the following on lines 21, 22, and 23: "subject to subsection (a) of this section for any period before the first day of the month following the date of enactment of this Act."

Mr. McMILLAN. Mr. Speaker, the purpose of this bill is to equalize benefits to those former policemen, firemen, park police, White House Police, and Secret Service personnel, who retired before the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1957, and to equalize benefits to widows and children of such persons.

Prior to that act, the benefits of all those on the rolls were automatically equalized each time the base was changed for the computation of future retirement benefits. In other words, all retired policemen, firemen, Secret Service personnel and their widows and children received the same level of benefits, regardless of the date on which the retirement—or in the case of survivors, the death—occurred.

The policemen and firemen's relief fund was established by act of Congress in 1916 (39 Stat. 718). This act established a schedule of benefits for retirees, their widows, and children and required a contribution of 1½ percent from the salaries of employees. The rate of contribution was increased to 2½ percent in July 1924, 3½ percent in 1930, 5 percent in 1949, and to the present 6½ percent rate in August 1957.

EQUALIZATION

By the act of February 17, 1923 (42 Stat. 1263) a policy of equalization was adopted which provided eligibility for equal benefits for equal service credits to all retired members regardless of the date of retirement or the contribution percentage retained from salaries. The Commissioners of the District of Columbia in their recommendations to the Senate Committee on the District of Columbia, concerning the bill (S. 3169) which became the act of February 17, 1923, stated:

The purpose of this bill is to equalize the situation so that all pensioners of the police and fire departments, irrespective of the date on which they may have been retired, shall be eligible to equal benefits (S. Rept. 589, 67th Cong., 2d sess.).

The House Committee on the District of Columbia, in recommending that bill favorably to the House—House Report No. 1400, 67th Congress, 4th session—stated:

Your committee is of the opinion that all pensioners who are subjected to the same living cost and who have rendered exceptional service to the District and who have been injured or have been retired because of age should receive the same pension and that there should be no discrimination in the treatment of those aged and disabled public servants.

The equalization formula was related to a recent pay increase which had resulted in differences in retirement benefits between those who had retired before and those retired after the pay increase. The equalization policy has been applied to all pay increases since.

NINETEEN HUNDRED AND FIFTY-SEVEN AMENDMENTS

The Policemen and Firemen's Retirement and Disability Act amendments of 1957, among other changes, increased benefits from a maximum of 50 percent of the base salary to, first, not to exceed 66⅔ percent of the base salary in case of disability retirement; and second, not to exceed 70 percent of the base salary in case of retirements for years of service. That act did not equalize benefits for those already retired. For the first time in 33 years a retiree with the same salary and service credits received less in benefits than his fellow retiree who left the service following the effective date of a change in the computation of benefits. This bill will continue the policy of Congress of providing equal benefits for equal service, irrespective of the date of eligibility for benefits.

Widows and children of former members, until the effective date of the 1957 amendments, all were eligible for like benefits, regardless of the date of death of the husband or father, in amounts not exceeding $125 per month for widows and not exceeding $25 per month for children. Widows or dependent widowers whose entitlement arose following the 1957 amendments, as a minimum benefit, may receive annually the larger of $1,800, or 30 percent of the deceased member's basic salary, compared to $1,500 for those widows previously on the rolls. Children whose entitlement to benefits arose following the 1957 amendments may receive annually the lesser of $600, or $1,800 divided by the number of children, as compared to $300 for each child previously on the rolls. Thus, a widow with three children on the rolls before the 1957 amendments may receive a maximum benefit of $2,400, while another widow with three children having entitlement arising following the effective date of the 1957 amendments may receive a minimum of $3,600 per year. This bill would again equalize benefits for widows and children regardless of the date entitlement arose.

NUMBER OF ANNUITANTS

The total number of annuitant member policemen and firemen who would have benefited under the terms of this bill as of January 1, 1960, was 1,178. Of this number, 90 percent were retired for disability and must now pay their own medical and hospitalization expense. The average length of service for all retired members is 22.4 years. Policemen retired for disability averaged 20.5 years' service and firemen averaged 22.6 years. Those in both groups retired for age and service averaged 32.9 years of service. Under this bill, these former members would have their benefits reestablished on the equalized basis which existed prior to October 1, 1956. This bill prohibits any retroactive payment of benefits to this group.

Approximately 525 widows and their children, under the terms of this bill, would receive retroactive payments from October 1, 1956, and their benefits would be equalized with those of other widows and children.

COST

The cost of the bill can only be estimated on the basis of careful actuarial tables. These tables show that there will be 1,159 retired members remaining on the rolls on January 1, 1961. The number of deaths during the preceding 3 years, plus the estimated deaths for 1960, exceeds 200.

The first year estimated cost in 1961, as shown on the actuarial tables, is $1,265,000. By 1970, the cost for this group will have dropped by 37 percent to $792,000. The 1980 cost estimate is $344,000, or about 27 percent of the 1961 estimate.

In the case of widows' benefits, the estimated cost for 1961 is $189,000 and for children the estimate is $19,000. By 1970, the cost for widows is estimated at $158,000 and for children at $2,000.

The provisions of this legislation apply retroactively to widows and children only, making the increased benefits effective as to them from October 1, 1956. The retroactive costs for widows and children, as of January 1, 1961, would have been $700,000.

Contributions from salaries going into the retirement fund were increased from 5 to 6½ percent in August 1957. The

gross annual dollar increase in contributions to the retirement fund is $517,000, the increase being from $991,000 for the last full year at the 5-percent rate to $1,508,312 estimated for the first full year at the new 6½-percent rate.

Mr. BROYHILL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BROYHILL. Mr. Speaker, H.R. 12775 is a bill designed to correct, in some measure, an injustice which has existed for the past 4 years in regard to certain retired members of the District of Columbia Police and Fire Departments, and the widows and children of some of these members.

From 1916, when the policemen's and firemen's relief fund was established by act of Congress, until 1957, all retired members of the Police and Fire Departments, and their widows and children were treated alike with respect to their pensions. By the act of February 17, 1923, a policy of equalization provided equal benefits for equal service credits to all retired members, regardless of date of retirement or of the contribution percentage retained from their salaries toward the retirement fund. The prevailing attitude of Congress was eloquently expressed in House Report No. 1400 of the 67th Congress, which said in part:

> Your committee is of the opinion that all pensioners who are subjected to the same living cost and who have rendered exceptional service to the District and who have been injured or have been retired because of age should receive the same pension and that there should be no discrimination in the treatment of those aged and disabled public servants.

I wholeheartedly subscribe to this philosophy.

In 1957, however, the Congress for the first time saw fit to create a discriminatory situation, by amendments to the Policemen's and Firemen's Disability Act which substantially increased the benefits for those policemen and firemen who retired subsequent to the date of October 1, 1956, and their widows and children, whereas no increases whatever were provided for those who were retired prior to that date. Briefly, this act of 1957 entitles a member with 30 years' service who retired after October 1, 1956, to receive 70 percent of his terminal salary as an annual pension, whereas a man with the same service who retired prior to that date received only 50 percent. Thus, despite the fact that the Equalization Act of 1923 provided that both of these annuities are computed on the same base salary, there is a glaring discrepancy here of 20 percent in favor of the later retiree which I consider indefensible.

This bill would elevate the annuity rate for the member who retired before October 1, 1956, to 55 percent of the base salary. Thus, there still would remain a difference of 15 percent in favor of the later retiree, which I still consider to be a rank injustice. As a practical matter, however, in view of the opposition to this measure, I am glad to support this increase as a step in the right direction.

The principal argument leveled against this bill is that the older retirees did not contribute as much money toward the retirement fund during their active service as did those who retired later—because of lower salary scales and also somewhat lower contribution rates—and therefore they are not entitled to as much annuity. This reasoning is utterly fallacious, however, in view of the fact that the contributions of the older members were in dollars of much greater value and buying power than those of later times. Thus, a contribution of $10 some years ago certainly was as large, in the true sense, as one of perhaps $15 or $20 today.

In the case of the widows and children of deceased members, the discrimination is perhaps even more pronounced. The widow of a member who died prior to October 1, 1956, receives a pension of $125 per month, and a child of such a member receives $25 per month. The widow of a member who died after that date, on the other hand, receives at least $150 per month, and a child can receive $50 to $60 per month. This proposed legislation would establish the same annuities for widows and children, regardless of the date of the death of the member.

It is my sincere conviction that these injustices should be corrected, at least to the extent of the terms of this bill, without delay. Members of the police and fire departments, who performed the same services, faced the same perils and in many cases suffered the same injuries and disabilities, and who now face the problem of the same costs of living in retirement—as well as widows and children in many instances—are entitled in my opinion to the same amount of pension with which to pass their declining years.

The cost of this bill, based upon the most reliable actuarial estimates, will be some $9 to $10 million, in reducing annual amounts over a period of 25 years or more. In this case, I contend that this is simply the price of justice.

The committee amendment was agreed to.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to offer a supplemental report on the bill H.R. 12775.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RESTORATION TO THE UNITED STATES OF AMOUNTS EXPENDED IN THE DISTRICT OF COLUMBIA FOR TEMPORARY UNEMPLOYMENT COMPENSATION ACT OF 1958

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 3416) to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out the Temporary Unemployment Compensation Act of 1958, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to transfer from the account of the District of Columbia in the Unemployment Trust Fund in the Treasury of the United States to the United States, an amount equal to the amount of temporary unemployment compensation paid in the District of Columbia under the Temporary Unemployment Compensation Act of 1958 (except amounts paid to individuals who exhausted their unemployment compensation under title XV of the Social Security Act and title IV of the Veterans Readjustment Assistance Act of 1952, prior to their making their first claim under the Temporary Unemployment Compensation Act of 1958), whenever such amount has been determined with respect to the District of Columbia, but prior to December 1, 1963.

SEC. 2. There is hereby appropriated, pursuant to section 14 of the District of Columbia Unemployment Compensation Act (48 Stat. 946, 954), as amended (sec. 46–314, D.C. Code, 1951 edition, supp. VII) from the moneys credited pursuant to section 903 of the Social Security Act (49 Stat. 640), as amended (68 Stat. 670; 42 U.S.C. 1958 ed., sec. 1103), to the account of the District of Columbia in the Unemployment Trust Fund in the Treasury of the United States, $150,000 or so much thereof as may be necessary to pay over to the United States an amount equal to the amount of cost incurred by the District Unemployment Compensation Board in the administration of the Temporary Unemployment Compensation Act of 1958. This amount shall be paid whenever such amount is determined but not later than two years from the date of the enactment of this appropriation. In any event this payment shall be made prior to December 1, 1963. The amount obligated pursuant to this section during any fiscal year shall not exceed the amount by which (a) the aggregate of the amounts credited to the account of the District of Columbia pursuant to section 903 of the Social Security Act during such fiscal year and the four preceding fiscal years exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and charged against the amounts credited to the account of the District of Columbia during such five fiscal years.

SEC. 3. (a) There is hereby created a special fund in the Treasury of the United States, separate and apart from the District Unemployment Fund, to be known as a Special Administration Fund. Notwithstanding any contrary provisions of the District of Columbia Unemployment Compensation Act—(1) Interest and penalties collected from employers after the end of the month in which this Act is enacted shall be deposited into the clearing account in the District Unemployment Fund in the Treasury of the United States for clearance only and shall not, except as provided in subsection (c), be deemed a part of the District Unemployment Fund; (2) thereafter, during each calendar quarter there shall be transferred from the clearing account to such Special Administration Fund all interest and penalties collected from employers during the preceding calendar quarter; and (3) refunds of interest and penalties paid

into the Special Administration Fund shall be made from such fund or, after such fund is discontinued as hereinafter provided, from the balance transferred from such fund to the clearing account in the District Unemployment Fund.

(b) The District Unemployment Compensation Board is authorized and directed to requisition from such Special Administration Fund an amount equal to the District's proportionate share of other costs incurred in the administration of the Temporary Unemployment Compensation Act of 1958 as prescribed in section 104(a) thereof, whenever such amount has been determined with respect to the District of Columbia and sufficient funds are available in such Special Administration Fund, and prior to December 1, 1963, to pay such amount to the United States.

(c) Thereafter, and as soon as the amount in the Special Administration Fund exceeds $5,000, such amount shall be transferred to the clearing account in the District Unemployment Fund, such Special Administration Fund shall be discontinued, and all interest and penalties subsequently collected from employers shall be paid into the District Unemployment Fund as provided by the District of Columbia Unemployment Compensation Act.

Mr. McMILLAN. Mr. Speaker, the purpose of the bill is to provide necessary authorization for appropriations and of procedures which will enable the District of Columbia Unemployment Compensation Board to reimburse the Treasury of the United States for certain expenditures made pursuant to the provisions of the Temporary Unemployment Compensation Act of 1958, and to avoid the necessity of increasing the Federal Unemployment Compensation taxes upon employers of four or more employees in the District of Columbia.

Relevant portions of a letter from the Acting President of the Board of Commissioners of the District of Columbia, dated April 5, 1960, addressed to the President of the Senate, which transmitted the draft legislation, are made herewith a part of this report:

The Commissioners of the District of Columbia have the honor to submit herewith a draft of a bill to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out the Temporary Unemployment Compensation Act of 1958.

The act approved June 4, 1958 (72 Stat. 171; 42 U.S.C.A. 1400–1400k), cited as the Temporary Unemployment Compensation Act of 1958, among other things provides that the Federal unemployment compensation taxes of all employers in the District of Columbia who employ four or more individuals shall be increased 50 percent for the calendar year 1963 unless the amounts expended in the District of Columbia under the authority of the said act are restored to the Treasury prior to December 1, 1963. Should such amounts not be restored to the Treasury prior to December 1, 1964, the act provides that the Federal unemployment compensation taxes of the District employers subject to such taxes shall be increased 100 percent over the present taxes.

The costs incurred by the District of Columbia under the authority of the Temporary Unemployment Compensation Act of 1958 fall into three categories. The first category includes the benefits paid to individuals under the said act based upon the exhaustion of a claim under the District of Columbia Unemployment Compensation Act. The second category includes the actual administrative expenses incurred by the District Unemployment Compensation Board in administering the program. The third category includes all other costs chargeable to the District of Columbia, other than those contained in the above categories. This last-mentioned category is principally the District's share of the Federal Government's costs of administering the act.

The first section of the bill provides that the Secretary of the Treasury shall transfer from the account of the District of Columbia in the unemployment trust fund to the United States a sum equal to the amount of benefits paid in the District of Columbia based upon claims exhausted under the District of Columbia Unemployment Compensation Act. There would appear to be no objection to such a transfer as the moneys in the unemployment trust fund are primarily collected for the payment of benefits and the District's account in such fund is more than adequate for the foreseeable future.

The second section of the bill appropriates $150,000 or so much of such sum as may be necessary to pay over to the United States an amount equal to the amount of costs incurred by the District Unemployment Compensation Board in connection with its administration of the Temporary Unemployment Compensation Act of 1958. This sum would be appropriated from the moneys credited pursuant to section 903 of the Social Security Act, as amended, to the account of the District of Columbia in the unemployment trust fund in the Treasury of the United States. The bill provides that the amount so appropriated shall be paid within 2 years from the date of enactment of the bill, and in no event later than December 1, 1963.

It is against established policy to pay Federal administrative expenses out of moneys collected for the payment of benefits or from funds distributed to the States—including the District of Columbia—under the authority of the act approved August 5, 1954 (68 Stat. 668), familiarly known as the Reed bill. However, many States have interest and penalty funds which are used for any purpose that a State legislature might see fit to approve. Section 3 of the bill establishes a temporary interest and penalty fund for the purpose of paying the District's share of the Federal Government's administrative expenses.

The Commissioners have been advised by the Bureau of the Budget that there is no objection on the part of that office to submission of this draft bill to the Congress.

It has been brought to the attention of the committee that as of December 31, 1959, the District of Columbia had reserves of $60,076,000, or a ratio of 11.76 times the amounts paid out in benefits in 1959.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CIVIC PROGRAMS IN COMMEMORATION OF THE 100TH ANNIVERSARY OF THE CIVIL WAR

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up 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, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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 services 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 thirty 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING THAT CLASS C AND D LICENSES SHALL NOT BE PROHIBITED FROM SERVING ALCOHOLIC BEVERAGES ON NEW YEAR'S DAY WHEN NEW YEAR'S DAY FALLS ON SUNDAY

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (H.R. 11535) to amend the District of Columbia Alcoholic Beverage Control Act to provide that class C and D licensees shall not be prohibited from serving alcoholic beverages in their establishments on New Year's Day when New Year's falls on Sunday, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second paragraph of section 7 of the District of Columbia Alcoholic Beverage Control Act (D.C. Code 25–107) is hereby amended to read as follows: "The Commissioners shall have specific authority to make rules and regulations for the issuance, transfer, and revocation of licenses; to facilitate and insure the collection of taxes; to govern the operation of the business of licensees, with full power and authority to prescribe the terms and conditions under which alcoholic beverages may be sold by each class of licensees; to forbid the issuance of licenses for manufacture, sale, or storage of alcoholic beverages in such localities in, and such sections and portions of, the District of Columbia as they may deem proper in the public interest; to limit the number of licenses of each class to be issued in the District of Columbia and to limit the number of licenses of each class in any locality in, or sections or portions of, the District of Columbia as they may deem proper in the public interest; to forbid the issuance of licenses for businesses conducted on such premises as they, in the public interest, may deem inappropriate; to forbid the issuance of any class or classes of licenses for businesses established subsequent to the date of enactment of this Act near or around schools, colleges, universities, churches, or public institutions, to prescribe the hours during which beverages may be sold and to forbid the sale on Sundays; but the Commissioners shall not authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on Sunday except when January 1 falls on a Sunday, other than light wines and beer, and any such sale is hereby prohibited. The powers and authorities expressly enumerated are to be construed as in addition to, and not by way of limitation of, the general powers herein granted. Different regulations may be prescribed for the different classes of licenses, for the different classes of beverages, and for different localities in or sections or portions of the District of Columbia."

Mr. McMILLAN. Mr. Speaker, under existing law section 7 of the Alcoholic Beverage Control Act (D.C. Code 25–107) authorizes the Commissioners of the District of Columbia to make regulations governing the sale of beverages and governing the hours when beverages may be sold but it expressly prohibits the Commissioners from such authorization: "but the Commissioners shall not authorize the sale by any licensee, other than the holder of a retailer's license, class E, of any beverages on Sundays other than light wines and beer, and any such sale is hereby prohibited."

The purpose of this legislation is to overcome the effect of the above noted prohibition and to permit the Commissioners of the District of Columbia to make regulations which would permit the sale of alcoholic beverages other than

light wines and beer, or including light wines and beer, on Sunday when Sunday falls on January 1, New Year's Day.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TO EXEMPT FROM TAXATION CERTAIN PROPERTY OF THE NATIONAL GUARD ASSOCIATION OF THE UNITED STATES IN THE DISTRICT OF COLUMBIA

Mr. McMILLAN. Mr. Speaker, by direction of the Committee on the District of Columbia, I call up the bill (S. 3867) to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia, and I ask unanimous consent that the same be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to include at this point a statement that will explain the actions and conduct of the Committee on the District of Columbia during the 2d session of the 86th Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The statement is as follows:

Mr. McMILLAN. Mr. Speaker, I take great pride and pleasure in presenting to the House the record of the House District Committee during the 2d session of the 86th Congress.

The 25 members of the House District Committee, in my opinion, deserve the thanks of the entire Nation and certainly the Members of the House of Representatives for the hours, days, and weeks they have spent attending hearings and meetings on problems vitally affecting the Nation's Capital during the past 8 months.

The Members of the House of Representatives have been very helpful at all times by assisting us in having numerous pieces of legislation enacted that would assist in properly carrying out the commission form of government now in existence in the District of Columbia. We have had numerous subcommittee hearings and a great number of full committee meeting hearings and on only one occasion have we failed to have a quorum present. I think this is an excellent record for any committee as I have been a member of several committees since I have been a Member of the House of Representatives and on numerous occasions we failed to have a quorum.

I am certain that if every person, including the newspapers in the District of Columbia, would exert his influence and energy in trying to make the commission form of government we have in the District of Columbia at the present time function properly, we would have a government here in the Nation's Capital that would certainly compare favorably with that of any other city in the Nation. In fact, I presume, it is about the only large city in the United States that does not have a heavy debt and is bonded up to the hilt.

I do hope that as long as we have a commission form of government here in the District of Columbia the Presidents who occupy the White House in the future will be certain to appoint Commissioners who believe in the commission form of government so that our official duties as members of the District Committees on Capitol Hill will be much easier and the entire District government can function with a greater degree of efficiency.

The House District Committee has passed a resolution praising Gen. A. C. Welling, the former Engineer Commissioner of the District of Columbia, who has just received another assignment with the U.S. engineers for his outstanding and courageous work during his 3-year term of service as Engineer Commissioner in the District of Columbia. We have at the present time 3 bridges under construction across the Potomac River and several of the leading avenues and streets in the city have been completely modernized and reconstructed during General Welling's tour of duty. In the 30 years I have been on Capitol Hill, there has never been a Commissioner, either engineer or otherwise, who has, in my opinion, rendered the outstanding service to the Nation's Capital that has been rendered by General Welling.

The entire Congress and the Nation owe him a debt of gratitude for his outstanding work.

You will note from the following that there are 75 District bills, acts, and resolutions in connection with which the House District Committee has taken action during the 2d session of the 86th Congress and 38 of these have passed the House during this session:

DISTRICT BILLS, ACTS, AND RESOLUTIONS IN CONNECTION WITH WHICH THE HOUSE DISTRICT COMMITTEE HAS TAKEN ACTION DURING THE 2D SESSION OF THE 86TH CONGRESS

H.R. 1844, insurance, life, amend District of Columbia Act.

H.R. 3298, charitable contributions, deductible even though activities not carried on in District.

H.R. 3855, licensing of public adjusters, provide for.

H.R. 4192, ministers, communications made to them shall be considered privileged.

H.R. 4383, Income and Franchise Tax Act, 1949, exempt certain employees from District of Columbia income tax.

H.R. 5889, indigents in judicial proceedings in District of Columbia, provide for representation.

H.R. 6738, fire prevention and safety laws, applicable to schools in District of Columbia, strengthen.

H.R.7124, tuition, payment of by certain persons who attend public schools in District of Columbia.

H.R. 7714, television service contractors, dealers, technicians, provide for regulation and licensing of.

H.R. 8391, junior college division with D.C. Teachers College, authorize.

H.R. 8697, Redevelopment Act of 1945, amend with respect to the requirements for adoption of a redevelopment plan for a project area.

H.R. 9110, National Woman's Party, Inc., exempt certain property from taxation.

H.R. 9223, Roman Catholic Archbishop of Washington, exempt certain property from taxation.

H.R. 9293, teachers, given service for retirement purposes for authorized leave without pay taken for educational purposes.

H.R. 9451, Veterans of Foreign Wars, tax exemption granted effective with respect to taxable years beginning on or after July 1, 1959.

H.R. 9579, National Guard Association of the United States, exempt certain property from taxation.

H.R. 9737, corporations, District of Columbia, eliminate requirement that majority of trustees be citizens of the District of Columbia.

H.R. 9876, financial charges for retail installment sales of motor vehicles, provide for regulation of.

H.R. 10000, inheritance taxes erroneously collected, to extend time for overpayment and refund of.

H.R. 10021, securities, transfer of to and by fiduciaries in District of Columbia, provide uniform law.

H.R. 10183, insurance, fire, marine, and casualty, amend act regulating business of.

H.R. 10346, sales tax, increase to 3 percent.

H.R. 10597, practice of pharmacy, amend act providing for.

H.R. 10619, A.B.C. Act, amend, relative to tax stamps.

H.R. 10683, automobile installment financing in District of Columbia, provide for regulation of.

H.R. 10684, premiums, adjusted, amend life insurance act relative thereto.

H.R. 10761, indigents in judicial proceedings in District of Columbia, provide for representation.

H.R. 10921, insurance, life, amend act of 1934 concerning investments which an insurance company may make.

H.R. 10952, National Society Daughters of the American Colonists use certain real property in District of Columbia as national headquarters.

H.R. 10964, insurance, life, amend act to provide variable annuities.

H.R. 11135, Interstate Transportation Agency, authorize negotiations to create.

H.R. 11228, Business Corporation Act, amend, to provide that foreign loaning institutions engaged in investing in loans secured by real estate shall not be considered to be transacting or engaged in business in the District of Columbia under certain conditions.

H.R. 11263, capital punishment, mandatory, abolish in the District of Columbia.

H.R. 11370, Alcoholic Beverage Control Act, amend relative to tax stamps.

H.R. 11415, Plaza of the Americas, provide for designation of a portion of the District of Columbia.

H.R. 11535, A.B.C. Act, amend, permit the sale of alcoholic beverages by class C and D licenses when New Year's Day falls on Sunday.

H.R. 11931, wills, filing of caveat to, amend act with respect to the time within which it must be filed.

H.R. 12004, nurses, professional, practical, provide for examination, licensing, and registration of.

H.R. 12055, Metropolitan Police Relief Association, provide for incorporation of.

H.R. 12063, Dulles International Airport, authorize Commissioners of District of Columbia to plan, construct, operate, and maintain a sanitary sewer connecting airport with District of Columbia system.

H.R. 12073, Dulles International Airport, authorize Commissioners of District of Columbia to plan, construct, operate, and maintain a sanitary sewer connecting airport with District of Columbia system.

H.R. 12205, mandatory death sentence, abolish in District of Columbia.

H.R. 12246, National Woman's Party, Inc., exempt certain property from taxation.

H.R. 12422, credit life insurance, and credit accident and health insurance, provide for regulation of.

H.R. 12483, mandatory death sentence, abolish in District of Columbia.

H.R. 12497, Income and Franchise Tax Act of 1947, amend relative to certain foreign corporations.

H.R. 12520, Group Hospitalization, Inc., enter into contracts with certain dental hospitals for care and treatment of individuals.

H.R. 12563, Revenue Act of 1937, amend, provide for registration of vehicles using nontaxed fuels.

H.R. 12584, Narcotic Drug Act, District of Columbia, amend relative to certain cough medicines containing dihydrocodeinone.

H.R. 12597, Motor Vehicle Parking Facility Act of 1942, amend relative to parking meter attendants.

H.R. 12748, Redevelopment Land Agency, provide for transfer of title to certain real property by Commissioners of the District of Columbia.

H.R. 12761, home improvement business, provide for bonding of persons engaged in.

H.R. 12775, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of police and fire departments, their widows, widowers, and children.

H.R. 12993, salary increase for teachers, provide for.

H.R. 13053, salary increase for Metropolitan, Park and White House Police and Firemen, provide for.

Senate Joint Resolution 42, Metropolitan Region Development Act, provide for.

S. 715, indecent publications, amend law relating thereto.

S. 1159, real property, to facilitate the acquisition of, amendment to District of Columbia Alley Dwelling Act.

S. 1315, Blue Star Mothers of America, Inc., provide for incorporation of.

S. 1456, juvenile court judges, to provide for appointment of two additional.

S. 1870, nurses, professional, practical, provide for examination, licensing, and registration of.

S. 1966, licensing of public insurance adjusters, provide for.

S. 2131, Motor Vehicle Safety Responsibility Act, to amend.

S. 2306, National Woman's Party, Inc., exempt certain property from.

S. 2327, births, amend act providing for registration of.

S. 2439, teachers, given service for retirement purposes for authorized leave without pay taken for educational purposes.

S. 2446, civil defense office, amend act authorizing establishment of.

S. 2671, American War Mothers, Inc., exempt certain property from taxation.

S. 2954, alien employees, to exempt from District of Columbia income tax compensation paid by certain international organizations to.

S. 3415, exempt from taxation certain property of the American Association of University Women.

S. 3416, Unemployment Compensation Act of 1958, temporary, to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out.

S. 3648, Redevelopment Land Agency, to transfer title to certain waterfront property in Southwest Washington to.

S. 3688, Redevelopment Land Agency, to authorize to eliminate or restore all slum or blighted areas, whether residential or nonresidential.

S. 3727, bonding of persons engaged in the home-improvement business.

S. 3835, Civil War Centennial Commission, authorize to carry out civic programs in commemoration of the 100th anniversary of the Civil War.

BILLS, ACTS, AND RESOLUTIONS WHICH PASSED HOUSE DURING 2D SESSION OF 86TH CONGRESS

H.R. 7124, tuition, payment of by certain persons who attend public schools in District of Columbia.

H.R. 8697, Redevelopment Act of 1945, amend with respect to the requirements for adoption of a redevelopment plan for a project area.

H.R. 9451, Veterans of Foreign Wars, tax exemption granted effective with respect to taxable years beginning on or after July 1, 1959.

H.R. 9737, corporations, District of Columbia, eliminate requirement that majority of trustees be citizens of the District of Columbia.

H.R. 10000, inheritance taxes erroneously collected, to extend time for overpayment and refund of.

H.R. 10021, securities, transfer of, to, and by fiduciaries in District of Columbia, provide uniform law.

H.R. 10183, insurance, fire, marine, and casualty, amend act regulating business of.

H.R. 10346, sales tax, increase to 3 percent.

H.R. 10683, automobile installment financing in District of Columbia, provide for regulation of.

H.R. 10684, premiums, adjusted, amend life insurance act relative thereto.

H.R. 10761, indigents in judicial proceedings in District of Columbia, provide for representation.

H.R. 10921, insurance, life, amend act of 1934 concerning investments which an insurance company may make.

H.R. 10952, National Society Daughters of the American Colonists use certain real property in District of Columbia as national headquarters.

H.R. 10964, insurance, life, amend act to provide variable annuities.

H.R. 11135, Interstate Transportation Agency, authorize negotiations to create.

H.R. 11415, Plaza of the Americas, provide for designation of a portion of the District of Columbia.

H.R. 11931, wills, filing of caveat to, amend act with respect to the time within which it must be filed.

H.R. 12055, Metropolitan Police Relief Association, provide for incorporation of.

H.R. 12063, Dulles International Airport, authorize Commissioners of District of Columbia to plan, construct, operate, and maintain a sanitary sewer connecting airport with District of Columbia system.

H.R. 12483, mandatory death sentence, abolish in District of Columbia.

H.R. 12497, Income and Franchise Tax Act of 1947, amend relative to certain foreign corporations.

H.R. 12520, Group Hospitalization, Inc., enter into contracts with certain dental hospitals for care and treatment of individuals.

H.R. 12563, Revenue Act of 1937, amend, provide for registration of vehicles using nontaxed fuels.

H.R. 12584, Narcotic Drug Act, District of Columbia, amend relative to certain cough medicines containing dihydrocodeinone.

H.R. 12597, Motor Vehicle Parking Facility Act of 1942, amend relative to parking meter attendants.

H.R. 12775, Policemen and Firemen's Retirement and Disability Act, applicable to retired former members of po-

lice and fire departments, their widows, widowers, and children.

Senate Joint Resolution 42, Metropolitan Region Development Act, provide for.

S. 715, indecent publications, amend law relating thereto.

S. 1315, Blue Star Mothers of America, Inc., provide for incorporation of.

S. 1159, real property, to facilitate the acquisition of, amendment to District of Columbia Alley Dwelling Act.

S. 2327, births, amend act providing for registration of.

S. 2439, teachers, given service for retirement purposes for authorized leave without pay taken for educational purposes.

S. 2954, alien employees, to exempt from District of Columbia income tax compensation paid by certain international organizations.

S. 3416, Unemployment Compensation Act of 1958, temporary, to provide for the restoration to the United States of amounts expended in the District of Columbia in carrying out.

S. 3616, vehicles, operation of by District employees in the scope of their employment, to provide for the defense of suits involving.

S. 3648, Redevelopment Land Agency, to transfer title to certain waterfront property in Southwest Washington to.

S. 3688, Redevelopment Land Agency, to authorize to eliminate or restore all slums or blighted areas, whether residential or nonresidential.

S. 3835, Civil War Centennial Commission, authorize to carry out civic programs in commemoration of the 100th anniversary of the Civil War.

CHARGE FOR LOCAL ADVERTISING TO DETERMINE MANUFACTURERS SALE PRICE

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 12536) relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

Mr. SCHERER. Mr. Speaker, reserving the right to object, may I ask the gentleman if this has been cleared with the minority members of his committee?

Mr. MILLS. The gentleman from Wisconsin [Mr. BYRNES] and I have discussed this matter.

Mr. SCHERER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none, and without objection, appoints the following conferees: Messrs. MILLS, FORAND, KING of California, MASON, and BYRNES of Wisconsin.

EXCISE TAX UPON CIGARS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10960) to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars, with Senate amendments thereto, disagree to the Senate amendments and request a conference with the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

The Chair hears none and, without objection, appoints the following conferees: Messrs. MILLS, FORAND, KING of California, MASON, and BYRNES of Wisconsin.

SUGAR ACT OF 1948

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Agriculture may have until midnight tonight to file a report on the bill (H.R. 13062) to extend the Sugar Act of 1948, as amended.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE HONORABLE PAUL BROWN

The SPEAKER pro tempore (Mr. WALTER). The Chair recognizes the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Speaker, there come times when we face a task with mixed emotions. This is such an occasion for me. I take the floor today to speak in all sincerity regarding the decision of a beloved, esteemed, distinguished, and able member of the Georgia delegation not to offer again for membership in this body in the coming election. I refer to a Member who is beloved by all of the membership of the House of Representatives, Members of the other body, and countless people in this Nation's Capital with whom he has come in contact during the last 27 years.

Congressman PAUL BROWN was first elected to membership in the House of Representatives at a special election held on July 5, 1933. In the time which has elapsed since he first took the oath of office on the floor of this House, PAUL BROWN has established a reputation for loyalty, faithfulness, and dedication to duty, a reputation which has been exceeded by no Member in this House.

During the time he has served here he has been, I believe, the only Member who has throughout that period answered every rollcall, and every yea-and-nay vote, except for one time. That was an occasion when he was stricken with a serious illness. He stayed at his post of duty here in the House of Representatives until the doctor ordered him removed from the floor and carried to the hospital in an ambulance. Seldom does a Member establish a reputation of that kind. I know of no other Member of whom this could be said.

When I think of PAUL BROWN, his activities are divided into three categories: First a statesman of national stature. In that capacity PAUL BROWN has accomplished many difficult tasks, tasks which at times have seemed impossible. I think of the construction of the great Clark Hill Dam on the Savannah River, the river which is the dividing line between the States of Georgia and South Carolina. That is a monument to the efforts of PAUL BROWN which many generations in the future will enjoy. Following that, when the construction of the Clark Hill Dam was assured, PAUL BROWN began efforts for the construction of another great dam on the same river, the Hartwell Dam, near Hartwell, Ga. That dam now is proceeding rapidly toward completion. It also will be a monument to the continuing, constant, indefatigable efforts of this great statesman from the 10th District of Georgia. He is the author of many bills benefiting the farmers of the Nation. He has sponsored many measures strengthening the economy of the country.

I think of him also as a faithful and devoted husband and father, a man who has loved his family, and has devoted his efforts to creating and sustaining a family which has measured up to the greatest American traditions.

He also is a man who has bound himself with ties of steel to the numerous friends he has made and kept during his lifetime.

When I came to Congress in 1947 as a Member entirely unfamiliar with the procedures here, almost at a loss how to take the first step to become a Member of the House of Representatives, one of the first Members to whom I went for advice and counsel was PAUL BROWN. Throughout the 14 years I have served here I have called upon him many times. He has always responded gladly, willingly, and cheerfully, and my task in the House of Representatives has been made much easier because of the assistance which PAUL BROWN has given me from time to time with the problems which I have had and about which I have called upon him for assistance. However long I may live I shall never forget the kindness and the consideration which I have received at his hands.

It was with a great deal of disappointment that I learned he had made the decision this year not to offer for reelection. People throughout the entire State of Georgia have had that same feeling of disappointment and regret that when the 87th Congress begins next January it will begin without having in its membership here that revered statesman, that person whom we have all learned to love, and without whose presence here on the floor, this House of Representatives will certainly not seem the same.

As PAUL leaves to begin the retirement which he has so justly earned and deserves, I want to say that with him will go my best wishes and a heart full of love and appreciation, together with the hope that he will be spared by Almighty God to live among his native people whom he loved so well and to render service there, as I know he will, even though he has ceased to serve here in an active capacity.

Mr. VINSON. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. VINSON. Mr. Speaker, as the 2d session of the 86th Congress comes to

its inevitable final adjournment, those of us who have been privileged to be Members of this Congress will look back with a pride of association in its accomplishments, but also with regret for the decision of those of our colleagues who have chosen not to return to the legislative tasks of government that lie ahead for the 87th Congress.

Among those who have earned the privilege of retiring from the insistent demands of representative government, is the very distinguished, the very able, the very affable, and the very outstanding gentleman from Georgia's 10th Congressional District, PAUL BROWN.

First elected to the 73d Congress on July 5, 1933, he is now completing his 27th year as a Member of the House of Representatives.

All Members of the House of Representatives and the U.S. Senate will miss this distinguished Georgia gentleman when the 87th Congress convenes in January.

But I claim, with sincerity and conviction, that I shall miss him most.

I shall miss his constant dependability; I shall miss his wise advice and expert counsel, particularly in the area of banking and economics; I shall miss the good common sense that is inherent in his intellectual attainments; I shall miss the experience that is irreplaceable in this man who has served so long and so faithfully in the Congress, and who previously served his State in the Georgia Legislature.

PAUL BROWN has many attributes which distinguish him from others, but among those that he will pass on as a challenge to whoever succeeds him, is the fact that no Member of Congress has ever been more faithful in his attendance, has ever answered more rollcalls, or has ever placed himself on record, pro and con, more times than PAUL BROWN for the many years he has served in the Congress.

His is a unique record and one in which he, his State, and his district can take great pride.

Much to our regret, PAUL BROWN did not seek to be reelected to the next Congress, but I am confident that the people of his district would have sent him back here as long as he sought reelection.

The Congress will miss PAUL BROWN.

But above all, the Nation will miss the invaluable contributions this able legislator, brilliant lawyer, and devoted American has made in the vital fields of Federal housing and the Federal banking laws.

We can count our blessings and be grateful that we have had the benefit of his skill, his integrity, and his wisdom for the 27 years he has been a Member of the House.

In some ways those words of James Thomson now seem most appropriate when I think of PAUL BROWN:

An elegant, sufficiency, content,
Retirement, rural quiet, friendship, books.

These may be his ambitions in retirement, but if I know PAUL BROWN, he will not be fully content to live in quiet retirement.

He will continue to serve his people and his State, if called upon again, with his counsel and advice. He has always been endowed with the ability to do that which is best for Georgia and that which is best for America.

PAUL BROWN is now, has been, and always will be a true and faithful servant to the people of the United States of America.

He has now richly earned the privilege of enjoying the prestige and dignity that will follow his honorable retirement in the State of his birth.

I know that I speak for every Member of the Congress of the United States when I say:

"PAUL BROWN, we wish you well and a long life. We thank you for your many contributions to the greatness of America."

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Florida.

Mr. HALEY. Mr. Speaker, I want to join with my colleagues here today in everything they have said or will say about the loss of our retiring friend from Georgia, and I hope and pray that when he goes back to those good old red hills that he will have many years to enjoy a well-earned and a deserved rest. I think that PAUL BROWN has made himself an outstanding statesman here. I know as a Member of the Congress coming here for the first time I went to him for counsel and advice which he was willing to give, as I am sure he has given every new Member who has come here the benefit of the wisdom he has accumulated over these many years of distinguished service in the House of Representatives and to his native State of Georgia.

I, too, wish him well as he retires and goes back home to the friendly people who have indicated for these many years the affection in which they hold this fine and outstanding public servant.

I think that Georgia is losing one of her great sons in this body. I hope he continues in some manner in which he might give his service to his native State and country because we need in these days the benefit of his calm and sound judgment more than ever before in our history. I shall miss him. I know this Congress has been a better Congress because of the services of PAUL BROWN here in the House of Representatives.

Mr. DAVIS of Georgia. I yield to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I should like to associate myself with the splendid and deserved compliments that are being paid to our friend, the gentleman from Georgia, Mr. PAUL BROWN, who is serving his last term here in this House. I think I am peculiarly qualified to speak about PAUL BROWN, because I am sure that I have served with him here longer, possibly, than anybody else with the exception, of course, of the dean of the Georgia delegation. PAUL BROWN came to the Congress in a special election just a few months after I did, and he has served his State and his Nation well.

Mr. Speaker, I approach PAUL'S departure from these halls with mixed emotions. I hate to see him go, and yet I recognize that he is entitled to a well-earned retirement from his arduous duties here. To me PAUL BROWN is one of the sweetest characters I have ever known. I like to think of him in the terms of the poet who wrote of the man who lived by the side of the road and was a friend of man. He was easily one of the most popular Members of this House. Everybody who knows him loves him.

I join with the rest of my colleagues here, and I am sure that all of us feel the same way, in wishing for him a well-earned and a long rest from his duties to his country he has served so well here in the Congress of the United States. I hope that he will have the pleasure of enjoying the benefit and association of his family and his friends back home that he has been so long denied.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Georgia [Mr. PILCHER].

Mr. PILCHER. Mr. Speaker, I rise to pay sincere respects to my good friend and colleague, Congressman PAUL BROWN, of Georgia. While I was not surprised to learn of his intention to retire from the Congress at the end of the present term, I must admit that the shock of realization that he would not return has left a lasting imprint upon my consciousness in that he will no longer be among us to offer his wise counsel.

The reason I was not surprised at his announcement is that I am fully aware that after serving his country so well for 28 years, and having reached the age of four score, he is justly entitled to the fruits of his decision. Yes; he is more than entitled to the pleasure of returning home to live out the balance of his allotted years among those whom he loves so much, his family, his friends, and his neighbors.

Congressman BROWN is a quiet, unassuming man who spends a great deal of his time seeking ways that he could be helpful. He loves people, and he has innumerable friends. To him friendship is something to be cherished, and there is not anything he would would not do to aid a friend. He is a personal friend of mine whom I shall never forget. He has been unusually kind to me, and I do not hesitate saying that I have considered him my leader. He has been an inspiration to me, and I am sure to many of you, as well. He is indeed a man for whom we all have great affection and respect.

PAUL BROWN is indeed a man of unsurpassed humility. Humility for his fellow man, humility for the many hours which have been heaped upon him for courageous and untiring service to his Nation, his State, and to the world. He is endowed with a courageous boldness as strong as democracy itself. It is a boldness of everlasting quality borne only by a chosen few—chosen by destiny to provide those qualities of leadership for mankind in a free nation's hour of trouble and despair for survival.

Our colleague, PAUL BROWN, honored as he already has been by his congressional colleagues, his party, his constituents, and by many other groups, stands as a symbol of excellence. In

the comments of all those who have praised him, there is singular agreement concerning the high quality of his service to Nation, State, and constituents. In his long career in public life he has come to personify the ideal public servant. His record of achievement based on principle, the vigor with which he has fought for all things in which he believes, the courtesy and grace with which he has listened to all who have sought his ear—these have lifted him, stanch partisan though he has been, so far above the level of partisan politics that he has been hailed widely as a true servant of their needs.

It is therefore most fitting that this body should honor our esteemed colleague, PAUL BROWN, here today. I, for one, am delighted and proud to have the opportunity to join with his many other friends for that purpose.

His high principles, his dedication to the ideal of service, his sound judgment, his interest in people—these and other fine qualities to be found in his record, his character, and his personality—make him a perfect model for all who seek the type leadership which will see America safely through the turbulence in the future history of our beloved Nation.

I know that all of his friends at home will be glad to have him back. I know that they can say with pride and conviction—"Welcome home, PAUL, you have indeed well kept your appointment with destiny."

As our friend PAUL BROWN moves forward to continue his rendezvous with destiny, I know that each and every Member of this body joins with me in wishing for him a safe journey and Godspeed.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to my colleague from Georgia [Mr. FLYNT].

Mr. FLYNT. Mr. Speaker, I join with my colleagues in the House of Representatives to pay my tribute and respects to one of the greatest men, one of the finest men, one of the greatest Americans, one of the ablest Members with whom I have had the privilege of serving in the House of Representatives, my beloved friend, PAUL BROWN, of Elberton, Ga., who for so many years has with distinction and ability represented the 10th District of his native State, our State of Georgia.

PAUL BROWN is genuinely loved, admired, and respected by all of us who have been privileged to know him and to call him friend, especially those of us who have also been privileged to call him our colleague, as a Member of this body.

I, too, was disappointed beyond expression when I learned of Mr. PAUL's decision to retire at the end of this session to private life, to a retirement which he has earned. If any man ever deserved the right to go home among his neighbors and his friends and live out his life in well-earned retirement, among his home people who know him and love him, it is PAUL BROWN.

Mr. BROWN has been here during practically all of the Roosevelt, Truman, and Eisenhower administration. He today serves as the ranking majority member on the important Committee on Banking and Currency. He has played an important part throughout his service in this body in writing and rewriting the legislation which has had such a dynamic impact on the economy and the economic life of the United States of America. He has ably fulfilled this role. He has played one of the dominant parts of Members of the Congress of the United States in writing legislation designed to vitalize and strengthen the American economy.

When PAUL BROWN first came to the Congress of the United States he left one of the most widespread and one of the best general law practices in the northeastern area of our State. PAUL BROWN maintained for many years an office for the general practice of law in Elbert County. Prior to that time he had maintained an office in the adjoining county of Oglethorpe. Even though those were the two places his offices were located, he played an important part in the practice of law and jurisprudence in every county of the northern judicial circuit of our State. He also played an important role in the science of law and jurisprudence throughout the entire northeastern area of our State, and, indeed, of our State as a whole.

He was a lawyer respected and admired by the judges before whom he practiced and by the lawyers with whom he practiced. His word was good in a court of law as it was wherever PAUL BROWN went. It was indeed a bond taken at full faith and credit without any reservation of any kind by the presiding judge of the court in which he was participating, by his fellow attorneys, by juries trying cases in which he was on one side or the other, and, indeed, by all those he encountered anywhere.

As a family man PAUL BROWN has been a devoted husband and a devoted father. He married the sister of two close friends of mine, one of whom is my neighbor in my hometown. Mrs. Brown is the former Frances Lewis Arnold, a member of a distinguished family of our State. This union was blessed by two children, Robert Thomas Brown and Mrs. Charles Nathan DuVal. Robert Thomas Brown, as an officer in the United States Navy in World War II, made the supreme sacrifice in behalf of his country and of those principles in which we all believe.

PAUL BROWN as a citizen has truly made his community, his country, the United States, and the State of which he is a part, a better place in which to live. The impact of his life is today and shall remain throughout the lifetime and memory of any person now alive as having been good in every place he has ever been and has ever served. I honestly and sincerely believe that this body of which we are Members is a better place because of the service of PAUL BROWN, of Georgia.

When I first came to this House in November of 1954 my first official contact as a Member of this body was with this beloved friend of mine. He is a man whose friendship is something that I inherited from my own father. PAUL BROWN and my father served together in the general assembly of Georgia many years ago. I remember when PAUL BROWN was the successful candidate for Congress in 1933, at which time I was a student at the University of Georgia, which is located now as it was then in the 10th district he has represented so ably and so well. I remember as distinctly as if it were yesterday hearing my father make the statement that he wished he lived in the 10th Congressional District so that he could vote for this fine Georgian, this fine American, this fine man.

When I came to the Congress PAUL BROWN gave me the advice and counsel that I wish every new Member of this House could have. It is my hope that I may sometime be able to inspire and to help and to advise and counsel incoming Members as PAUL BROWN did those things for me and, indeed, with every other Member of the Georgia delegation who has come to Congress since PAUL BROWN has been here. We regret that after this session he will not continue to be our colleague in this body.

I am sure he knows, without any of us saying it, that not a day shall go by but what we shall think of him and wish that he were back here in our midst as our colleague and our friend. There have been few sessions of this body that PAUL BROWN has not attended. I expect he has been here more continuously and has been more diligent and prompt in his attendance than any Member with whom he has ever served. During his service in Congress not a single rollcall has ever taken place in the House of Representatives but that PAUL BROWN answered. He has been here. He has given of his time and his energies, his talents and his presence to lend to this House the dignity which it deserves. I wish that that, too, could be an inspiration to all of us to serve as he has served, with diligence, with ability, and with promptness and regularity.

I expect that one thing in which he has had, perhaps, as great and as intense interest as anything connected with his congressional service has been the development of the Savannah River which divides his district and his State from the States and districts of the State of South Carolina. He played a dominant role in obtaining the first authorization and appropriations, and later saw through to completion, the great Clark Hill Dam and Reservoir which means so much to our entire southeastern region. The Hartwell Dam which today impounds a reservoir which, I hope, some day will bear his name, is rapidly nearing completion.

The work that PAUL BROWN has done in developing the natural resources of this Nation as well as the natural resources of our State and our region stands as an everlasting monument to those things in which he believes. He has contributed in every phase of his life, in his public life and in his private life, to the progress of that work. In his public service as a Member of this body, he has contributed that which he thought best for the welfare, security, and development and preservation of our American way of life. He is a man whose place will be difficult to fill. He has made a place in the hearts and minds

of all of us who have come to know him, a place which never can be filled, but which shall be forever reserved for him in the hearts and minds of all of us who know him and love him.

So we say to you, Mr. PAUL, as you voluntarily retire from your service in the House of Representatives to go back to your beloved home in Elberton, in Elbert County, Ga., please know that you carry with you our admiration and respect and our love. May God bless you and your family.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, I appreciate the gentleman from Georgia yielding to me permitting me to join with our colleagues in the Congress and the Georgia delegation in paying a tribute to my good and close friend, PAUL BROWN.

The tribute that is so well deserved comes because of the great service PAUL BROWN has rendered to his country. It has been my privilege to have known PAUL BROWN for the past 22 years, and to work with him in the Halls of Congress. While we have not been of the same party affiliation politically, we have quite often voted together. We have thought alike on many of the great issues of the day. For many years we lived in the same apartment building. I had the privilege, as did my good wife, of knowing PAUL BROWN and all of his family. I know he has made many sacrifices for the benefit of his country. He gave to this Nation his only son, a lad who was designated by nature and ability to become a great man in his own light, but he gave up his life in behalf of his country in World War II out in the Pacific. I sat with PAUL BROWN during those tragic hours. I know something of the suffering, and sacrifice that he made, yet he carried on despite the heart that was broken. He served his country well here after that sad event occurred.

I know his daughter. I know many of the distant members of his family well. I am rather proud of the fact that I bear the same name as the gentleman from Georgia, because he has given luster to our family name.

I join with all of you in wishing for him and his family many happy and healthful years ahead.

Mr. COOLEY. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from North Carolina.

Mr. COOLEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, for more than 25 years I have cherished the friendship of our beloved colleague, PAUL BROWN, of Georgia. Through the years I have known him and his lovely wife and children. My family and I lived in the same hotel with Paul Brown and the members of his family and we knew each other intimately and well.

PAUL BROWN is a magnificent man. He has by his life and labor and great devotion to duty endeared himself to his colleagues and to his countrymen. He is a devoted public servant and his life has been a benediction and a blessing to the people of the district he has so well and so faithfully served for so long. During the long time that I have served in this House I have not known any Member who has applied himself more diligently to the performance of the duties of the high office he has held than our dear friend, PAUL BROWN. He is a great and a good man and wherever he has gone he has made a broad thoroughfare for friendship. He has at all times been interested in the welfare and the happiness of the people of his great congressional district. His achievements here in Congress are too many to enumerate. His great work here will be remembered through the years to come. He has proven himself worthy of the confidence and love of the people of his district, State, and Nation. His record here will remain as a monument to his greatness and because of his manifold achievements, his gracious and kindly manner, he shall be long remembered. He has a right to enjoy his achievements and to be proud of his grand record as a public servant.

Mr. Speaker, I am prompted by the impulse of sincere friendship and love and admiration for PAUL BROWN, when I say that I am glad that I have known him and have been associated with him. He is a statesman in the true sense of that word. By the nobility of his soul and the simplicity of his life, I shall always remember him. While I regret that he is retiring from Congress, I am happy in the glad thought that he is taking kindly the counsel of the years and is graciously surrendering the great burdens he has borne so well. He has nurtured the strength of spirit and shall never be fatigued by fears that are born of loneliness. He has gone placidly amid the noise and the haste of the modern world in which he has lived, but he has at all times remembered that there is peace in silence. He has never been loud and aggressive nor in any way offensive, but at all times has been one of God's noblemen and a gentleman.

I extend to my colleague my cordial good wishes for his personal welfare and happiness, and I hope that when he returns home to his loved ones and friends he will take a new lease on life and live abundantly for many long years to come.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield.

Mr. BROOKS of Louisiana. Mr. Speaker, I think that Congressman PAUL BROWN, of Georgia, was perhaps the first Member of Congress, outside of my own delegation whom I met when I came to the House of Representatives many years ago. Naturally I was distressed to learn that in the course of his active career he had reached the time when he wanted to retire.

I can well understand, as I pass through the State of Georgia on my way home at the end of each and every session of Congress, the lure and attraction that naturally is his in wanting to return to his native environments in Georgia and to share some of the pleasures that naturally attend living in that great State.

Since I met PAUL BROWN I have seen him on every occasion here as he sat on this floor, and I have had an opportunity to talk to him at length about various problems that have come before the Congress from time to time. I was here on the floor, Mr. Speaker, when, as the gentleman who just preceded me, has well said, he received the news of the loss of his son in submarine service in World War II. I remember the uncertainty that was ours for many days as to the fate of that boy who had served his Nation in a time of great crisis. I know PAUL has given unstintingly of his time and talent and years, and his son in the service of this Nation.

PAUL is realistic. He is a perfect gentleman at the same time. In my opinion he represents better than anyone I know the old South that you and I love. He has been faithful in attendance on the floor. He is capable. At the same time he has always been modest. He is quiet, but at the same time he has always been determined. He is relaxed in his composure but is brilliant in his thinking. He is a man capable of vision, but at the same time is coolly practical. He has his feet on the ground. He knows the needs of the Nation as well as the needs of his own State. He has given so well of his own life and his own ability. We are going to lose here in the House of Representatives a most capable, a most loyal, and a most patriotic leader, but as he goes back to Georgia, Georgia will regain what we have lost.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Speaker, I rise to join in the general tribute to PAUL BROWN.

Mr. Speaker, Congressman PAUL BROWN deserves the praise of every American for his outstanding service here in Congress. His career has been characterized by vision, courage, and perseverance. He is typical of all of the best of our beloved Old South, while at the same time embodying a forward-looking progressive attitude for the strengthening and betterment of our Nation. The Congressional Quarterly recently pointed out that he has the best voting record among all the Members of Congress, having been in constant attendance for many years. In a body of fine American statesmen, such as the House of Representatives, it is rare that any man can achieve superlative attainment. He has achieved this not only in his perfect attendance record, but also in measures of importance to our country, not only in this day, but in generations to come. His legislative attainments are indeed outstanding. We all regret to see him go from among us and we all wish him every happiness in his retirement. This unanimous feeling of good will toward him has been earned by him. In my own case as well as that of many others, I owe him a deep sense of gratitude because of his kindly counsel on many occasions. Certainly my life has

been greatly enriched by the friendship between us, a blessing to me for which I will always be deeply grateful.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Speaker, I wish to pay respect to one of the retiring Members of the Congress, the Honorable PAUL BROWN, of Georgia.

I will always consider it a great privilege to have served with Congressman BROWN. His many years of work in Congress have been outstanding and his dedication to his country, his State and his district is unexcelled.

The many friends of PAUL BROWN will miss his quiet and unassuming, but firm manner in which he participates in the conduct of the House so efficiently and effectively. He has shown to have a keen knowledge of legislation, and he has demonstrated great influence on the floor of the House in handling legislation that has been assigned to him by the committees on which he has served. His important work on the Banking and Currency Committee has profoundly affected the monetary system of the country, and his retirement from this committee and the Congress will be a tremendous loss to the entire Nation.

I hope this great servant of the people will have many pleasurable years of retirement. My thoughts and best wishes will be with him always.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from California [Mr. HIESTAND].

Mr. HIESTAND. Mr. Speaker, I am very, very happy to join in this testimonial to a real statesman, the Honorable PAUL BROWN, of Georgia. Serving with him on the Banking and Currency Committee ever since coming to Congress, I have come to respect him and to respect his judgment, which I have requested many times on many complicated subjects in that committee. Invariably I have had fine, unprejudiced, nonpartisan advice, advice calculated for the best interests of our country rather than any partisan advantage. I, being the ranking Republican member of the subcommittee of which he was chairman, had occasion to discuss these matters many times. Always I got sound advice, based upon real knowledge of the complicated problems. I am quite positive I speak for the entire Republican delegation on the Banking and Currency Committee in respect and affection for the Honorable PAUL BROWN. We hate to lose him. He is a gentleman and a real statesman.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Speaker, unhappy as I am to note the prospective retirement of the distinguished gentleman from Georgia [Mr. BROWN], I am happy that the gentleman from Georgia [Mr. DAVIS] has yielded this time to me so I can express my "Amen" to all that has been said about PAUL BROWN.

He was among the first new friends I made when I came to Congress in 1947, and I am happy to say that that friendship has not only endured through these years, but has been strengthened. I have heard him referred to as a southern gentleman; he is all of that, a southern gentleman beloved, admired, and respected by all of us, no matter what part of the country we may come from. He is a very able lawyer and a most distinguished public servant. He has not only served his city, and his district, and his State, but the entire Nation.

We have had many difficult problems presented in our committee. PAUL BROWN always looked upon each problem not from the viewpoint of what was best for his district or his State, but from the viewpoint of what he conscientiously believed the country required. Always he considered what was in the best interest of the country.

Oh, yes, we have occasionally had disagreements on some things; that is only natural. The important thing about those disagreements is that he was always agreeable, he always respected the opinion that differed with his own, and it is because of that trait in his character that he will be so sorely missed. I am honored to be able to call him my friend and my mentor. I learned much from him, not only about how to legislate but about how to get along with my fellow man.

On behalf of those of our members of our committee who cannot be present at the moment, I want to express their wishes as well as my own that the Lord may spare him for many a day so he may enjoy with his family the fruits of his well-earned retirement. His absence from here will be felt by all in this body, for he is, indeed, beloved by all who have had the privilege to know him. PAUL BROWN, good luck and God bless you.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Iowa.

Mr. JENSEN. Mr. Speaker, it has been my pleasure to have my office in the same corridor with our good friend PAUL BROWN for the past 20 years. I have learned to know the heartbeats of that great American. I visit with him many times on important matters and his counsel has always been good.

There is one attribute of PAUL BROWN that has not been mentioned here today, as I recall. Until PAUL had a siege of sickness a couple of years ago he had not missed one single quorum call nor vote up until that time. That is without doubt the best attendance record that any Member of the Congress has ever had for so long a time.

PAUL BROWN has been diligent in his work. He has been on the job, the job to which he was elected 14 times, 28 years by his good people, so we say well done good and faithful servant. PAUL is honest in all his dealings, he is upright, he is a great patriotic American gentleman of the highest order, and one of God's noblemen. While I rejoice in his retirement because I am sure that he will enjoy many, many happy years of retirement, I regret to see a man of his stature leave the Halls of Congress. His kind are needed badly during these trying times. But, nonetheless, PAUL has served his country well and he leaves here with the blessing of every Member that has ever served with him. I join in all the wonderful things which have been said about PAUL BROWN today and, PAUL, come back and see us whenever you have time. We will welcome you with open arms.

Mr. MUMMA. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Pennsylvania.

Mr. MUMMA. Mr. Speaker, I wish to take this opportunity to pay my respects to PAUL BROWN and to say that I am very, very sorry to hear that he is leaving the Congress.

It was my privilege to serve with him on the Committee on Banking and Currency for several terms, and even though I did not ask his advice on each and every proposition that came before that committee, I was always interested to find out how PAUL BROWN stood and I would govern my vote accordingly, because he was a solid American.

I am certainly sorry that PAUL is leaving us.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. DAVIS of Georgia. I yield to the gentleman from Georgia.

Mr. FORRESTER. Mr. Speaker, it is a high privilege to participate in the tribute to the gentleman from Georgia [Mr. BROWN]. When one has served several years in this great body with a constant and abiding friend, the bonds of love and affection, respect and appreciation are deep, strong and sacred.

The gentleman from Georgia [Mr. BROWN], was a veteran member when I came here in January 1951. He ranked with the great when I was first privileged to know him. I was an apprentice. For him, I could do nothing. For me, it was my rare fortune to have his friendship, confidence, counsel, and assistance. The gentleman from Georgia [Mr. BROWN], knows what real friendship is and how it should be exercised. To have had his friendship, as I have, was and is one of the finest experiences I have had in life.

When I came here I recognized him almost immediately as one of the most influential and outstanding members. His ability and devotion to his work was appreciated by his colleagues, but the confidence every Member placed in his word was perhaps the crowning attribute of this man.

Nature is a respecter of persons. It boldly and flagrantly discriminates in the kind and quality of men and women it produces. In form, features, bearing, thought and deportment, PAUL BROWN is and was born a gentleman. He is eminently practical and he always means business. I have observed him for 10 years and I have never known him to fall below the standard of great. His common sense is so dominant that he could not shake it off or take leave of it if he tried. However, there is not the least probability that he ever tried or wanted to do so.

He has steadfastly regarded life as a scene for doing good and a period for constructive work. He steadfastly regards work as an agency for serving his fellow man. With him there can be no regret for wasted power of misspent time.

The only time during his 28 years of service that he missed a rollcall was when he was almost forcibly taken from his post of duty on the floor to the hospital for treatment of pneumonia. He felt that if he missed a vote, he would disfranchise about 350,000 constituents on that issue, so, he did not miss.

It can probably be said that Congressman PAUL BROWN paired more absent Congressmen than any single Member in history. Every Congressman intending to be absent knew that Congressman PAUL BROWN would be present and would see that he was paired, if requested. The great majority of Congressmen requesting him to pair them usually added that he pair them on the side he voted.

His private and professional career was long and without wrinkle or blemish. For some years he was a ripe and learned lawyer, always laborious and thorough in the preparation and presentation of his cases. The counties in his own and adjoining circuits in which he practiced boasted of many and brilliant lawyers who left their mark upon their own and future times. It was no small achievement to win an honored name at such an illustrious bar. But he did this and more, for he is to this day recognized as one of the best lawyers that ever appeared in those courts.

In 1933 he came to Congress, and during these 28 years of outstanding service he has earned a place among the foremost statesmen of his time. On this exalted stage, Mr. Speaker, sit those colossal giants of the yesterdays furnished by the remarkable district he has been privileged to serve. Reading the rolls of the past—Alexander Stephens, Robert Toombs, Howell Cobb—eloquently illustrates the statesmanship of that section. It is great to know that the name of our friend and colleague ranks equally with those patriots of old in the affections of the 10th District of Georgia.

After 28 years fraught with honor and service, he has decided that he wants to go home. No one made this decision for him, for he makes his decisions himself. The little city of Elberton, Ga., has missed him, his fine wife, his splendid daughter, and they are eagerly awaiting the privilege of welcoming them home as good and faithful servants.

Mr. Speaker, he leaves to this membership, to his native State, the district, county, and city he calls home, to the family he so genuinely reveres, and to posterity, a record of faithful service that cannot be surpassed, simply because you cannot surpass perfection.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, it has been a privilege and a pleasure to serve in this body with the gentleman from Georgia [Mr. BROWN]. Certainly, this body is a better place in which to serve for PAUL BROWN's having served in it, and this country is a better place to live for PAUL BROWN's having lived in it. He has been an inspiration to many of us here, and certainly we are going to miss him.

Mr. Speaker, I should like to join my colleagues in wishing for our distinguished friend and colleague, PAUL BROWN, many happy years in retirement.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. FENTON].

Mr. FENTON. Mr. Speaker, I join my colleagues in paying tribute to our colleague, the gentleman from Georgia [Mr. BROWN]. This House can ill afford to lose such a fine man as this great American statesman is.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the distinguished gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Speaker, I appreciate the gentleman from Georgia yielding to me on this occasion. I did not know in advance of the program he had arranged; I just happened to walk into the Chamber, and heard what was going on. I cannot allow this occasion to pass without joining my colleagues in expressing my high admiration for our esteemed colleague, the gentleman from Georgia, the Honorable PAUL BROWN.

When I came to the Congress nearly 8 years ago he was one of the first here who met me, who greeted me, and who welcomed me to this Chamber. I have formed a very strong and abiding friendship for him which will last throughout the remaining years of my life.

I watched him with a great deal of interest and admiration as he went about the discharge of the duties devolving upon him as a Member of the House of Representatives. I can say that in my judgment his services have been of such a character and the manner in which he approached them, as to gain the plaudits of all right-thinking Americans. His service has been of such a character as to enhance the already high standing of this honorable body.

As he lays down the burdens of the duties of a Member of Congress and goes back to his home in Georgia, amid the picturesque scenery, the quietude and the serenity of that great State and that section from which he comes, I want him and the members of his family and others who appreciate him and who think of him as I do, to know that he goes back there with my unbounded admiration and my warm personal affection.

Mr. MCMILLAN. Mr. Speaker, I want to join my colleagues from the State of Georgia in expressing my regrets over the fact that my good friend, Congressman PAUL BROWN of the great State of Georgia, has decided to retire.

I have leaned heavily on Congressman Brown for advice and leadership since the first day I came to serve in the 76th Congress. I do not know of any man that is more unanimously respected by every Member of Congress than PAUL BROWN. We shall all greatly miss his friendship and his sound judgment on all legislation that is reported to the House of Representatives for consideration. I believe that he has the best voting record of any man that has ever served in the House of Representatives as I understand that he has not missed more than one or two votes in the 28 years that he has served as a Member of this body.

I shall always consider it one of the outstanding privileges that I have had since I have been a Member of Congress to have the opportunity of serving in the House of Representatives with PAUL BROWN. His record in this body will go down in history as one of our greatest statesmen.

Again I want to thank the Speaker for giving me an opportunity to say a few words concerning my personal and political friend, PAUL BROWN, and wish for him and his wonderful family all the happiness possible during his years of retirement.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, the voluntary retirement of PAUL BROWN has saddened all in the Illinois delegation. The dean of our delegation, TOM O'BRIEN, is in the Chamber listening to the tributes to a beloved friend, and so deep is the emotion attending the approaching end of the intimate associations of a long and precious friendship that has lasted for more than a quarter of a century that he has requested me to ask unanimous consent that his remarks be extended at that point in the RECORD.

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

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, when I came here as a freshman, TOM O'BRIEN introduced me to PAUL BROWN. Through TOM O'BRIEN I had been assigned to the Banking and Currency Committee because of the interest and concern of my constituents in housing. PAUL BROWN gave me every help that one with towering ability and long experience could give in the guidance of a novice. I can never forget the friendly counsel, the understanding help PAUL BROWN gave me at every turn, every moment, and every hour of my freshman term here. I have never known a finer character. My feeling for PAUL BROWN is one of deep affection, a feeling shared by all the members of our Illinois delegation. He has been a human bridge of understanding between the representatives of two sections of our great country, all sincerely seeking, according to their respective outlooks, what would prove best for our country. Intensely loyal and devoted to his own Georgia, he was understanding of our problems in the urban North and accorded us the same respect for sincerity that we accorded to him. He helped whenever he could.

PAUL BROWN, as a Member of this body, has set a pattern for diligence in attention to public duty that never has been surpassed. I doubt if ever, in the long history of Congress, has there been a record of unbroken response to all rollcalls, including quorum calls, and unbroken attendance at committee meetings to compare with that of PAUL BROWN. He is a great American by any measure of quality in character and quality in ability and in dedication. The Congress is the better for PAUL BROWN's being here and we are vastly richer because of our

associations with him. Illinois is joined with Georgia in a deep feeling of loss.

Mr. O'BRIEN of Illinois. Mr. Speaker, 27 years ago this summer the friendship of PAUL BROWN and TOM O'BRIEN began when we clasped hands as newcomers to the House. I had been elected in 1932 to the 73d Congress, PAUL, to fill a vacancy at a special election in July of 1933. My friendship with PAUL BROWN is one of the richest rewards that have come to me in my associations in this body. He never broke his word. There was never a time when he did not give a helping hand when that was possible. I will say to PAUL BROWN that in TOM O'BRIEN's book his marking is 100 percent. He was loyal and devoted to his native State of Georgia, true to its traditions and its causes, yet understanding of the problems of the urban North. The Illinois delegation held him in the same respect and affection as did the delegation of his own State of Georgia. It is with deep emotion that I shall say goodbye, and with the prayer that God's choicest blessings every hour in his retirement will be with my beloved friend, PAUL BROWN.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Speaker, I was not aware that this program was scheduled for this afternoon. Had I been, the best I might have done would be to put in perhaps more apt words my opinions of PAUL BROWN, but I certainly could not have improved upon the depth or the sincerity of the expressions that I make now, nor upon those that have been made by his colleagues.

Mr. Speaker, it has been said that those who retire from Congress, those who quit voluntarily, are those we can ill afford to give up.

That is my belief here today.

PAUL BROWN was a Member of Congress when I was first elected. At that time he was an experienced lawyer and experienced banker, and able Congressman. But even then he took time to confer with and counsel younger Members who came here. He has been a source of strength to all of us with whom he has served. Respected, by all, he is intelligent, industrious, with a sense of balance that has made everyone who knows him appreciate him not only for what he is in his own right but for his service to others.

I recall the very practical work we did here during the war years when it was extremely difficult to keep a sense of balance on legislation. Hardly a bill came before this Congress of any importance that there was not a Brown amendment. We know that on some occasions Members have just simply wanted to get into matters as they came before them. I assure the membership that that was not the case with PAUL BROWN.

I mean by that that the major legislation we passed through this body usually was improved, and if his amendments were adopted they were improved, by the so-called Brown amendments.

PAUL, we hate to see you go. We wish for you and your fine family the very best of everything. But as you go, you may be sure that you will have left your imprint on every man in this Congress who has known you, and on this country of which we are all so proud. We hate to give you up, but we can all say that we have profited by having known you here. We hope we will have the pleasure of your visits for many years to come.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from South Carolina [Mr. RILEY].

Mr. RILEY. Mr. Speaker, I appreciate the gentleman from Georgia's yielding to me to express my appreciation of PAUL BROWN and to pay tribute to him for the outstanding services he has rendered to his State and his Nation in this great body.

When I first entered Congress in January 1945 I had the privilege of serving on the great Banking and Currency Committee of the House, on which committee Congressman BROWN was the second ranking member.

PAUL BROWN was more than kind to me. He advised me on many of the matters which came before our committee and oriented me in the background of the legislation which was being considered.

He was thoroughly conversant with the matters which came before that great committee. At that time they were handling almost two-thirds of all the legislation which was being considered. He looked at matters coming before the committee from a very broad viewpoint, considering first whether or not it would benefit our great Nation. I felt as though I were sitting at the feet of a great teacher, and because of his kindness to me and the practical manner in which he approached all problems, he and I have become fast friends.

No one regrets more than I, PAUL BROWN's decision to retire voluntarily from the Congress. He could have remained in this body as long as he wished, because the people of his district realized what a tremendous asset they had in him as their Representative.

Some years ago Mrs. Riley and I drove from our home in central South Carolina to Elberton, Ga., to join with other friends of PAUL BROWN, including the Speaker of the House of Representatives, to pay tribute to PAUL BROWN at his own home.

Thousands of his friends and neighbors throughout a number of States joined in expressing to PAUL BROWN the high esteem in which he was held both as an individual and as a Representative of the people of Georgia.

PAUL BROWN has been the moving spirit in the development of the Savannah River at Clark's Hill which was completed some years ago and at Hartwell which is under construction at this time; also, in the development of navigation from the Atlantic Ocean up the Savannah River to Augusta and points in South Carolina opposite Augusta.

I have been privileged to work with him on these projects, but he was the initiator and the leader.

PAUL was devoted to his work and has an outstanding record both as to quorum calls and voting which, to my knowledge, has not been surpassed. His votes have been for constructive legislation. I have not known of a single vote that he has cast which was not in the best interest of the United States.

The House of Representatives is losing an outstanding Member in the retirement of PAUL BROWN. He has served for 28 years in the House and his influence has been one of the factors during all of this time in bringing about constructive legislation.

I regret along with the majority of the other Members to see him leave Congress. However, since he wishes to enjoy some years with his family in the beautiful rolling country of Georgia where he lives I accede to his wishes and bespeak for him and his lovely family, peace, contentment, and happiness which he so richly deserves.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Alabama [Mr. ANDREWS].

Mr. ANDREWS. Mr. Speaker, one of the first men I met when I came to Congress in 1944 was PAUL BROWN. I liked him from the start, and through the years he has been a wonderful friend and a great adviser. It is refreshing to see a man reach the age he has and retire voluntarily from public service, knowing that he is leaving a wonderful record such as has been made by PAUL BROWN.

He possesses what I consider to be the essential qualifications for a good public servant: First and foremost, he is ruggedly honest; second, he is able; and third, he is courageous. PAUL BROWN has made a great record in this Congress.

Those of us who have had the pleasure of knowing him intimately wish for him many years of happiness. Above all, Mr. Speaker, PAUL BROWN is a sincere man. That makes it doubly fortunate for me to have had the privilege of enjoying his friendship. He has been a sincere and devoted friend, and a wonderful public official.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Kentucky [Mr. SPENCE].

Mr. SPENCE. Mr. Speaker, I am sure that irrespective of political affiliations the Congress has learned with profound regret of the retirement of PAUL BROWN, of Georgia.

His retirement will be a great loss to the Banking and Currency Committee on which he has served so long and so conscientiously. PAUL BROWN and I have been members of that committee for almost 28 years. We have differed on many legislative matters, but I have always had the profoundest respect for him. The respect and the confidence of his colleagues has grown as time has gone on.

He is a man of courage, honesty, and character. His faithful service to his people, his genial disposition, the sincerity of his friendship, and his kindness endeared him to all who knew him. His district, his State, and the Nation have sustained a great loss through his retirement. I am confident that he could have been reelected if he desired and I am sure his constituents regret his decision not to offer again. Pleasant associations with him, his sound judgment,

and honest decisions will be greatly missed by his colleagues.

The people of his district will not be unmindful of his long and faithful service and will affectionately welcome him to his home. We all hope he and his family may have many years of peace and happiness among his friends who have honored him so long.

PAUL BROWN was true to every duty, to every obligation. He was true to himself.

To thine own self be true,
And it must follow, as the night the day,
Thou canst not then be false to any man.

The SPEAKER pro tempore (Mr. WALTER). The time of the gentleman from Georgia has expired.

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent that the gentleman from Georgia may be permitted to continue for another 10 minutes.

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

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, I rise to pay tribute to PAUL BROWN. I shall not speak of his distinguished official service in this body. I have a very deep personal affection for PAUL BROWN. For years we lived in the same apartment house. During World War II, when gasoline was rationed to civilians, we had a riding arrangement back and forth from our apartment house to the Capitol.

PAUL BROWN has borne all his responsibilities with dignity and honor. Included in those things which he has borne was the loss of his son, a noble young man in the submarine service in World War II. Yes, PAUL BROWN has been of service to our Nation in many, many ways. He deserves the tributes which are being paid him today. There are many here and elsewhere who love him for his humble spirit and great heart.

So it is with a very deep feeling of affection that I rise to salute him and wish him and family good health and happiness.

Another thing that comes to mind is this: PAUL BROWN is always in attendance at the sessions of the House of Representatives. He listens to the speeches that are made. He makes it easier for the Members to express their views because he lends a sympathetic ear; not only does he lend a sympathetic ear, he gives a word of encouragement. I rejoice in the feeling that PAUL BROWN considers me his devoted friend. He will not be back in the House next year, but he will be remembered here by all those who served with him.

PAUL, may God bless you and your family.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Alabama [Mr. ROBERTS].

Mr. ROBERTS. Mr. Speaker, I wish to thank the distinguished gentleman from Georgia for yielding to me at this point.

I certainly would not try to compete with the many sincere expressions of friendship or tributes to the distinguished gentleman from Georgia [Mr. BROWN] for his qualities of leadership and statesmanship, but I would feel that I had passed an opportunity to pay a debt if I did not say how much I personally owe him.

When I first came to Congress I was fortunate enough to become his friend, and I have leaned on him heavily many, many times in trying to make a decision about some of the issues that came before this great deliberative body. I have always found that when I voted along the same lines as PAUL BROWN I had no reason to doubt the wisdom of the choice.

There have been many times, indeed, when I have looked to this wise and astute Member of this body for leadership on a host of matters. The deep admiration I hold for PAUL BROWN transcends the normal sectional kindredship which of course we share, and it goes beyond even the bonds of fraternal brotherhood which PAUL BROWN and I happen to share in the Alpha Tau Omega fraternity. I feel a real kindredship of spirit and philosophy with the outstanding gentleman from Georgia. His departure from this body will give me a personal sense of loss.

I have always found that he had a sense of balance and stability about him that he imparts to this body, which will be missed when he goes back to the fine people of Georgia.

I wish for him and his family all the happiness and all the pleasures that a well-earned retirement can bring to them.

I hate to see you go, Brother PAUL BROWN.

Mr. DAVIS of Georgia. I yield to the gentleman from South Carolina [Mr. DORN].

Mr. DORN of South Carolina. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. DORN of South Carolina. Mr. Speaker, I am not going to tell my friend PAUL BROWN goodby because we will be seeing much of each other in the years to come. We are going to dedicate the completion of the great Hartwell Dam, of which he is the father. Some day it will be named Paul Brown Dam. Mr. BROWN's district and mine have a common boundary for more than 100 miles. Mr. Speaker, as a young man I have benefited greatly from the wisdom, counsel, experience, and patriotism of this great American. Of course, the Nation will miss his services here in the Congress. We will miss being associated with him in our deliberations here on the floor and in committee, but the example he set, his devotion to duty, personality and punctuality, his spirit and enthusiasm, will continue in the lives and endeavors of the rest of us. PAUL BROWN is not only the closest Congressman to me geographically, but he has been one of the very closest of friends and the wisest of counselors. I have been and will be a better Representative having known and associated with this great Georgian. PAUL BROWN has exemplified and upheld the ideals and principles of the Founding Fathers. He has held high the traditions and heritages of the great State of Georgia.

The people of South Carolina and my family join me in wishing for PAUL BROWN, Mrs. Brown, and his lovely daughter many, many more happy years together in his lovely home city of Elberton.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I join with other Members of this House, especially the members of the Committee on Banking and Currency, of which I am a member, in expressing regret at the retirement of PAUL BROWN, and to inform the general public through these proceedings of the type of gentleman that PAUL BROWN is. In my opinion, he stands high above the average Member of this House in his devotion to Americanism, patriotism, dedication to the kind of public service that has made this country great. He has a unique record, I am informed, of never having missed a quorum call or a rollcall in a period of 15 years.

He will be missed here. In my association with him on the Banking and Currency Committee I will miss him because of his sound advice and counsel. I trust he will enjoy years of retirement in happiness.

Mr. DAVIS of Georgia. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, I want to join with my colleagues in paying tribute to PAUL BROWN at this time. I am proud that he was one of my close personal friends. When I first became a member of the Committee on Banking and Currency, I found him to be most helpful and friendly to myself as a newcomer. I will always be grateful to him for the friendly and happy assistance he gave me at this time. I consider him one of the great men of this day. I want to extend my best wishes to him as he leaves us, and hope he will return to find the friendship he has always had throughout his service in the House.

Best wishes to you, PAUL.

GENERAL LEAVE TO EXTEND

Mr. DAVIS of Georgia. Mr. Speaker, I ask unanimous consent that all Members may have permission to insert their remarks at this point in the RECORD on the public service of PAUL BROWN.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. McCORMACK. Mr. Speaker, PAUL BROWN, a Member of the House since the 73d Congress, is retiring after 27 years of service. One of his greatest attributes has been his dedication to the duties as a Congressman. Indeed, his unusual fidelity to duty is widely admired. In 1942, one of his colleagues commented before this House that since his first election, some 10 years earlier, he had never missed a rollcall or a committee meeting. He has continued to show this sort of dedication throughout his long career.

A second attribute of PAUL BROWN is that he not only has worked for the best interests of the people of his own district of Georgia, but also has served as a patriot in the best interests of his country. As chairman of the Joint Committee on Defense Production, for several years, he has made a fine record, doing much to help make the defenses of our country strong.

Like many of his colleagues, he sent his only son into service for his country during World War II. Some of us, no doubt, recall that his son, Robert Thomas Brown, a brilliant graduate of the University of Georgia, lost his life while on hazardous submarine duty with the Navy.

A farmer and lawyer most of his life until he became a Congressman, PAUL BROWN was born in Hart County, Ga. After graduation from the Lumpkin Law School, University of Georgia, he practiced law in Georgia and served as a State legislator and county attorney before becoming a Member of this House in 1933.

He is my dear friend and I shall miss him.

Mr. EVERETT. Mr. Speaker, I wish to add to what has been said here today about our distinguished colleague, PAUL BROWN. It has been my privilege to know Mr. BROWN since 1944 when I was in the Army and was on official business in Washington relative to some matters at Fort Oglethorpe, Ga. I first met PAUL BROWN then and it has certainly been a pleasure to have worked with him in many instances.

Later on I came to Washington as administrative assistant to Senator Stewart and at all times then he was always most kind and considerate to me.

On February 1, 1958, when I was elected as a Member of this body he was among the first to congratulate me. He has been most helpful to me as a freshman Member of this body.

I certainly hate to see him relinquish his post of duty here in the House of Representatives.

We all wish him the best of everything in the many years to come.

Mr. WHITENER. Mr. Speaker, I am delighted that the gentleman from Georgia [Mr. DAVIS] has taken this time to call to the attention of the House the life and works of our good friend, Congressman PAUL BROWN, who has announced his retirement from this body. Those who have preceded me have expressed in an excellent fashion their sentiments of love and affection for our retiring friend, as well as their appreciation for his good works.

I could not let this opportunity pass without expressing to our dear friend and colleague my appreciation for the many evidences of friendship which he has manifested toward me. He has always been available to me when I sought his counsel and advice. On each occasion that I have followed his lead I have found that the course being followed was a wise one. So I will miss his guidance and leadership if I am privileged to return to this body during the ensuing years.

Prior to coming to the House of Representatives some of my very close relatives, who are constituents of Congressman BROWN, had told me of their sentiments of warm friendship for the man and their appreciation of the public service of their Congressman. It was only natural, therefore, that upon arriving in Washington in the 85th Congress that I should immediately seek out this man about whom I had heard so many words of commendation. I can say with complete candor that the evaluation which had been related to me has proven to be correct in every respect and that Mr. BROWN is all that he was pictured to me to be.

So, Mr. Speaker, on this occasion I join with our other colleagues in expressing the hope that as the years roll on that Divine Providence shall continue to look with favor upon the life and works of our splendid colleague, PAUL BROWN, whose retirement constitutes a great loss to me personally and to the Nation which he has served so excellently.

REPRESENTATIVE PAUL BROWN'S RETIREMENT WILL BE A GREAT LOSS TO THE HOUSE OF REPRESENTATIVES

Mr. PATMAN. Mr. Speaker, we shall all miss PAUL BROWN, and very deeply. Yet, despite our loss, I believe he is to be congratulated on his decision to retire while he is still a relatively young man. He has earned the years of fun and pleasure and the ease from the stress of hard work which I know are ahead of him.

All the Members join me in hoping, I know, that these years will be many and all be happy years.

It has been my good fortune to know PAUL BROWN since he first came to Congress, as a very young man, back in 1933. I have had the privilege of working intimately with him on the Banking Committee and on legislation from other committees in which we were mutually interested. We have not always agreed, of course. They say that the number of disagreements two people have is an index of how closely they live and work together in pursuit of the same objectives.

On such an occasion as this it strikes me as a matter of deep regret that the House of Representatives does not have some more impressive and memorable way of honoring one of its Members for such long years of public service as PAUL BROWN has given. The best we can do is say "Thanks" and wish him good luck, good health, and many years of happiness. This I do from the bottom of my heart.

Mr. LIBONATI. Mr. Speaker, it is difficult to say goodbye to our distinguished colleague, the Honorable PAUL BROWN, of Georgia. He personifies the true dignity of man as a gentle, kind southern gentlemen.

I cannot think of any Member of the House whose friendship and personality are more appreciated. He is a person devoid of rancor and bitterness—no one has ever heard him belittle or castigate anyone. His public life has been given to the service of everyone. He has advised and consoled—especially the new Members—whenever the occasion presented itself.

He is truly a great legislator and has done much to placate the troubled situations that result from political disagreements. There is greater love for no man in this Chamber. His deep sagacity and noble manners have quieted the most pugnacious antagonists. A true statesman who lives in the hearts of his colleagues with the fond love and sincere regret for his determination to leave the Congress. This great man with soft spoken words has made his colleagues sad in his departure. We have lost a great leader and a patriotic American—may God reward him and his family with the recovery of his health and the blessings for a distinctive service to his State and his Nation.

Mr. TRIMBLE. Mr. Speaker, I want to join with those who are paying tribute to one of the grandest men I have ever known either in public or private life—the Honorable PAUL BROWN, of Georgia. He has been a neighbor on the same corridor since I have been in the House.

His integrity is golden. We will miss him much as Members of the House, and the country will miss his services even more.

Mr. CHELF. Mr. Speaker, it is with a mixed feeling that we learn of the voluntary retirement of our dear friend and colleague PAUL BROWN, of the great State of Georgia. Mixed in that we are sad and loth to lose his wise counsel, ready smile, warm handshake, and excellent leadership—but happy to know in our hearts that he has so richly deserved a rest from the cares of the office of a Member of the House of Representatives.

PAUL BROWN is a "gentleman's gentleman"—A Chesterfield, if you please. Before illness struck at him he had served his people in this House without missing a single rollcall or a quorum call. When he finally missed one it was because he had a high fever and was forced by the doctors to the hospital. Such loyalty and devotion to duty by him have set a magnificient example to us all. May God bless and preserve him and his family always.

Mr. LOSER. Mr. Speaker, I wish to associate myself with my colleagues from Georgia in paying tribute to a great American, who is voluntarily retiring from the House of Representatives at the close of the 86th Congress, the Honorable PAUL BROWN of the 10th District of the great State of Georgia.

My service in the Congress with PAUL BROWN has been one of the happy experiences of my life.

He has been an inspiration to me during the last 4 years. Ever ready to assist new members of the House of Representatives, he has done it in a fashion that impressed his protege with his dedication to the welfare of people of the Nation.

I have sought his counsel and advice on a number of occasions on measures under debate and he has given of his time and intellect in the most gracious fashion. PAUL BROWN is a true Southern gentleman. Never harsh, always courteous.

Mr. Speaker, one of our capable and official reporters of debates in the House, told me of an act of kindness extended him many years ago by PAUL BROWN. Frank E. Battaglia of New York City,

stated that Mr. BROWN, many years ago, recommended him for the position he now holds as one of the official reporters of debates of the House.

The membership of the House will miss this great man. His counsel and advice to the new members have been of inestimable benefit. But after all these years of service to his people, PAUL BROWN is entitled to spend the remainder of his years where he is loved and respected by a great people.

I join with Georgians in wishing for him many more years of happiness, joy, and comfort.

And when his life has come to a close, many, many years hence, may it be his portion to hear from Him who sitteth as the Judge Supreme the welcome words "Well done my good and faithful servant; enter thou into the joys of thy Lord."

Mr. MURRAY. Mr. Speaker, today, more than ever during my congressional service, I appreciate the fine tradition by which it is the custom of this House to pay tribute in farewell to Members who voluntarily relinquish their seats in this great deliberative body.

My special appreciation lies in the opportunity to express, if I can in mere words, a small part of the deep admiration and respect and affection for my close and dear friend of many years, the distinguished gentleman from Georgia, PAUL BROWN, during these last days of service in the House.

I believe the Members will agree that seldom in a lifetime are we so fortunate to have our paths cross that of a man, such as PAUL BROWN, who exerts such a strong and lasting influence for good on our own lives and principles. No one could help but profit from association with this great and able statesman and legislator. No one could help but find a better life by sharing his friendship, counsel, and guidance.

And so it is with a mingled sense of sadness at his leaving and pride in his illustrious record of service that I speak today of this tried and true friend of so many years. His diligence in the public interest, his unquestioned integrity, and—above all—his gentle, thoughtful, and helpful consideration may be matched but will never be exceeded.

PAUL BROWN has well and ably served the Nation and the people of his district through the most difficult and trying era in the history of America. Chosen by his friends and neighbors in the 10th District of Georgia as their Representative in Congress during the depth of the great depression in 1933, his tireless diligence, great knowledge, and deep insight have contributed immeasurably to bring this country to its position of strength, prosperity, and honor in the free world.

With other Members, I will feel the absence of PAUL BROWN from the Halls of Congress more deeply than I can say. I will always treasure his friendship and the knowledge that I have been privileged to serve with him through the years. His fine example will continue, as always, an inspiration to me in my personal and official life. I wish for him good health and every happiness during his richly deserved retirement with honor from public life.

Mr. RAINS. Mr. Speaker, our colleague from Georgia, the Honorable PAUL BROWN, has served his constituency and his country long and well. After 14 terms in the House of Representatives, he is retiring from political life and on this occasion I would like to pay tribute to my colleague.

Through the years that I have served with him on the House Banking and Currency Committee, PAUL BROWN has diligently worked in behalf of legislation which he believed to be in the best interests of our country. His faithful attendance and his deep-seated interest in the issues which have been before us have inspired many of us.

Our colleague has a long record of support for those measures which have done so much for farmers and for rural areas of the Nation. I doubt there is one among us who has followed more closely or been more concerned with the activities of the Commodity Credit Corporation or the Soil Conservation Service than the gentleman from Georgia. Likewise he has always been identified with the rural electrification service and with the Federal Deposit Insurance Corporation, both of which have been of immense value to our citizens. This kind of legislation cannot be identified with any special interests but rather with the general welfare and progress of the American people and that is what PAUL BROWN's record in Congress has stood for.

Of course the people of Georgia and the Southeast are indebted to him for his tireless efforts in behalf of the Savannah River development. Indeed he will be long remembered for his dedication to the completion of this great project which is of such vital importance to the entire Southeast.

Mr. Speaker, when we come back in January PAUL BROWN will not be with us. We shall miss him in many ways and I join with his many friends in the sincere hope that he and his family will enjoy happiness and contentment back home in Georgia.

Mr. FENTON. Mr. Speaker, it is with a great deal of pleasure that I join with my colleagues in paying tribute to the gentleman from Georgia, Mr. PAUL BROWN, on his retirement from Congress.

PAUL BROWN has served his country well in the performance of his congressional duties and I know of no one who has been as dedicated as he in this regard.

He has been a man of great judgment in his actions on all subjects before the Congress.

While I have not been on his Banking and Currency Committee he always gave me a fair hearing on any subject that I was interested in.

Aside from his congressional duties I will miss him as a personal friend.

Our families enjoyed a friendship brought about by the fact that Rosalyn, his daughter, and my youngest daughter, Peggy, were companions in Western High School in Washington, D.C.

Their companionship led to a friendship that still continues—as a matter of fact we enjoyed having Rosalyn visit us at our home in Pennsylvania on one occasion.

This House can ill afford to lose from its membership such a fine man and American as PAUL BROWN.

My family join me in wishing Mr. BROWN, his wife and daughter many more happy years in his well-earned retirement.

Mr. HEMPHILL. Mr. Speaker, the loss of our great colleague, Hon. PAUL BROWN, of Georgia, by retirement, from the House of Representatives, is a loss to this Nation, a loss to every part of this Nation. While he carried lofty the banner of Southern belief and tradition, he was forever thinking of his Nation as a whole. He was a statesman, an inspiring patriot of unsurpassed judgment and dedicated.

To know PAUL BROWN is to love him and I have been inspired by his example. He not only never missed a rollcall but he never missed an opportunity to do something for his Nation or for his fellow Congressmen. I have talked to him on many occasions about legislation because I treasured his advice and he not only never led me astray, but was always quick to advise and give an opinion in the light of my interest in my constitutents.

I am going to miss PAUL BROWN. He was not only my friend but my neighbor up the hall and a man whom I admire very much. Many may follow in his footsteps, but none will fill his shoes.

I wish for him not only the good health he desires in retirement, but the pleasant reflection of happy years spent in the highest public service and the finest statesmanship.

Mr. ELLIOTT. Mr. Speaker, I want to join my colleagues in expressing deep regret that our friend the gentleman from Georgia [Mr. BROWN] has decided to retire.

Mr. PAUL BROWN was one of the first Members with whom I became acquainted when I came to Congress. He was kind and helpful. We became fast friends.

PAUL BROWN is able, sincere and dependable. He has always been loyal to his people, to the U.S. House of Representatives, and to his political party.

As he leaves the Congress, the gentleman from Georgia can be proud of his accomplishments here. He can be proud of the affectionate regard in which he is held generally. I shall miss his advice and counsel and my association with him very much.

Mr. SIKES. Mr. Speaker, it is hard to find words which adequately express the stature of a man such as PAUL BROWN, or which convey the full meaning of the appreciation which we, his colleagues, feel for his services in the Congress of the United States. I came here 20 years ago. PAUL BROWN was then already a veteran Member of this body; more importantly he was already a recognized leader in the world's most important legislative forum.

Twenty-eight years is a long time. But for 28 years, PAUL BROWN has been one of the stalwarts of this body. He has been a sound and conscientious student of government. He has been a careful exponent of justice and right for all the people. He has been a leader where leadership counted.

To me one of the really important facets of the great character of this outstanding Georgian is his uniform kindness and courtesy. In this he knows no politics, he is not partisan, he is a friend whose friendship is as enduring as time. Yet he is a man of strong principle and sound belief. He is a man undaunted by pressures, untouched by devious trends, and unafraid to stand by his convictions.

These traits provide a rare combination indeed, one of the finest and best loved men of our time, the Honorable PAUL BROWN, Member of Congress. I am saddened by his departure. I shall miss his wise counsel and warm friendship. Yet I know he has earned many times over the rest which he is now to enjoy. To PAUL and to his ever constant helpmate, Mrs. Brown, and to all his family, I extend my very best wishes for many pleasant and happy years, enriched by the knowledge that his work lives on and his footsteps are followed with pride.

Mrs. BLITCH. Mr. Speaker, I am deeply grateful to have had the privilege of serving with a man who had all the characteristics that PAUL BROWN exemplified here during his 28 years in the Congress. He epitomizes what I believe to be truly a man who loves freedom, who loves liberty, and who carries out in his actions on this floor and in his daily life those things that really make great Americans.

Mr. PAUL has been an inspiration to me from the day I entered Congress, and I am sure he has been an inspiration to everyone who has had the privilege of knowing him. He is a tower of strength and integrity. He is so courageous. He has never deviated from his convictions no matter what the pressures of the times may have dictated. His sincerity and honesty in all he has ever done is an example which will be emulated for years to come.

I particularly have a feeling of personal loss in the retirement of this beloved man. His counsel and advice will be sorely missed by me, as well as by all of the Members of Congress who have come in contact with him.

I hope that Mr. PAUL's retirement does not mean that he will not return on frequent occasions to honor us with his presence and counsel. To know that we could look forward to such intervals would ease the deep hurt in our hearts when he goes into retirement, which retirement, incidentally, he has more than earned and deeply deserves. I wish for him many years with his family and his neighbors back home who have shown their love and respect by keeping him in Congress for so long.

His district, his State, and his country have been enchanced by his presence in the Congress. It is impossible to measure the services this great American has rendered for his fellow countrymen. His Christian character and nobility of spirit I shall cherish for the rest of my life.

Mr. MILLS. Mr. Speaker, it was with keen disappointment and regret that I learned of the intention of our beloved and esteemed colleague, the Honorable PAUL BROWN, to retire after the close of this session of Congress.

It is needless for me to say that his warm friendship, his advice and counsel and his wisdom and judgment after his 27 years of dedicated service to his Nation, his State, and district will be sorely missed by all of us. His legislative accomplishments are many; his friends here and throughout the Nation are legion; his loyalty, his integrity and his high statesmanship are matters of public record.

I was especially fortunate when I first came to the Congress on January 3, 1939, in being assigned to the Banking and Currency Committee of the House on which PAUL BROWN was then a high-ranking Democratic member. Thus, as a new Member I became the recipient of his wise advice and counsel and the kindness and consideration which he extended to all new Members of this great body. It was my good fortune to serve with him in the Banking and Currency Committee until nearly the end of 1942 when I became a member of the Committee on Ways and Means. I am thus aware of the great contributions which he made to Federal housing and Federal banking laws and to the many other projects within the particular jurisdiction of the committee on which he served for such a long time.

I join with other Members of the House who have paid tribute to the diligent, conscientious, and forthright manner in which PAUL BROWN always tended to his duties here on the floor and placed himself on record on the many issues which came before the Congress during his 27 years of service here. Probably no Member of the House of Representatives has a higher record of attendance and of recorded yea-and-nay votes on legislative issues which have transpired.

May I extend to you, PAUL, and to your family, my very best and most sincere wishes for a well-earned and highly deserved period of relaxation from the incessant and heavy legislative duties which you have handled for so long and in such a faithful manner.

Mr. SMITH of Mississippi. Mr. Speaker, one of the sad occasions of this session of the Congress is the realization that PAUL BROWN of Georgia, will not be with us in the coming year. He is going on to a well-earned retirement, but we in the Congress who have benefited from his leadership and advice will sorely miss him.

PAUL BROWN's career is in the best tradition of a southern statesman. He has stoutly defended the way of life of his people, and at the same time has lent his full contribution to progress for all the people of our country. PAUL BROWN is always a gentleman, fully understanding of the viewpoints of others, while stanch in his own convictions. I know that the people of Georgia, whom he has served so well, share the love and affection for him felt by all the Members of the House of Representatives.

Mr. KITCHIN. Mr. Speaker, it has been a privilege to know and serve with my colleague, the Honorable PAUL BROWN, and as a result of this association I have a profound feeling of respect, admiration, and friendship for this truly great American.

PAUL BROWN has represented the people of the 10th District of Georgia well and conscientiously for over a quarter of a century, and I daresay there are few men in this body today who have a finer attendance record than has our beloved colleague. He has dedicated his life to the principles of sound constitutional government and the problems and welfare of his people have received his constant attention. He has made an outstanding contribution to the strength of our Nation and he is highly regarded by Members on both sides of the aisle.

It was with regret that I learned of his decision to retire and return to Georgia, but as he leaves the Congress I salute him for a job well done and sincerely trust that he and his fine wife will enjoy many years of good health and happiness.

Mr. RIVERS of South Carolina. Mr. Speaker, under leave to extend my remarks in the CONGRESSIONAL RECORD, I include therewith my tribute to Hon. PAUL BROWN, distinguished Member of Congress.

Mr. Speaker, the departure of PAUL BROWN from the Congress of the United States leaves a void that will be difficult to fill. PAUL BROWN has established a record of constant attendance never before equaled in the history of the Congress. For over two decades he answered every rollcall and every quorum call of the House of Representatives. He was equally vigilant and attentive to his official duties. His dedication to his people was reflected in the fact that he seldom experienced opposition in either a primary or general election. His devotion to his people was as constant as his love for his country.

Mr. Speaker, as a member of the great Committee on Banking and Currency PAUL BROWN contributed to the economic growth and stability of this Nation. His wise counsel and sound judgment brought forth much constructive legislation in the field of banking, housing, and other lines of endeavor indispensable to the free economy of this country.

The Congress will miss this lofty son of Georgia. The Congress will long remember this amiable and wise man from the most democratic State in the Union. His close friends will long remember his eagerness to give advice when it was sought and his generosity in sharing his knowledge with those of us who were less fortunate.

Mr. Speaker, America wishes for PAUL BROWN a happy and healthful retirement of tranquillity and contentment on his native soil from which have come other distinguished statesmen and patriots to the service of their country.

Mr. RAYBURN. Mr. Speaker, the retirement of PAUL BROWN from the House of Representatives is regretted universally by all of his colleagues in the House of Representatives regardless of party. If I were selecting what I call a good man, I would select PAUL BROWN. His services in the Congress have been outstanding. He has been conscientious, he has been wise—in words, he has been a great Congressman. He has been my close, personal friend for many, many years, and I, from a personal standpoint, deeply regret his retirement from the House of Representatives. I wish for him that his path may lie through green

pastures and beside still waters because by his life and his work he deserves the best.

Mr. JONES of Alabama. Mr. Speaker, it is with mixed feelings that I bid Godspeed to PAUL BROWN, who is retiring from the House of Representatives. After serving with distinction, dedication, and vigor since 1933, he has earned a rest and it is my earnest wish that he may enjoy in good health for many years his well deserved retirement.

But his retirement from the daily routine of the House of Representatives leaves me with a deep sense of loss. In a very real way, PAUL BROWN was to me, as he was to scores of others, a fatherly figure, who was an unfailing source of counsel and advice. It will never be known how much PAUL BROWN's innate kindness has meant to many a new, untried Member of Congress.

To a multitude of young men, he was a tower of strength and comfort and a wise, patient guide to those who aspired to high accomplishments in the public service. It is gratifying to know that so many who achieved their objectives are abundant in their gratitude to him. My own debt to an old and dear friend is unbounded.

He was very well equipped to give good counsel, for he had years of distinction in the public service in his own State of Georgia before coming to the House of Representatives. A lawyer, county attorney, and mayor, he had a practical knowledge of government and above all, a deep knowledge and sympathy with the day-to-day problems of the average man and woman. His service in Washington was only an extension and enlargement of his work and for years he was acknowledged as one of the outstanding Members of Congress in his devotion to good government.

PAUL BROWN may retire in person from the House, but he leaves a legacy of spirit and memory that will endure.

Mr. FISHER. Mr. Speaker, I wish to join with his many other friends in expressing regret that the gentleman from Georgia, Mr. PAUL BROWN, is retiring from Congress at the end of this year. I have known PAUL quite well personally since I came here many years ago. He has always been recognized and respected because of his sincerity and outstanding ability. He has been an inspiration and a comfort to me as I know he has been to scores of others.

I join in wishing PAUL BROWN and his family the very best of everything in the years ahead.

AMENDMENTS OF SOLDIERS AND SAILORS CIVIL RELIEF ACT OF 1940

Mr. SLACK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3313) to amend section 200 of the Soldiers and Sailors Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 9, insert:

"SEC. 3. Section 1502(c) of title 38 of the United States Code is amended by—

"(1) striking the word 'vocational' in paragraph (1) and inserting in lieu thereof 'Except as provided in paragraph (2), vocational'; and

"(2) redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and inserting after paragraph (1) the following new paragraph:

"'(2) Vocational rehabilitation may be afforded on account of World War II service beyond the termination date otherwise applicable, but not beyond July 25, 1965, if—

"'(A) the veteran was unable to enter or complete a suitable course of training within the period otherwise applicable because of one of the reasons set forth in subparagraphs (A) through (C) of paragraph (1); or

"'(B) the veteran was in the pursuit of a course of training under this chapter on June 1, 1960.'"

Amend the title so as to read: "An Act to amend section 200 of the Soldiers and Sailors Civil Relief Act of 1940 to permit the establishment of certain facts by a declaration under penalty of perjury in lieu of an affidavit, and for other purposes."

Mr. ROONEY. Mr. Speaker, reserving the right to object and, of course, I shall not object, I should like to briefly, but nonetheless sincerely, join in the commendatory remarks of the previous speakers with regard to my dear friend PAUL BROWN, of Georgia, who is retiring at the end of this session after 14 consecutive terms of service in this House. This House is not going to be the same without PAUL BROWN. He has been one of its most faithful Members. On behalf of the people of Brooklyn and of the city of New York, I pay tribute to an able, distinguished, kindly gentleman from Georgia who has helped my people on many occasions over the years when issues such as low-cost public housing and many others before the Committee on Banking and Currency were of important advantage to the metropolitan areas of our country. PAUL BROWN never approached these issues on a narrow sectional basis but voted for the best interest of the country as a whole. I wish him many years of good health and happiness in his retirement.

Mr. Speaker, I withdraw my reservation of objection.

Mr. SCHERER. Mr. Speaker, reserving the right to object, will the gentleman from West Virginia state whether this has been cleared with the minority leadership?

Mr. SLACK. I understand it has been cleared with the minority leadership.

Mr. SCHERER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

Mr. SLACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia.

There was no objection.

Mr. SLACK. Mr. Speaker, this bill as it passed the House would have amended the Soldiers and Sailors Civil Relief Act of 1940 to provide that facts may be established by written unsworn statements, declarations, verifications, or certificates which are certified to be true under penalty of perjury.

This bill would have general application only in those States which permit unsworn statements but is highlighted by the State law of California which generally permits such form of proof where an affidavit is otherwise required.

The Veterans' Administration, the Department of Justice, and the Department of Defense have filed reports indicating they have no objection to the bill. No cost is involved.

The amendment of the Senate is entirely different subject matter and extends the Vocational Rehabilitation Act for service-connected, disabled veterans, World War II, the right to take training through July 25, 1965. This applies generally to those service-connected veterans who have not attained full training due to their illness or disease. The cost of this amendment would be small.

The authority expired July 25, 1960.

ADDITIONAL COMPENSATION TO HOLDERS OF THE CONGRESSIONAL MEDAL OF HONOR

Mr. SLACK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 270) to amend title 38, United States Code, to increase the rate of special pension payable to certain persons awarded the Medal of Honor, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment with an amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert:

"That (a) subsection (b) of section 560 of title 38, United States Code, is amended by striking out 'sixty-five' and inserting 'sixty-two'.

"(b) Any person who, by reason of the amendment made by subsection (a), first becomes eligible to apply for special pension under section 562 of title 38, United States Code, shall, if he files application for such special pension within such one-year period, be paid such pension beginning September 1, 1960, or the date he attains age sixty-two, whichever is later; but no person shall become entitled to payment of special pension by reason of the enactment of subsection (a) for any month prior to September 1960.

"SEC. 2. Section 562 of title 38, United States Code, is amended to read as follows:

"'(a) The Administrator shall pay monthly to each person whose name has been entered on the Army, Navy, and Air Force Medal of Honor roll a special pension at the rate of $10, beginning as of the date of application therefor under section 560 of this title.

"'(b) Any person entitled to special pension under subsection (a) may, upon written application to the Administrator, or to the Secretary concerned in the case of an initial application, elect to receive in lieu thereof special pension at the rate of $100 per month, reduced (but not below the rate of $10 per month) by any pension payable

to such person under subchapter II of this chapter. If such application is filed with the Administrator within one year after September 1, 1960, payment of special pension at such rate shall begin on such date, or on the date the person filing such application first became entitled to special pension under subsection (a), whichever is later; otherwise payment of special pension at such rate shall begin with the month in which application therefor is filed with the Administrator, or the Secretary concerned, as the case may be.

"'(c) The receipt of special pension shall not deprive any person of any other pension or other benefit, right or privilege to which he is or may hereafter be entitled under any existing or subsequent law. Except as provided in subsection (b), special pension shall be paid in addition to all other payments under laws of the United States.

"'(d) Special pension shall not be subject to any attachment, execution, levy, tax lien, or detention under any process whatever.

"'(e) If any person has been awarded more than one Medal of Honor he shall not receive more than one special pension.'

"SEC. 3. The amendments made by this Act shall become effective on September 1, 1960."

Mr. SCHERER. Mr. Speaker, reserving the right to object, can the gentleman from West Virginia tell me whether this has been cleared with the minority leadership?

Mr. SLACK. This matter has been cleared with the minority leader.

Mr. SCHERER. Mr. Speaker, I withdraw my reservation of objection.

Mr. SLACK. Mr. Speaker, I offer an amendment to the Senate amendment.

The Clerk read as follows:

Amendment offered by Mr. SLACK as an amendment to the Senate amendment:

"AMENDMENT TO SENATE AMENDMENT TO H.R. 270

"In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

"'That (a) subsection (b) of section 560 of title 38, United States Code, is amended by striking out "sixty-five" and inserting "fifty".

"'(b) Any person who, by reason of the amendment made by subsection (a), first becomes eligible to apply for special pension under section 562 of title 38, United States Code, shall, if he files application for such special pension before September 1, 1961, be paid such pension beginning September 1, 1960, or the date he attains age fifty, whichever is later; but no person shall become entitled to payment of special pension by reason of the enactment of subsection (a) for any month prior to September 1960.'

"SEC. 2. Section 562 of title 38, United States Code, is amended to read as follows:

"'§ 562. Special provisions relating to pension.

"'(a) The Administrator shall pay monthly to each person whose name has been entered on the Army, Navy, and Air Force Medal of Honor roll a special pension at the rate of $100, beginning as of the date of application therefor under section 560 of this title.

"'(b) Except where the person being paid special pension under this subchapter is in receipt of pension based upon his need of regular aid and attendance, special pension shall be reduced (but not below the rate of $10 per month) by any pension payable to such person under subchapter II of this chapter.

"'(c) The receipt of special pension shall not deprive any person of any other pension or other benefit, right, or privilege to which he is or may hereafter be entitled under any existing or subsequent law. Except as provided in subsection (b), special pension shall be paid in addition to all other payments under laws of the United States.

"'(d) Special pension shall not be subject to any attachment, execution, levy, tax lien, or detention under any process whatever.

"'(e) If any person has been awarded more than one Medal of Honor he shall not receive more than one special pension.'

"SEC. 3. The amendments made by this Act shall become effective on September 1, 1960."

The amendment to the amendment was agreed to.

The Senate amendment as amended was concurred in.

A motion to reconsider was laid on the table.

Mr. SLACK. Mr. Speaker, I ask unanimous to extend my remarks at this point in the RECORD and to include statistics.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. SLACK. Mr. Speaker, the bill H.R. 270, which seeks to provide a higher rate of pension for holders of the Congressional Medal of Honor, has passed the House for the past three Congresses and prior to this time has never been reported in the other body. Under present law, a holder of the Congressional Medal of Honor is entitled to a monthly pension of $10 a month in addition to compensation or non-service-connected pension, if he is at least age 65 and has been honorably discharged from the service. This latter requirement bars such payment to retired personnel or to active duty personnel.

As passed by the House, the age requirement was eliminated altogether. The rate was set at $100, and this was payable to all who had ever earned the medal. The belief of the Committee on Veterans' Affairs was that this honor was so unusual and so limited that it should be adequately rewarded and that no individual who ever received this highest award of our Government should be on relief or otherwise in dire need. Unfortunately, several recipients of this honor are today in that category.

There are 308 holders of the Congressional Medal of Honor, divided between 158 officers, 146 enlisted men, and 4 warrant officers.

The Senate, in reporting the bill, reduced the age limit to 62, provided for a $10 or $100 a month additional payment, excluded retired personnel and active duty personnel, permitted the payment to go to those receiving service-connected compensation and to those receiving non-service-connected pension, but as a practical matter the pensioner would have to choose between the regular pension and the $100 a month rate. This, in effect, would exclude all veterans of the Spanish-American War who are getting a pension from receiving any additional payment other than the small payment of $10.

The proposed substitute which I am offering at the request of the chairman sets the age limit at 50, provides for one rate of $100 a month, excludes retired personnel and active duty personnel, but would be payable to those receiving service-connected compensation. So far as non-service-connected pension is involved, it would provide for retention of the Senate provision, with the exception of the aid and attendance cases. These cases are individuals who are so helpless or blind or nearly so as to need the aid and attendance of another person. Most individuals in this category are receiving $135.45. Under the new pension law, Public Law 86–211, some veterans may be receiving as much as $170 who are in this pitiful condition. The amendment which I am offering would pay to these individuals $100 in addition.

It seems to me that this compromise meets the Senate more than half way and I am hopeful that it will be concurred in in the other body.

I think it is important to bear in mind that in awarding a Congressional Medal of Honor, the following action is necessary:

First. There must be an eye witness to swear that the action was performed by the individual;

Second. The company commander must approve of the citation;

Third. The battalion commander must approve;

Fourth. The regimental commander must give his approval;

Fifth. The division commander must approve; and

Sixth. The military department, Army, Navy, or Air Force, must approve.

I think that these steps indicate that the awards are made in a most careful manner and are not the result of friendship or happenstance.

Mr. Speaker, under consent already granted, I insert certain pertinent statistics on the Medal of Honor law and the recipients thereof, as well as a comparison of the law and the various proposals for changing it.

Medal of Honor recipients

	Officers	Enlisted men	Warrant officers	Total
Army	68	112	1	181
Navy	42	19		61
Air Force	13	2		15
Marine Corps	35	13	3	51
Total	158	146	4	308

Age

	Youngest	Oldest	Average
Army	27	88	44.1
Navy	28	85	61.0
Air Force	30	70	49.8
Marine Corps	29	85	47.8
Overall average			51.3

Age distribution

30 or below	10
31 to 40	91
41 to 50	86
51 to 60	25
61 to 70	42
71 to 80	35
Above 80	19
Total	308
Receiving:	
Retirement pay	71
Non-service-connected pension	24
Service-connected compensation	77
$10 Medal of Honor award	26

Components	Law	H.R. 270 as passed House	H.R. 270 as passed Senate	House substitute amendment
Age	65	Any age	62	50.
Rate	$10	$100	$10 or $100	$100.
Retired personnel	Not covered	In addition to retired pay.	Not covered	Not covered.
Compensation payees.	In addition to compensation.	In addition to compensation.	In addition to compensation.	In addition to compensation.
Non-service-connected pensioners.	In addition to pension.	In addition to pension.	Generally not more than $100 regular pension and Medal of Honor pension combined.	Same as Senate provision, except does not apply to aid and attendance cases.
Active-duty personnel.	Not covered	Covered	Not covered	Not covered.

TEMPORARY SUSPENSION OF IMPORT DUTY ON HEPTANOIC ACID

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12659) to suspend for a temporary period the import duty on heptanoic acid, with Senate amendments thereto, disagree to the amendments of the Senate and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas? (After a pause). The Chair hears none and appoints the following conferees: Messrs. MILLS, FORAND, KING of California, MASON, and BYRNES of Wisconsin.

WHERE THE BLAME REALLY BELONGS

Mr. SCHERER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, it was with much interest that I noted an editorial dealing with the farm problem in the August 17, 1960, issue of the Williamston Enterprise, Williamston, Mich. The editorial is entitled, "Where the Blame Really Belongs," and under leave to extend my remarks, I am asking that it be printed in the CONGRESSIONAL RECORD and commend it to the attention of my colleagues.

The editorial follows:

WHERE THE BLAME REALLY BELONGS

The Democratic-inspired outcry against one man and against one administration for everything that is wrong with the farm picture continues as those who are really responsible seek to shift the blame to others.

It's long since past the time when another look should be taken at the evidence. The accused is entitled to a day in court—and could well earn a deserved and just acquittal.

It can be freely admitted that a costly outpouring of the taxpayers dollars has long resulted from outmoded programs too long maintained. The issue is: Who is responsible?

Part of the answer shows up as far back as 1952. Over 90 percent of the expenditures by the Department of Agriculture between that year and 1959 has resulted from continuance of programs inherited by this administration, plus new programs that had to be initiated by this administration to offset inherited problems.

Let's examine them.

The increase in expenditures in the 7 years between 1952 and 1959 was roughly $5.9 billion. Of this amount, $3 billion was the increased outlay for price supports which the Secretary of Agriculture fought to adjust.

Of this $5.9 billion increase, about $2.4 billion has been for programs to help dispose of mountainous surpluses piled up by the unrealistic support program. Included in this figure is $1.5 billion for Public Law 480 and $848 million for the soil bank.

Most of this surplus pile-up and surplus reduction is in wheat. The administration has implored the Democratic Congress to take constructive action on wheat.

This, then, is the real need: Positive action to correct the problem instead of negative nagging and shifting the blame. Sounds simple. But did you ever try it with a Democratic-controlled Congress hugging a potent campaign issue?

That's where the blame really belongs.

AID TO EDUCATION WITHOUT FEDERAL CONTROLS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. BRAY] is recognized for 15 minutes.

Mr. BRAY. Mr. Speaker, again Congress is adjourning without passing a bill to aid in the construction of schools or in the payment of schoolteachers. Few issues before Congress in the last dozen years have brought forth more differences of opinion than has Federal aid to education. The House and the Senate passed bills which were so far different that there was no reconciling them.

RELIEF NEEDED FROM TAX BURDEN

America is united in wanting the best education for our youth. We are also aware that the costs of education are a great and increasing burden. The taxes to support this educational system are falling heavily on property owners, especially on the owners of homes, farms, and small businesses. The property taxes for the building and maintenance of schools in some school districts have pushed the local property tax levy to $7, $8, and even as much as $9 and $10 per hundred dollars of taxable property. This is becoming an unbearable burden to homeowners, farmers, and small businessmen. Some tax relief must be found and at the same time our educational system must not be handicapped.

PROBLEMS IN ALLOCATING FEDERAL FUNDS TO STATES FOR SCHOOLS

In order to alleviate this burden, taxpayers and legislators are considering many alternatives. For years it has been suggested that the Federal Government contribute heavily to the support of our schools; but that, too, entails several problems. One is that the Federal Government in the end gets its money from the taxpayer. If Federal money is to be used, a problem arises about the formula for allocating the money among the various States and school districts. If the allotment were based on proposals for improvements and use, then there would result a scramble of "featherbedding" to get as much as possible. If the allotment were based on the degree of need, the States would be encouraged to neglect their responsibilities in education. There are an increasing number of States which, in order to get industries to move from other States into their own to help the employment situation, have promised those industries exemption from taxes. Thus tax money for schools is cut, and they seek to supplement school funds by showing great need for Federal aid for education.

There was a factory in Indiana employing approximately 2,000 persons. Another State, in order to get that factory to move there, granted the company freedom from taxation for 10 years. The State which made the offer is one of those showing a great need for Federal money for schools and is today taking a lead in Congress in promoting Federal aid in education to the States on the basis of need.

In addition to these problems arising from proposals for Federal assistance in education, we also have a national fear, and I think a just one, that the Government might dominate our schools and would not exert the same care in spending our tax dollars as the individual State or school unit does.

FEDERAL EXCISE TAX ON CIGARETTES RETURNED TO STATE FOR EDUCATIONAL USE

The Federal Government has, throughout the years, exploited new taxes in an aggressive manner and now dominates the excise, corporation, and personal income tax fields. What I propose is that the Federal Government earmark a certain part of the taxes it collects on cigarettes from the citizens of each State to be returned to that State for educational purposes. The Federal Government would have no claim on that money; there would be no need for congressional wrangles about the distribution of such funds, for each State would receive back the established percent of that which had been paid in; there would be no part of it remaining in Washington; and its administration would cost Indiana and the Federal Government practically nothing.

I introduced H.R. 12252 on May 17, 1960, and addressed the House on this legislation. This bill provides that the Federal Government shall return to each State one-half of the Federal excise tax it collects on cigarettes sold in that State. The State would be obligated to use this money for teachers' salaries or the construction of school buildings. The Federal Government, in collecting and returning money to the States, would act in the same capacity as the county

treasurer does in Indiana. The county treasurer collects the taxes due all tax units, including school districts, and turns that percent of the tax money allocated to schools over to the school authorities. Aside from the requirement that the money be used for school purposes, there are no strings attached. So it would be with Federal funds collected from the sale of cigarettes and turned over directly to the State—there would be no Federal strings attached and there would be no opportunity for Federal bureaucracy to absorb part of this money. I want to point out that today there are those people who plainly show that they are more interested in the operation of a large Federal bureau than they are in providing the proper school facilities and staff. No bureau could thrive on my proposal. The Federal collecting agency is already operating and the allocation would be merely a statistical accounting problem.

If such legislation were enacted, the following figures give some idea of how Indiana would fare:

Amount that would have been received by Indiana under H.R. 10128 which passed the House but which could only have been used for school construction	$8,600,000
Amount that would have been received from one-half of Federal gross cigarette tax paid by Indiana and which could have been used for buildings or for salaries without any Federal control	22,324,000

While these figures are approximate and round figures, they do give an idea of the relief such legislation would give to the taxpayers of Indiana.

The legislation which I presented did not get out of committee. A 4-year, $1.3 billion program of Federal grants to the States for school construction was approved by the House of Representatives, and efforts were made to reconcile it with a measure approved by the Senate which would provide $1.8 billion for 2 years for school construction and teachers' salaries. The House tentatively approved but later rejected an amendment offered by the gentleman from Ohio, Representative FRANK BOW, to return to each State one-fourth of the Federal cigarette tax collected from its residents. I spoke in behalf of the Bow amendment.

The several alternatives for Federal aid which have been before the Congress this year are all temporary "stopgap" measures, or so we are told. A rebate of excise tax collections could provide a steady and permanent source of additional revenue for school purposes.

SEVENTH DISTRICT FAVORS CIGARETTE TAX REFUND

While we did not succeed in enacting legislation to return a portion of the Federal excise tax on cigarettes to each State in this session of Congress, I feel that it is something toward which we must continue to work. In the information poll which I sent out this spring, one of the questions was, "Do you favor returning to each State one-half of the cigarette tax collected from its residents for educational uses without Federal direction?" It was a mandate to me to continue along this line, for 85 percent indicated that they favored such legislation.

For more than a decade we have heard many voices raised to provide Federal financial assistance to our schools to relieve the burden on State and local revenue sources. These proposals have varied widely but have inevitably become mired down, owing to the problems stemming from the Federal association with the program. If we really want to provide additional money for school purposes, here is a way to do it and leave the authority with the States and communities. It will offset much of the criticism of the other proposals and avoid some of the problems which have prevented enactment of other suggestions.

OPERATION VERACITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Arizona [Mr. RHODES] is recognized for 1 hour.

Mr. RHODES of Arizona. Mr. Speaker, this is the beginning of "Operation Veracity." It is the intention of the Republican Members of the House of Representatives in this operation to study some of the statements made in the platform of the opposition party with the idea of showing that there are certain statements contained therein which are misstatements, to say the very least. We suspect that some of them are the result of overzealous draftsmanship, we suspect that some of them are the result of overzealous writing. We do not accuse our colleagues on the other side of the aisle of being deceitful, but we do feel that the record is such that it is up to the Republican Members to dispel the effect of some rather amazing statements which appear in the platform of the Democratic Party adopted in Los Angeles.

I might say, Mr. Speaker, that this is a rather historic occasion in that I do not know of many times in the last few years that the House and Senate have been in session after the two parties have held their conventions and after the platforms have been adopted. Therefore, we have an opportunity to explore with our colleagues the various statements contained in these platforms which occurs very rarely.

It is not our purpose at this time to go into the philosophy behind these platforms. The mere fact we do not go into that philosophy is certainly not indicative that we agree with the philosophy of the platform of the opposition. The opposite would certainly be true.

Time being what it is and the House being pushed for adjournment some time this week, possibly we will have time to go into the philosophy and possibly not. It will be my privilege to yield to certain members of the Republican Party for the purpose of correcting certain misstatements, made in the platform of the opposition, and showing the truth as the truth exists. We will certainly not be able to cover all of what we believe to be misstatements.

We will cover only those that we believe are patently wrong. There are others with which we could take issue if time would permit. However, this is an operation by which we hope to show for the benefit of the country as well as the members of the opposition party that a platform really is something which must be lived up to. It is something which must not be forgotten as time goes on. No longer should the platform of a political party be allowed to gather dust on a shelf. That platform should, in the campaign, be a very vital and important part of the campaign. We feel that the platforms of both parties should be a vital portion of this campaign, and we intend in every way we can to make sure that those two documents do not gather any dust on anybody's shelf. If the platform of the opposition party turns out to be an albatross, they should wear it around their necks.

So, with that, Mr. Speaker, I now yield to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, in view of the fact that a Member of the Congress was the chairman of the platform drafting committee at the Democrat Convention, I am wondering if the gentleman has notified the chairman of that committee that this matter would be taken up at this time.

Mr. RHODES of Arizona. I thank the gentleman. The question is whether or not I advised the Honorable CHESTER BOWLES, the gentleman from Connecticut, the chairman of the Democratic platform committee of 1960, that the Republicans intended to question some of the material in the platform. The answer is, "Yes, I did." The letter was written on Friday last, directed to the gentleman from Connecticut, in his office here in Washington. I hope that the gentleman will be on the floor before this operation is over. I do not now see him on the floor.

Mr. Speaker, I now yield to the gentleman from Ohio [Mr. AYRES].

Mr. AYRES. Mr. Speaker, I rise in support of "Operation Veracity."

Whenever a political party incorporates in its platform misstatements of fact, this must be called to the public attention.

This is the mission of "Operation Veracity." Republican Congressmen are exposing 14 misstatements of fact, misstatements in the Democratic platform which I believe very few Members of this body would defend as true, regardless of party.

Take for example this statement of the Democratic platform:

> The quality of medical care furnished to disabled veterans has deteriorated under the Republican administration.

Indeed, this is an outrageous charge.

Since 1953 the Joint Commission on the Accreditation of Hospitals representing the American Medical Association, the American College of Surgeons, the American College of Physicians, the American Hospital Association has surveyed and accredited for the first time all Veterans' Administration hospitals.

Does this represent a deterioration of medical service?

Under the leadership of the Veterans' Administration, a new specific treatment

for tuberculosis by chemotherapy was developed in 1954 which has dramatically reduced the length of treatment required for tuberculosis, not only in VA hospitals, but throughout the world.

Does this represent a deterioration of medical service?

VA first developed scientific methods for evaluating the new chemicals for treatment of the mentally ill and was one of the first to make extensive application of these drugs.

Does this represent a deterioration of medical service?

In 1959 the first nuclear reactor of its type to be used both for treatment and research was installed in a VA hospital in Omaha.

Does this represent a deterioration of medical service?

Expenditures for the care of hospital patients and domiciliary members have increased from less than $600 million in fiscal year 1952 to an estimated $817 million in fiscal year 1961, a record high.

Does this represent a deterioration of medical service?

In 1959 President Eisenhower approved a VA plan for a 12-year $900 million hospital modernization and placement program.

Does this represent a deterioration of medical service?

A statement by one of the foremost authorities in the care of seriously disabled patients, Dr. Donald Munro, published in an article in the October 22, 1959, issue of the New England Journal of Medicine, is particularly relevant. He states:

> By and large, no such patient receives better treatment, or approaches closer to the total rehabilitation than is possible in his individual case, than those who have been and are being cared for in the Veterans' Administration paraplegic centers.

Does this indicate that the services of the Veterans' Administration are deteriorating?

Gentlemen, if the new frontiersmanship of certain candidates in the other party is to be hewed from the low road of such unfounded charges as this charge about the Veterans' Administration, I believe the American public will not long tolerate this brand of new frontiersmanship.

The American public in these serious times looks for a sense of mature responsibility in party platforms and in party leaders.

And I want to say that I am confident that no member of the Committee on Veterans' Affairs would have approved this unfounded statement which is in that platform, that—

> The quality of medical care furnished to disabled veterans has deteriorated under the Republican administration.

Those members of the Committee on Veterans' Affairs who have worked closely with this program and are dedicated to its welfare know that this statement is not true.

Mr. RHODES of Arizona. Mr. Speaker, it is now my privilege to yield to the gentleman from Wisconsin [Mr. LAIRD], who was vice chairman of the Republican platform committee for 1960.

Mr. LAIRD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LAIRD. Mr. Speaker, the Republican platform committee worked long and diligently to come up with a platform and document that contains no misstatements of fact. As a matter of fact, each subject it reported which was adopted by subcommittees and reported to the full committee was gone over very carefully by a special drafting committee. Every fact which was included in the platform in its final approved version is factually correct and was gone over in great, great detail. Certain subcommittee reports may have wandered from certain basic facts, but these facts before approval were checked out very carefully in the convention-approved document. The document approved by our convention does not contain any misstatements of fact.

Mr. Speaker, Operation Veracity has been effectively performing its mission this week. And that mission is an exposé of 14 incorrect statements of fact which make up the fabric of the Democratic platform.

As one who served as vice chairman of the Republican platform committee, I wish to make this comment:

The delegates and staff which wrote the Republican platform worked long and assiduous hours to insure, first, that we did not make promises on which we could not deliver, and secondly, that the statements of fact in our platform were accurate.

In the presidential campaign, Americans everywhere are looking for the party and the candidates who possess in greatest measure the qualities of responsibility and experience. Therefore, the public has a right to be concerned when the platform of a party and of its candidates is not characterized by a scrupulous veracity.

Now I would like to examine this statement in the Democratic platform:

> Unimaginative, outmoded Republican policies which fail to use these productive capacities of our farms have been immensely costly to our Nation.

In order to show the inaccuracy of this flagrant statement, let us see which party is responsible for existing legislation—legislation which fails "to use these productive capacities of our farms."

The basic farm price support legislation was enacted in 1933 by the Democrats.

In 1938, the Democrats gave continuing status to their 1933 emergency legislation. These were the days when the New Deal was trying to gear our economy to a permanent depression climate.

In 1941 and 1942, the Steagall amendment and other legislation was passed. Price supports were raised to a high level during the war emergency. As I recall, the Democrats controlled the White House and the Congress during the war years.

Now, in 1948, Congress provided for an adjustment from the wartime price supports.

But the next Congress, a Democratic Congress, rewrote the law, so the law of the Republican Congress was not permitted to go into effect.

In 1952, the Democratic Congress further extended the wartime level of price supports.

A Republican Congress in 1954 let this 1952 extension expire, thereby permitting the functioning of legislation previously enacted.

Since the 1954 elections, this Congress has been controlled by one party—the Democratic Party.

With the exception of 4 years, the Congress, since the inception of the New Deal farm legislation in 1933 has been controlled by the Democratic Party.

The failure of agricultural adjustment which hurts the farmer is a legislative failure. The Democrats have been the legislators. They put this legislation on the books. Today, by their 2-to-1 majority they keep it there. They condone it. They tolerate it. They have the power to change it.

Thus, the statement of the Democratic platform I read earlier should be corrected to read:

> Unimaginative, outmoded Democratic policies which fail to use these productive capacities of our farms have been immensely costly to our Nation. Furthermore, high rigid price supports on the basic commodities (corn, cotton, rice, peanuts, tobacco, and wheat) would produce a continued rise in costs and a continuing buildup in surpluses, which in turn would exert increasing price depressing influences.

At this point, Mr. Speaker, I would like to note the position on price supports in the Republican platform:

> Use of price supports at levels best fitted to specific commodities, in order to widen markets, ease production controls, and help achieve increased farm family income.

This is the program the Republicans will follow when they gain control of Congress.

Mr. Speaker, I now return to the original Democratic platform statement, as it stood before I corrected it. Preceding the statement are paragraphs entitled, "Using Our Abundance."

While in one paragraph they charge Republican policies as being unimaginative, in these paragraphs they endorse certain programs which are Republican programs. Food for peace is the notable example. This is an imaginative program to cope effectively with the farm surpluses inherited from the Democratic rigid supports.

In his January 29, 1959, message to Congress, President Eisenhower said:

> I am setting steps in motion to explore anew with other surplus-producing nations all practical means of utilizing the various agricultural surpluses of each in the interest of reinforcing peace and the well-being of friendly peoples throughout the world—in short, using food for peace.

So the Democrats seem to endorse this concept in one paragraph, and then call it unimaginative in the next. They prove their own error by their transparent flip-flops.

Mr. Speaker, I now request unanimous consent to include at this point in the RECORD, 19 quite remarkable efforts and accomplishments of President Eisenhower to cope effectively with the farm problem inherited from the Democrat rigid-support formulas.

1. Accumulation of surpluses held down by an amount estimated at $14 billion through adjustment in price supports, Public Law 480, and the soil bank.

2. About 60 million people in 82 foreign countries given food and fiber donated by the United States. Over 4 million Americans receiving donations of surplus foods.

3. New records set:

Total agricultural assets at alltime high of $208.2 billion (compared to $162.9 billion in 1953).

Farm foreclosures and tax sales from 1953 to 1960 averaged only 2.3 farms per 1,000 per year, compared with nearly 11 farms per 1,000 per year from 1932 to 1952.

4. Standard of living on farms highest in history, measured in terms of electrical appliances, automobiles, and other conveniences owned by farm families.

5. Per capita income of farm people rose from $838 in 1950 to $960 in 1959, with further upturn seen in 1960.

6. Six hundred million dollars a year extended in disaster and drought aid since 1953.

7. Social security coverage extended to farmers in 1954, ending 19 years of discrimination.

8. Payment-in-kind export program for grain and cotton established resulting in higher prices to producers and increased exports.

9. More than 28 million acres of farmland taken out of production by the conservation reserve program of the soil bank and put to soil-conserving uses.

10. The agricultural credit system was more responsive to farmers' needs with broadening and liberalization of credit programs. Farm Credit Administration was made an independent agency.

11. Food-for-peace program set in motion and is being rapidly expanded.

12. Exports of farm commodities up from $2.8 billion in 1953 to alltime high of $4.7 billion in fiscal 1957; for past 3 years averaged $4 billion per year. Exports in fiscal 1960 estimated at $4.5 billion in value, highest ever in volume.

13. Special milk program, inaugurated in 1954, operating in 83,000 schools and child care institutions, where nearly 2.4 billion half pints of milk helped improve diets of our children.

14. School-lunch program doubled since 1951—13 million participating children and 2 billion complete meals served in 1959–60 school year.

15. Producers of dairy products will receive estimated cash receipts of $4.7 billion in 1960, an alltime high.

16. Agricultural research appropriations increased by 117 percent since 1953—much to find new uses for farm abundance and to develop new crops for current needs.

17. Great Plains conservation program, established in 1956 to minimize erosion, operating in 351 countries, 12 million acres covered by cost-sharing contracts as of May 1, 1960.

18. Two hundred and thirty-six local watershed projects in forty-five States receiving assistance. Authorization for planning assistance extended to 549 projects in 48 States.

19. Operation Outdoor set up to expand family recreation facilities in the national forests. In 1953, 35.4 million people visited the national forests; in 1959 the number was 81,521,000.

Mr. Speaker, in closing, let me point out one more false statement in the platform:

The Democratic Congress has successfully fought the efforts of the Republican administration to cut off REA loans.

Now, REA has has been in existence 25 years. The Eisenhower administration has been in office a little over 7½ years—in other words, about 30 percent of the time of REA existence. Yet, 45 percent of all the loans approved in REA history were approved during the Eisenhower-Nixon administration.

The authors of the Democratic platform, indeed, are in bad need of facts.

Mr. RHODES of Arizona. Mr. Speaker, I now yield to the gentleman from Michigan [Mr. FORD], ranking minority member of the great Subcommittee on Armed Services of the House Appropriations Committee.

Mr. FORD. Mr. Speaker, I feel that it is disturbing and demoralizing to the American public for a political party to write a platform containing inaccurate statements. We find 14 such inaccurate statements incorporated into the Democratic platform as adopted recently at Los Angeles.

Is this an example of the "new frontiersmanship" to which Democrats hope to attract forward-looking Americans? Perhaps it might be better described as an example of a "new gamesmanship" to hoodwink Americans.

Republican Congressmen have united in Operation Veracity in order to purge the record of the Democratic platform of 14 inaccurate statements. We heard the gentleman from Arizona expose the first inaccuracy today by pointing out balanced budgets in fiscal years 1956, 1957, and 1960, thus exposing the inaccuracy of the Democratic claim that over the past 7½ years the Republicans had failed to balance the budget. This claim just does not hold up in light of factual analysis.

I would like to call your attention to another Democratic platform statement which even more lacks authenticity, accuracy, and even plausibility:

They [the Republicans] have also admitted that our conventional military forces, on which we depend for defense in any nonnuclear war, have been dangerously slashed for reasons of "economy"—and that they have no plans to reverse this trend.

Mr. Speaker, I challenge the authors of the Democratic platform to produce the administration statements which admit that our conventional military forces have been slashed for reasons of economy. If no such statements are available, then why place this distorted claim in their platform?

Because, obviously, they did not want to insert in their partisan document a correct statement, which might have read instead:

They [the Republicans] have ended the peaks and valleys characteristic of the preparedness program of previous administrations and have developed both our conventional and nuclear capabilities as well as aided in development of over 200 allied divisions and 250 global bases. Our military posture, in conjunction with our alliance system, has deterred both nuclear and conventional war, a deterrence of which our military posture and alliance system was not capable in 1950.

Mr. Speaker, now I will address myself to the question of whether our conventional military forces, on which we depend for defense in any nonnuclear war, have been dangerously slashed.

First, let us take airpower.

Our bombers have the capability of conventional bombing as well as nuclear bombing. Since 1953 our heavy bomber force has almost doubled, while in effectiveness their capabilities have increased manyfold. For in 1953 our mainstay was the old B–36 and the still older B–29's. Perhaps the Democrat platform means to complain that we slashed production of B–36's in order to produce B–47's, B–52's, and B–58's, as well as nearly doubling our bomber force. If so, they criticize progress leading to greater airpower for our dollars.

Next, let us consider naval power.

When President Eisenhower took office, not one single modern firstline ship had joined the fleet since the end of the World War II construction program, with the exception of a few destroyer-type vessels. Since 1953, however, this administration has provided for approximately 50 new guided-missile ships and approximately the same number of nuclear-powered vessels. The aircraft carrier, one of the mainstays of both our conventional and nuclear war capabilities, is a complete void in the Soviet arsenal of naval power. In contrast, we presently have 14 carriers, with more on the way.

How can the Democratic platform framers complain that this naval buildup represents a slash of conventional war forces?

Finally, let us examine land power.

Our forward strategy aimed at repelling any Soviet or Red Chinese aggression directed at any part of our free-world alliance system is in refreshing contrast with a fortress America approach, which would result in disengagement from both our alliance obligations and our determination to resist Soviet aggression—in Korea, in Formosa, in Berlin or in any other portion of the free world.

Certainly our Republican administration has not been satisfied with merely maintaining our 870,000-man Army, our 175,000-man Marine Corps, our 300,000-man Army Reserve, our 45,000-man Marine Reserves, our 400,000-man Army National Guard and our other ever-improving Reserve forces, the Air Force and Naval Reserves. Since our reaction must be quick and since groundpower must be generated at the spots of potential aggression, we have augmented our forces with the worldwide collective defense of over 5 million men, 25,000 planes and 2,200 combat ships.

Mr. Speaker, all of these forces become a part of our conventional war deterrent. They have been built up since 1953, at which time we lacked SEATO alliance in the Far East, and when we not only lacked a consistent long-range defense policy but also were pinned down in the wrong war, at the wrong place and at the wrong time.

I submit that anyone who feels that our 900 ships, 35,000 planes and over 2 million men are mere byproducts of nuclear deterrence and that they make no great contribution to conventional forces simply does not understand the strategy of a flexible deterrent policy. As Gen. Maxwell Taylor stated, "If one regards the force structure of our three services, one finds that nearly all the Army and Marine Corps, much of the Tactical Air Force, some of the Navy's carriers, and large parts of our strategic air and sea lift must be associated with limited war forces and are available in any emergency."

In further consideration of the Democratic charge that our conventional military forces have been dangerously slashed for reasons of economy, I would like to insert in the RECORD at this point a statement from a recent publication of the Instiute for Strategic Studies in London, entitled "The Soviet Union and the NATO powers: The Military Balance." The statement points out the weakness of NATO 10 years ago, and its great comparative strength today:

Ten years ago, when the North Atlantic Treaty was signed in Washington, the military position of the Western Powers was very weak. Most of the ground forces available were badly equipped and were deployed not for defense but for occupation duties. Less than 1,000 operational aircraft were available in Europe, and only about 20 airfields. Now, as the facts below indicate, the defensive position of the NATO powers in Europe, although in certain respects it leaves much to be desired, has changed out of all recognition. The ground forces in the central area have been built up to about two-thirds of the planned goal of 30 divisions, and equipped with nuclear ground-to-ground and ground-to-air missiles. The air forces in Europe of the NATO powers can now muster about 5,000 tactical aircraft (strategic bombers remain under national control) which operate from some 220 operational bases. Joint production in NATO countries of modern weapons such as the Hawk and Sidewinder is about to begin, while a project for a NATO tank is under discussion.

Next, Mr. Speaker, I would point out that the Democratic-controlled Congresses for 6 fiscal years have slashed the attempts of the Republican President to increase further our defense posture. I request unanimous consent to include in the RECORD at this point a table reflecting the slashes of $3.4 billion made by the Congress in the defense requests of the President from fiscal year 1955 through 1960.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

Mr. EDMONDSON. Mr. Speaker, reserving the right to object, I would like to ask unanimous consent at this point that I may be heard for 5 minutes at the conclusion of other special orders heretofore entered for today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Department of Defense: President's budget requests and congressional appropriations, fiscal year 1955–60

[From chart supplied by Assistant Secretary of Defense Lincoln, DOD hearings, House, fiscal year 1961, III 115–117]

[In millions of dollars]

Fiscal year	Request	Appropriation	Net change
1955	30,942	29,583	−1,359
1956	33,700	33,082	−618
1957	35,197	36,134	+937
1958	39,257	36,648	−2,609
1959	40,830	41,232	+402
1960	40,811	40,592	−219
Overall, 1955–60	220,738	217,271	−3,467

Mr. FORD. Mr. Speaker, this chart should, of course, be brought up to date by the addition of figures for fiscal year 1961, in which the 2d session of the 86th Congress added $661 million to the President's defense budget requests. If this figure were included, it would mean that the net reduction of the President's military budgets from fiscal year 1956 through 1961, inclusive, totals $1.447 billion, still a substantial reduction when the Democratic opposition calls for increases in spending for our national security at every turn.

Mr. Speaker, to sum up, the Democratic platform has made an inaccurate statement that Republicans have admitted "that our conventional military forces have been dangerously slashed for reasons of 'economy.'" I ask the Democrats this—to what source in this administration can they attribute such a statement? As a matter of record, a 15-member task force of the House Republican policy committee stated on June 20, 1960, that "we can afford all the defense that is needed, if we will soundly finance the full cost." Furthermore, in the Republican platform ratified by delegates at Chicago, our official statement of policy for the future, we affirmed that "there is no price ceiling on America's security."

I would also assert that this administration has vastly increased the total capability of the free world to resist Communist aggression, conventional or nuclear. In 1953, we and our allies were weak in conventional war capabilities. In Europe and in Asia, our conventional war capabilities were being sucked into the Korean war in a manner that left freedom of action to the Communists. In contrast, I now note that even Senator KENNEDY told the VFW last Friday in Detroit that we were first in military power in the world.

Air Force magazine recently gave an example of how this administration changed vascillation to victory in the field of intercontinental ballistic missiles. Dr. Vannevar Bush, wartime Director of the Office of Scientific Research and Development, said in 1945 that a 3,000-mile rocket was impossible and would be for years to come. He stated:

People have been talking about a 3,000-mile high-angle rocket, shot from one continent to another. * * * I say, technically, I don't think anybody in the world knows how to do a thing. * * * I wish the American people would leave it out of their thinking.

The Eisenhower administration ended this negative policy. By 1954, Dr. von Neumann told the Air Force they could achieve an operational ICBM in from 6 to 9 years, provided an all-out development effort was initiated immediately. We not only achieved operational status of the Atlas in 5 years instead of 6 to 9, but also have vastly improved the 5,500-mile range set by the Von Neumann committee as well as more than halving their 5-mile accuracy goal.

Mr. Speaker, we have not slashed, we have surpassed. We have not faltered, we have achieved. American strategy and strength is secure today despite the sorry state of our defenses in 1953, despite the budget cuts of a Democratic-controlled Congress, and despite the inaccuracies of the 1960 Democratic platform.

Mr. RHODES of Arizona. Mr. Speaker, I now yield to the gentleman from California [Mr. HOSMER], a distinguished member of the Joint Committee on Atomic Energy.

Mr. HOSMER. Mr. Speaker, Operation Veracity is performing a valuable service to the Nation by exposing inaccurate statements in the Democrat platform. I join in support of my colleagues.

I wish to call attention to this statement:

It [the Republican administration] has stalled atomic energy development.

So charge the writers of the Democrat platform. In doing so, these platform writers are making a game out of their platform. Indeed, their philosophy should be called "new gamesmanship," instead of "new frontiersmanship."

True, there has been some stalling on atomic research and development, and the stalling has been by the Democratic Congress. I speak now of high-energy nuclear-physics research. For the second year the President has requested full authorization for the construction of the linear electron accelerator—the next logical step in our high-energy physics program. His request was based upon unimpeachable scientific advice and endorsed by practically the entire scientific community. But the Democratic-controlled Congress stalled on granting the full authorization which would insure that the United States continues its decisive lead in this field.

Mr. Speaker, the platform writers chose to ignore the inaction of their own Democratic controlled Congress, and they chose to ignore the great leadership of this administration. Here are 12 examples of accomplishments of this administration:

First. Research in controlled thermonuclear power expanded several hundredfold, from $1 million during 1951–53 to $30.8 million for fiscal 1960.

Second. Eight nuclear powerplants built; 21 more authorized.

Third. Nuclear submarines cruised around the world under water and crossed and recrossed the North Pole ice cap.

Fourth. Nuclear navy begun with the launching of first nuclear submarine in 1954.

Fifth. First and second atoms-for-peace conferences.

Sixth. Expenditures on civilian power reactor development and construction increased 11 times over 1952 level.

Seventh. First nuclear-powered merchant ship in the world, the NS *Savannah*, and first surface nuclear naval ship, the U.S.S. *Long Beach*, launched.

Eighth. Use of radioisotopes in research and in practical application increased threefold since 1953—a million patients treated each year.

Ninth. Agreements made by the United States with 42 other countries on atomic power and research.

Tenth. Collective action for atomic development promoted as a result of President Eisenhower's 1953 atoms-for-peace proposal. International Atomic Energy Agency established, composed of 70 nations, which has advanced the peaceful uses of atomic energy by giving technical assistance, sponsoring training and exchange of scientists and establishing norms and standards in health and safety.

Eleventh. More atomic data declassified and released to private industry.

Twelfth. Atomic Energy Act revised to change a Government monopoly to a regulated free enterprise industry.

Certainly these achievements prove the Democratic platform to be inaccurate, and hence, throw a shadow on the sincerity of their so-called new frontiers.

The portion of the Democratic Party's platform charging atomic stalling looks to the so-called McKinney report, shortly to be issued by the Joint Committee on Atomic Energy, as documentation for its charge. It is interesting to note that Nucleonics magazine polled top atomic industry leaders on this report's recommendations and conclusions and had this to say in its August, 1960, issue:

> Top atomic industry leaders found them generally idealistic, naive, and too strongly Government-oriented. Particularly criticized were: Confusion of the aims of atoms for peace [to help underdeveloped countries raise their standards of living] with nuclear disarmament; naivete of the report's contention that it was a mistake to set competitive rather than "truly low-cost, as low as waterpower" nuclear power as the goal ["this is semantic nonsense—obviously you push your technology to give you the lowest-cost power you can get"]; and the emphasis on a stronger role for Government at the expense of industry. The proposed new international bodies were scouted as top-heavy and unnecessary additional organs. A few felt it was healthy to have had the report, but most agreed with the view, "Frankly, I just don't think there's anything that's very constructive."

The last quotation from Nucleonics quite well describes the Democratic plank on atomic energy.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, I now yield to the distinguished member of the Subcommittee on Public Works of the House Committee on Appropriations, the Honorable KEITH THOMSON, of Wyoming.

Mr. THOMSON of Wyoming. Mr. Speaker, I join my colleagues in support of Operation Veracity. This operation is a conscientious attempt to focus the light of truth on 14 dark misstatements in the Democratic Party platform.

All of us are amazed at one of our great political parties allowing its platform to fall into such a state of affairs. And I sympathize with my many colleagues of the other party who find such deep embarrassment in the condition of their platform.

Let us examine the following statement of the platform:

> We will support and intensify the research effort to find an economical way to convert salt and brackish water. The Republicans discouraged this research, which holds untold possibilities for the whole world.

Now, for the facts:

First, in 4 out of the last 7 years the Democratic-controlled Congress has cut the President's budget requests for further saline water research and development.

Plainly, this indicates that the untruths which Operation Veracity has been examining are often not even subtle untruths, but absurd untruths. This all places the platform in an absurd position, indeed.

Actually, the cost of converting sea water to fresh water has come down further and faster during the Eisenhower-Nixon administration than during all previous human history. This is a remarkable achievement—a seven-fold reduction in cost—for the Democratic platform framers to be attacking.

The Democrat platform further states:

> We will resume research and development work on use of low-grade mineral reserves, especially oil shale, lignites, iron ore taconite, and radioactive minerals. These efforts have been halted or cut back by the Republican administration.

Nothing could be further from the fact. Let me use as an example oil shale research, since this is conducted at the Bureau of Mines experimental laboratory at Laramie, Wyo., in the State which it is my privilege to represent.

In 1956, the administration requested funds for a full program. The Democrat Congress cut this appropriation so severely that lack of funds made it necessary to lay off about one-third of the experiment station's personnel. In 1957, the administration again requested funds for a full program, and with its support such were provided. Since that time, adequate funds for a continuing program have been requested by the administration.

In spite of setbacks, imposed by Democrat-controlled Congresses, the administration has continued efforts to find new mineral resources uses. The Bureau of Mines continued its emphasis on research involving high-temperature and special structural metals, and is attempting to develop new uses for materials having unusual properties and find new uses for minerals in distress such as coal.

More recently, deposition of high purity tungsten into simple controlled shapes by a novel process developed by the Bureau has generated untold interest among the designers of missiles. Its possible application in helping to solve the problems incident to high-temperature alloys is significant.

Additional emphasis has been placed by the Department of the Interior's geological survey on the development of new geologic concepts, techniques, and tools to aid in the search for mineral deposits and to determine the water supplies of the Nation.

As a member of the House Appropriations Subcommittee on Interior and related agencies for the past 2 years, I can state unequivocally that the Republican administration and Republicans in Congress have supported other basic mineral research.

Furthermore, the Democrat platform, with this as in other things, assumes that everything must be done by the Federal Government. May I say that private industry as in other things makes a tremendous contribution to research and development work on new minerals and new uses for minerals, if given the proper encouragement. Using the State of Wyoming, which I represent and with which I am most familiar, again as an example, at Kemmerer, Wyo., private industry is erecting a pilot plant experimenting with development of coking coal from our subbituminous coals. At South Pass City out of Lander, Wyo., private industry is opening up an iron ore taconite deposit. The Democrat platform, again in this area, demonstrates a complete lack of faith in the free enterprise system and understanding of the mineral industry, or else is indulging in plain demogogery, and you can be the judge of that.

Depletion allowances are fair taxation which encourage research, exploration, and development by private industry. Criticism comes with ill grace from a party that would discourage such. The Democrat platform states:

> 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.

People who are in the business of developing our mineral resources and people who rely upon this for their jobs and livelihood and know the score will do well to contrast that with the Republican platform, which states:

> Republicans therefore pledge * * * continued support for Federal financial assistance and incentives under our tax laws to encourage exploration for domestic sources of minerals and metals, with reasonable depletion allowances.

Yes, Mr. Speaker, a new Republican administration can be elected with confidence that government and private industry will go forward hand in hand, with the necessary research, exploration, and development to provide adequate water and mineral resources for this Nation, in the finest tradition of our free enterprise system.

During the 8 years of the Republican administration, the total annual value of

our domestic mineral production has risen from $13.4 billion to $17.1 billion.

This concludes my comments on these two false statements in the Democrat platform, but, Mr. Speaker, it does not conclude my amazement at the document.

Mr. RHODES of Arizona. Mr. Speaker, I now yield to the gentleman from Missouri [Mr. CURTIS], a distinguished member of the Committee on Ways and Means.

Mr. CURTIS of Missouri. Mr. Speaker, to the remarks that have already been made by the gentlemen who have preceded me, I wish to add my deep concern about the untruths incorporated into the Democratic platform. "Operation Veracity," whereby these untruths are exposed in the RECORD of the Congress for the benefit of the people is certainly called for.

Appropriately, it was said earlier that a key issue, yes, perhaps the key issue, of the fall presidential campaign is experience versus inexperience. I might enlarge on this. The issue is between mature statesmanship versus immature politics.

Mr. Speaker, it is immature politics to slur over the truth, to boondoggle the truth, to downgrade the true successes which help the well-being of every American citizen and which make the United States of America the strongest nation on earth.

Now, take this immature political and false statement in the Democratic platform:

> The Republican failure in the economic field has been virtually complete.

What economic indicator of all the indicators we have now built up to test our economic well-being are the Democratic platform framers looking to in order to justify this false statement? The answer is "None." Every indicator of economic well-being of a society reveals that just the reverse is true. Never in the history of mankind has the economic condition of a society been as good and on such a sound and broad base as that of the United States in the year 1960.

During the Eisenhower-Nixon administration:

The gross national product—total output of the economy—has been pushed beyond half a trillion dollars in 1960—44 percent above the $347 billion level of 1952. A new American record, a new world record.

So this is a failure according to new frontiersmanship.

Per capita gross national product is now $2,805 compared to $2,547 in 1952, a new American record, a new world record and with 23 million more persons sharing the wealth.

Job opportunities have expanded—almost 69 million now at work in civilian jobs, 7 million more than in 1952. A new American record, a new world record.

So the new frontiersmen do not want expanded opportunities.

Federal Government's share of the output of the economy has been reduced from 20 percent in 1952 to 16 percent today. Ninety percent of the increase in personal income over 1952 level kept by individuals and private business instead of being taken by the tax collector.

So the framers of the Democratic platform think it a failure when the tax collector does not cut into the private sector more.

Average family income—$6,520 last year—is 27 percent above 1952. A new American record, a new world record.

That constitutes a failure according to the Democratic platform.

Financial assets of individuals increased more than 2½ times—from $373 billion at the end of 1952 to $956 billion at the end of 1959.

A new American record, a new world record but another failure, according to the platform.

Per capita consumer spending is up from $1,400 in 1952 to $1,760 today. Even in constant dollars this is a jump of 14 percent per person. Another American and world record but according to the Democratic platform another failure.

Labor income up almost 50 percent—from $190 billion in 1952 to over $280 billion in 1959. Average factory wages up 36 percent—from $1.67 an hour in 1952 to $2.28 this year. Another American and world record.

Do the platform framers think it is a Republican failure for labor income to increase? Or perhaps the failure lies in the eyes of the Democrats that the income was boosted through private endeavor rather than by transfer payments from some of the Federal spending programs the Democrats have been advocating.

In 1959 as compared with 1952 there were 10,039,000 more U.S. families with incomes of more than $4,000 for a grand total of 36,500,000 families.

In 1959 as compared with 1952 there were 4,649,000 fewer U.S. families limited to annual income of $4,000 or less. Both of these are new American records and new world records for societies.

The economic indicators that reveal the base for future economic growth give us assurance that we will break even these high records in the near future.

Investment by industry has increased—$247 billion invested in new plant and equipment in 7 years, 1953 to 1959, more than the total invested over the preceding 20 years.

The new frontiersmen must list this a failure, too.

Ownership of corporate business expanded; almost twice as many Americans now own shares as did in 1952. A new American and world record.

The Democrat platform framers call that a failure, I suppose, because it will be harder for them to undermine private economic growth because more and more voters are getting a stake in our American enterprise.

Value of dollar has been stabilized; consumer price level, which more than doubled under 20 years before 1953, held to 1 percent annual increase since 1953. Nineteen hundred and thirty-nine dollar, which lost 48 cents in purchasing power under Democrats, dropped 5 cents in value since 1952.

The platform framers must prefer the dollar to lose 48 cents in purchasing power. Certainly, they have been urging that we go back to the days when they corrupted our money by having the Federal Reserve System provide an artificial market for our Treasury bonds in the guise of being for low interest rates.

Labor-management relations improved; in 1952 there were 5117 strikes involving 3.5 million workers; in 1959, 3,900 strikes involving 1.9 million workers, despite the steel strike.

This is not progress, according to the "new frontiersmen."

And just a note of caution lest anyone think that these overall economic statistics of social and personal economic well being are at the sacrifice of education, personal freedom, and other intangibles which mean so much to us both in the present and in the future, let me give one statistic on expenditure in just one area of education.

In 1952 we spent $313 per pupil in average daily attendance in public and elementary and secondary schools; in 1958 $446 per pupil. The figures for 1959 and 1960 not available are even greater. This means that in 1952 about $8,138 billion was spent for education here compared to about $15,510 billion, based upon an interpolated figure in 1959—number of pupils in 1952 was 26 million, in 1959 the number was 33 million.

This, too, is a new American record and a new world record.

I observe that one of two things is true about this Democratic platform statement that the Republican failure in the economic field has been virtually complete.

Either the statement was an intentional falsehood, or the framers of the Democratic platform picture a "New Frontier" in which there is no prosperity, no individual incentive, no pursuit of personal happiness, but only a superstate all-powerful over miserable individuals and one which is probably at war.

In 1934 Henry A. Wallace wrote a book, "New Frontiers."

Apparently, the "new frontiers" at which the 1960 Democratic platform framers gaze are the depression frontiers of 1934.

The failures of the 1934 Democratic leadership when facing the economic problems of 1934 were great.

I quote from a February 26, 1959, speech of the gentleman from Connecticut, the chairman of the Democratic platform committee:

> But, Mr. Speaker, let us face the fact that the New Deal failed in its second major objective, which was to restore full employment and prosperity to our country. In 1940, more than 8 million Americans were still unemployed: 14½ percent of the working force.

He might have added that only upon the advent of World War II was the depression of the thirties eliminated.

Let us never forget that all of the new American and world records that we have set in the field of economic well-being for our society in the year 1960 have been accomplished upon the base of a peacetime, not a wartime economy. The Democratic Party has yet to prove that it can achieve prosperity based upon peace. They might have proved it in 1950 as we were emerging from the

recession of 1949–50, but the advent of the Korean war robbed them of this proof.

Certainly the leaders of the Democratic Party have given rise to a question, which every citizen should ponder carefully. Can they distinguish between an economy based upon war and one based upon peace? This question can be properly asked in light of the Democrats' use of juggled economic statistics, particularly those which measure economic growth, in which they deliberately ignore the Korean war, even after this gross oversight is called to their attention. To try to prove that under Truman's administration our economic growth was good they ignore the immediate aftermath of World War II, the year 1946, start with 1947 and go to 1953 the height of the Korean war. They then take the Eisenhower administration at the height of the Korean war 1953 to 1959, the year of the emergence from a recession. Just jiggle the figures the other way and use 1945 the year Truman went in office and go to 1952 the year he left office and we have a reverse effect. Or start with the year 1954 the immediate aftermath of the Korean war and go to estimated 1960 and we have excellent figures of economic growth.

The Democratic platform proposes to resurrect the depression approach to meet the challenges of the 1960's. This reactionary platform wishes to look at the economy through a rear-view mirror.

I do not believe the American public this fall will follow a 1934 version of so-called new frontiersmanship which has no place for initiative, opportunity, and prosperity.

I do not believe the American public will subscribe to a platform or support a party which shows such political immaturity and disregard for the intelligence of the voter by including these many glaring and serious misstatements of fact.

Mr. RHODES of Arizona. Mr. Speaker, I do not like to comment on a news clipping. However, I think I have no better answer to my letter to the gentleman from Connecticut [Mr. BOWLES], and therefore I read a statement from a news ticker into the RECORD, with reference to my invitation to Mr. BOWLES.

BOWLES, foreign policy adviser to Senator KENNEDY, Democratic presidential nominee, was not immediately available for comment.

However, an aid to BOWLES dismissed the GOP attacks as "just another political stunt." If the truth can be called "just another political stunt," we plead guilty. Further quoting from the news ticker, this unnamed aid said:

We are not viewing it as a very major threat.

And he added that BOWLES stands by the truthfulness of the Democratic platform.

All I can say is that if this is correct, and the gentleman from Connecticut really stands behind the truthfulness of his platform after the facts presented by Operation Veracity, I am disappointed.

I am sorry time will not permit me to yield to the gentlemen from the other side. If they desire to take more time today, and answer the statements we are making, we will be glad to stay on the floor to accommodate them.

I now yield to the gentleman from New York, [Mr. DEROUNIAN], a distinguished member of the Committee on Interstate and Foreign Commerce.

Mr. DEROUNIAN. Mr. Speaker, I support Operation Veracity, to purge the Democratic platform of certain untrue statements imbedded in it.

In effect, by exposing these untruths, "Operation Veracity" is upholding the great achievements of many of our Government agencies in the face of an attempt by some to downgrade and belittle their achievements.

Let us place this following statement of the Democratic platform in analytical examination with the facts:

The Republican administration has allowed the Food and Drug Administration to be weakened.

As to what has transpired in the last 7 years, here are some facts:

Food and Drug Administration inspection force has been tripled since 1954 in order more effectively to guard the Nation's food and drug supply and remove unsafe products from the marketplace.

Basic scientific research programs have been intensified, scientific staffs have been increased, laboratory equipment has been modernized, two new field headquarters have been established, and construction of a new headquarters building with modern laboratories has been authorized.

Far-reaching legislation has been sought and obtained to improve the protection of the public against harmful, unclean, or misrepresented foods, drugs, or cosmetics. A landmark in this effort was the Food Additives Amendment of 1958 which required that food additives be shown safe for human consumption before use. This legislation established the principle that the burden of proof must rest squarely on the manufacturer to assume the safety of products prior to their sale to consumers.

Administration-sponsored legislation was enacted in July 1960 to provide a scientifically sound basis for approving colors that may be safely used in foods, drugs, and cosmetics, and to establish other safeguards including, where necessary, appropriate tolerance limitations on the amount of the color that may be used.

In addition, the Eisenhower-Nixon team has proposed further amendments to the Food, Drug, and Cosmetic Act to strengthen factory inspection authority, require manufacturers to make reports on clinical experience with new drugs, and assure adequate controls over the purity and quality of drugs.

Mr. Speaker, I could continue to cite such examples. These are adequate, however, to prove the fabrication of the Democratic platform statement I quoted.

A TRIBUTE TO ED REES

The SPEAKER pro tempore [Mr. WALTER]. Under previous order of the House, the gentleman from Kansas [Mr. AVERY] is recognized for 60 minutes.

Mr. LAIRD. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield.

Mr. LAIRD. I just had an opportunity to read a United Press story which is carried on the ticker in the Speaker's lobby, and I would like to comment on it:

Representative FRANK THOMPSON (New Jersey) is engaging in deliberate deception when he charges there are two versions of the 1960 Republican Platform, one for the South and another for the North.

There is only one authorized text of the platform and only one printed version of it being circulated. This booklet is being circulated nationally, North, South, East, and West.

The phrase mentioned by Representative THOMPSON that one-quarter of all Federal employees are Negroes was contained in a draft of the report of the Committee on Resolutions.

It does not appear in the final authorized version of the platform. In comparing a draft with the final version of the platform and charging that differences between the two add up to "doctoring", Representative THOMPSON is himself guilty of gross deception.

That particular statement appeared in this report of the Resolutions Committee. Upon checking the statement it was found to be questionable and was not included in the platform which was adopted by the Republican Party convention. It does not appear in the final authorized version of the platform. In comparing this draft with the final version of the platform and charging that a difference between the two adds up to doctoring, the gentleman from New Jersey, Representative THOMPSON, is himself guilty of gross deception.

As vice chairman of the Republican Platform Committee I can say that every statement in the Republican platform that was presented to the Republican Convention was closely and thoroughly scrutinized for accuracy, and no statement such as is attributed by the gentleman from New Jersey is contained in the Republican Party platform. I assure the gentleman and assure all Americans that the 1960 platform as adopted by the Republican Party Convention is being distributed in one form, the convention adopted form, in the South, and the North, and the East, and the West. The charge of the gentleman from New Jersey is pure and deliberate deception at its worst.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. THOMPSON] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. THOMPSON of New Jersey. Mr. Speaker, ordinarily one might expect the author of his own work to be thoroughly familiar with it and in this particular case one might have expected the Republican Party, as represented so fastidiously by my distinguished colleagues, to be familiar with its party platform in general and, here specifically, with its plank on the urgent problem of civil rights.

Since it was the professed objective of my Republican friends to illuminate this particular plank of their party's platform for the benefit of all Americans, perhaps it would not be too presumptuous of us to ask them to go one step further and tell us which civil rights plank they do support. While we realize that an issue is seldom all black and white and that there is often a large gray area to explore, we have found in the Republican civil rights plank an area of blue as well which we feel must also be explored.

Indeed, Mr. Speaker, it would appear that there is both a blue and a gray edition of the platform. I have in my hand two copies of the 1960 Republican platform, "Building a Better America," a report of the committee on resolutions to the Republican National Convention, July 27, 1960, Chicago, Ill. One copy I received some 4 weeks ago. It contains this sentence in the eighth paragraph of the civil rights section on page 27:

> Today nearly one-fourth of all Federal employees are Negro.

This is obviously the blue edition. The other copy, obtained by my office last Saturday, is identical to the blue edition in every way except that the above-quoted sentence has been conspicuously omitted. It is clearly not a typographical mistake, since the omission of the sentence required a change in the spacing of the entire page 27. This is clearly the gray edition.

I have checked the copies of the civil rights plank appearing in the daily press during the Republican convention and have found that the omitted sentence did, in fact, appear in the original text.

Mr. Speaker, I demand, and, yes, every responsible citizen demands to know why this sentence, this reference to our Negro Government employees, was omitted in later reprints of the Republican platform. Was this omission sanctioned by the Republican presidential candidate to cautiously coincide with his recent trip through the Southern States? Perhaps the notorious "truth squad" which Republicans hold so dear to their sectional hearts will find a moment—of truth as it were—to investigate this outrageous disparity in their own party's position on the critical problem of civil rights—and discover just who was responsible for "doctoring" the Republican platform.

Anticipating, as we must from such inquiries, that the truth squad will be on furlough when this memo reaches its underworked staff, perhaps we should initiate the inquiry ourselves. We must ask first of all what agency of the Federal Government compiles statistics on racial characteristics of Government employees. I have a copy of the standard Form 57 Federal employment application form and I see no question soliciting information as to the applicant's race or color. How was it then that the Republican National Committee gathered information to the effect that "nearly one-fourth of all Federal employees are Negro" as is stated in the northern, blue cover, version of the Republican platform? It would also be most enlightening to know how many southern, gray cover, copies of the Republican platform have been distributed and in which Southern States.

Mr. Speaker, this disgraceful exhibition of duplicity and political expediency on this vital issue of civil rights points up the fact that the Republican Party is not a national party and must "doctor" certain planks of its platform to appeal to the voters on a sectional basis.

I am proud that the Democratic Party is a national party and its platform planks apply equally in the North, South, East, and West. We do not try to deceive the voters of any section of the country. Our platform says the same thing to the people of Birmingham, Ala., or Atlanta, Ga., as it says in Chicago, Ill., or in my own hometown of Trenton, N.J.

We await their veracious reply.

Mr. AVERY. Mr. Speaker, I want the record to show that I am extremely prejudiced in this political debate that seems to be going on here today. I concede that. Notwithstanding my prejudice, the reason for my requesting this time for discussion is strictly nonpolitical. In keeping with the nonpolitical nature of the speech and also in a sense of fairness I am going to yield to one gentleman on my right, and one only; then I am going to proceed with the matter I prepared.

The gentleman from Colorado [Mr. JOHNSON] has requested that I yield to him, and I am going to yield to him 30 seconds and then proceed with the special order I have prepared.

Mr. JOHNSON of Colorado. I thank the gentleman from Kansas for his courtesy.

Mr. Speaker, I merely want the record to show that during the past hour on several occasions Members on this side of the aisle did seek recognition asking Members to yield in order that the truth which we were here seeking to ascertain might have been seen from more than one perspective. No yielding took place and, therefore, it has been impossible this afternoon to answer the questions that have been asked.

I simply want the record to show that efforts were made to secure recognition. These efforts were denied. I thank the gentleman from Kansas for his courtesy and trust that upon another occasion Members of the Democratic Party on this side of the aisle will provide answers to the questions that were raised. I certainly will not take any more of the gentleman's time, and again express my appreciation for his yielding.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield me 30 seconds?

Mr. AVERY. I have just announced that I would yield 30 seconds to the gentleman from Colorado and then would decline to yield until after I had finished my special order. In keeping with my statement I must respectfully decline to yield.

Mr. CURTIS of Missouri. I might say to the gentleman from Kansas that I simply wanted to point out to the gentleman from Colorado that he and his colleagues can get ample time today. I will remain and I am sure others will remain in order to discuss the points that were advanced on the floor.

Mr. AVERY. Now, Mr. Speaker, if I may be permitted to proceed I will present the matter I had prepared.

In 1936, when Kansas was enduring one of the most severe droughts and grasshopper infestations in our history, a man knocked at our farm home door during the noon hour. I answered the door and was met by a friendly, bright-eyed man who introduced himself as follows: "I am ED REES. I am a Republican candidate for Congress from this district."

I still live on that same farm, and of course it is no longer in the Fourth Congressional District, I have since that day been a most ardent admirer of my colleague from Kansas, the Honorable ED REES. I have taken this time today to pay tribute to him in these closing days of a long and successful career of his service as a Member of the House of Representatives. You are all aware I am sure, my colleagues, that ED REES announced his retirement from this body some months ago. And not only will his presence be missed by those of us who expect to remain as Members of this body, but many thousands of Kansans, both within and without his congressional district, will be very much aware of his absence from this body.

As is frequently the case when we attempt to summarize our many thoughts about a longstanding friend, we find it difficult to express into words our innermost feelings and impressions of those we seek to honor. The fine qualities that we see most in a group of individuals to me all seem to be present and have many times been exemplified in the character and the record of Mr. REES. Not only have these outstanding qualities been identified with his service in the Congress of the United States, but they were also quite evident in his service as a public servant in our native State of Kansas before his election to this body.

A lawyer by profession, he was elected to the House of Representatives of the Kansas Legislature in 1927 and in 1931 was elected majority leader of the house of representatives. Although the House Journal does not tell the whole story, he missed being elected speaker of that body by one vote. As an aside, it was a joke in Kansas for many years that the winning candidate for speaker of the house received 46 votes. He said that all 46 house members afterward told him that they had at the last minute switched their vote to the successful candidate in order to assure his election.

At the conclusion of his three terms of service in the House of Representatives of the Kansas Legislature, Mr. REES was elected to the Kansas Senate in 1932 and served as a distinguished member of that body until his election to the Congress 4 years later.

His service in the House of Representatives, of course, is known personally to most of you. He was ranking minority member of the Civil Service Committee, and after the Reorganization Act of 1945 became the first chairman of the com-

bined Post Office and Civil Service Committee in the 80th Congress. He has been ranking minority member of that same committee since that time, except for the several periods of time that he has been chairman.

I will not even attempt to recite the many legislative accomplishments of the Federal employees under Mr. REES' term of office. He has always had the courage to take the position in respect to all legislation that he believed to be right and for the best interest of the United States of America. Many times this has been the prevailing and popular position to take, but there have been other times when it was not the prevailing position and certainly not the most popular one either. But the comparative popularity of a position never seemed to concern Mr. REES. He was only concerned to find a position which he believed to be right. I think this is one of the qualities that we admire the most about him, if one such quality can be identified among the many others.

In addition to the sterling quality of conviction to his ideals must also be mentioned his loyalty to his party and to his leadership. In this respect his support has always been dependable.

Nor have all of Mr. REES' legislative interests been confined to the field of civil service legislation. He has had a continuing and a very profound interest in all problems related to agriculture, and also has been an ardent supporter of soil and water conservation programs. Further, he has also been a dependable supporter for legislation improving the status of the veterans of the United States. A veteran of World War I himself, his influence is apparent in many statutes that have been enacted by the Congress for those who served in the Armed Forces. Particularly, I would like to mention the designating of November 11 as Veterans Day was accomplished by legislation introduced and sponsored by Mr. REES. The United Dry Forces of Kansas always looked to Mr. REES as one of their friends in Congress.

Even though the Fourth Congressional District of Kansas traditionally has been dominated by agriculture during the years he has represented it, industry has expanded and grown to where it is nearly in balance with agriculture. Particularly should be noted Wichita, Kans., whose growth and expansion has been phenomenal since 1940 and has since become known throughout the United States as the air capital of the world.

In réciting the many accomplishments of Mr. REES, I think some mention should also be made of his good wife, Agnes, who has been his constant companion for almost 50 years. She has been his companion as a homemaker, as a churchworker, as a community servant, and as a most effective campaign partner. They are the proud parents of a son, John Edward, who has commenced a most sucessful career as a young lawyer in Wichita, Kans., after serving with honor and distinction in the Armed Forces.

As I said in the beginning, I find it extremely difficult to compress into a few words my true feeling of honor and respect to Mr. REES. Although I have not been in agreement with him in every instance, I have always admired him and always felt the reassurance of his leadership during my comparatively brief term in Congress.

I shall be very much aware of his absence in the 87th Congress, but shall always remember the fine example of courageous leadership he displayed as a Member of this body and will set it for a goal for the discharge of my own responsibility.

Mr. Speaker, the following is an excerpt from an editorial which appeared in the Topeka Daily Capital of Wednesday, March 9, 1960, regarding the announced retirement of my colleague, the Honorable EDWARD H. REES:

ED REES RETIRES

The retirement of ED REES as Representative from the Fourth District closes another chapter in a long career of public service.

REES was born on a farm in Lyon County, and was graduated from Kansas State Teachers College of Emporia in 1913. He taught school from 1909 to 1911; was clerk of the court in Lyon County from 1912 to 1918, during which time he was admitted to the practice of law; was a member of the Kansas House of Representatives from 1927 to 1933; a member of the Kansas Senate from 1933 to 1935, and has served 12 consecutive terms in the U.S. House of Representatives to become the senior Member of the Kansas congressional delegation. He has been on the Post Office Committee for many years, and is considered to be expert on postal matters.

A whole generation of voters has grown up in the Fourth District who have never thought of voting for anybody but ED REES for Congress. But with his retirement it seems probable there will be a scramble for his seat in the House.

* * * * *

But whoever is elected in the Fourth District will have an example set for him in the long and devoted service of ED REES.

Mr. MURRAY. Mr. Speaker, it has been my rare privilege to serve with EDWARD H. REES on the House Post Office and Civil Service Committee for nearly 14 years, during which we have alternated as chairman and ranking minority member of the committee since its creation under the Legislative Reorganization Act of 1946.

I can say without qualification that never in my experience has there been a more dedicated, diligent, and effective worker than ED REES in the interest of efficient Government and the welfare of Federal personnel.

Throughout the years Mr. REES has sponsored and supported measures to strengthen the Federal civil service and to advance the welfare of Federal employees too numerous by far to permit repetition now. As the first chairman of the Post Office and Civil Service Committee in the 80th Congress he guided to completion one of the most productive employee programs in the entire history of our Government. He has always been the champion of the little fellow and insisted on protecting individual rights to prevent any inequity or injustice.

Mr. REES' advice and counsel have proved invaluable to me personally, and to the entire committee, in finding solutions to the very complex—and sometimes controversial—problems concerned in our tremendously expanded Government personnel activities. His great knowledge and wealth of experience in postal matters also have contributed immeasurably to the great public service rendered by our farflung and ever-growing postal service.

It is with deep regret and a sense of personal loss that I contemplate the retirement of this fine public servant and dear friend. I wish him every happiness and success in the years to come.

Mr. AYRES. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield to the gentleman from Ohio.

Mr. AYRES. Mr. Speaker, I know that I express the sentiment of all those in the House when I say that we are sorry to see Mr. REES retire. In the 10 years that I have been here, he and Mrs. Rees have been a real inspiration to me as an individual. They come from an area where my mother was born and raised as a girl. Some of the times we have had a chance to chat together and reminisce about things that happened in Kansas before I was in the Congress.

The thing that impressed me most about the REES family is the fact that they have been such a guiding light to all of those who have known them. I know of no one in my experience who has come up the hard way, as ED REES did, has had considerable success, and then find him and his wife still the sincere, God-fearing, and humble people they always were and are. We shall miss them.

I might also say that in my opinion wherever you find a good man, you find close to him right at hand, a good woman. And I think that is true in ED's case.

Mr. AVERY. Mr. Speaker, I thank the gentleman from Ohio. I now yield to our distinguished present minority leader, and quite possibly the next Speaker of the House of Representatives, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, to say that I am making these observations with mixed emotions is an understatement.

I am happy for my beloved friend and colleague, ED REES, that he is going to leave the heavy burdens he has carried so long for a richly deserved retirement from the Congress.

But as one who has enjoyed his companionship here in the House of Representatives through the years I shall miss him keenly.

I shall miss him for the wisdom of his counsel.

I shall miss him for the gentleness of his nature.

I shall miss him for the courage and the integrity he has shown, time and again, on decisions that have involved the very fate of our Nation.

I have no hesitation in saying to this House that ED REES has served in this body with true distinction.

He has been an anchorman of strength on his committee, serving in two Congresses as chairman of the Committee on Post Office and Civil Service, and at other times as ranking Republican.

His influence for sound legislation has been felt, not only by his fellow members on that committee, not only by the Members who have heard him in debate, but also by those in the executive branch who have benefited from the logic and experience of his advice. I am sure it is not my place to tell the good citizens of the Fourth District of Kansas that they are losing a devoted, faithful servant in the retirement of ED REES. But I do want to assure them that, beyond that, the country is losing the services of an able, dedicated statesman, a Member of the U.S. Congress for whom every colleague, on both sides of the aisle, holds the highest esteem as a man who has, in his time, made a major contribution to good government on the national scene. His shoes will be mighty hard to fill around here, but he has earned, and he deserves, some leisure for himself. My wish for ED REES is that the years ahead will be filled with happiness and good health, and a rich satisfaction that comes from the knowledge of having used his full talents to make our Nation a better place in which to live.

Mr. AVERY. I thank the gentleman from Indiana for his contribution. And I yield to the gentleman from South Carolina [Mr. HEMPHILL], a former member of the Committee on Post Office and Civil Service.

Mr. HEMPHILL. Mr. Speaker, I thank the gentleman for yielding.

I want to associate myself with all the remarks which have been made about ED REES. I think so often, on the American scene today, the American people fail to appreciate the kind of service and the kind of dedication a man gives and has when he serves his nation as has our beloved gentleman from Kansas. Those of us who came to the committee early in our career called him affectionately "Mr. Chairman." I see in him a great lawyer, a great statesman and a great legislator; and I think of the old adage, "We are part of all that we have met." So that, as we go through life, with whatever burdens we bear, we will be better men, better citizens, and better legislators for having known this distinguished gentleman.

I wish for him and Mrs. Rees every happiness deserved by a great citizen and his noble helpmate, conscious of the fact that this country is the better for his service, these generations inspired by their exemplary lives.

Mr. AVERY. I thank the gentleman from South Carolina.

Mr. Speaker, I yield to the gentleman from Illinois [Mr. ARENDS].

Mr. ARENDS. Mr. Speaker, along with my other colleagues I do want to add mine to the words of praise to ED REES for the splendid service he has rendered not only to the people of his district, his State, but the Congress of the United States, which represents the whole country.

I would not know exactly what the definition of "gentleman" would be unless I looked it up in the dictionary, but the word itself is just a word until you know ED REES. He gives meaning to the word. Nowhere can be found anyone who exemplifies the true meaning of the word gentleman—and a gentleman always.

As I have often said, one of the greatest pleasures of serving in this illustrious body is that we come to know real Americans, real patriotic, sincere individuals, ED REES is one of them. Our association with him has made us, as individuals, truly enriched in mind, in heart, and in purpose.

His service to his country has been outstanding. His ability and sincerity is beyond question. He is a man who has stood on his convictions with firmness. All that he has done in Congress is a monument to him. It will stand forever.

May I say to ED REES that it is my hope that he may enjoy good health and all the rewards of life of service to his people and his country. We shall miss him even more than we now realize.

Mr. AVERY. I thank the gentleman from Illinois.

Mr. Speaker, I yield to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Speaker, I should like to associate my views with those of the Members who today pay tribute to our beloved colleague, ED REES. It has been a privilege and a pleasure to serve here with him. It has been helpful, it has been an inspiration to observe this great legislator handling bills, seeing in what a calm manner he has accomplished so much. I have said it before in this body and I would like to say again that I think we are in complete accord that this world is a better place in which to live for his having lived in it. Certainly we of this Congress, those of us who, we hope, will return next year, will be better prepared to do our jobs well for having had the wise counsel of ED REES. I wish the Honorable EDWARD REES and his family many years of retirement and happiness.

Mr. AVERY. Mr. Speaker, I yield to the gentleman who is the next ranking member to Mr. REES on the Committee on Post Office and Civil Service [Mr. CORBETT].

Mr. CORBETT. Mr. Speaker, since the Committee on Post Office and Civil Service was first comprised as it has been since the passage of the Reorganization Act, I have had the pleasure of serving on that committee with Mr. REES. We have over the years at some times disagreed on policy, and to many people it undoubtedly appeared that he more often than not was right and I was wrong. However, his sincerity of purpose in all of his arguments has always been respected by all the members of the committee and I am sure by the House as well.

At this time two things might well be pointed out, that service on this particular committee, while it has never been regarded as a blue-ribbon committee of the House, is possibly as arduous service as can be engaged in. With the 2¼ million Federal employees; with all of their organization pressure at all times for the establishment of certain points of view; with all of the labor-management relationships that come before that committee dealing not only with salary rates but with fringe benefits, it is a committee where one could be eternally busy. I am sure that Mr. REES devoted as much attention to this work as any individual who ever served on the Committee on Post Office and Civil Service.

I think the second thing that ought to be emphasized is that this particular branch of the Government, the House of Representatives, is the only body in all of the farflung Federal Government, in which the only way you can possibly sit on this floor as a voting Member is to be elected by your neighbors and fellow residents in your own congressional district. It is not a common thing to be returned to this body 12 times. I think this is the greatest compliment that can be paid to Mr. REES, that his friends and neighbors are so pleased with him as an individual and so pleased with him as a Representative that they returned him here as their Representative for 24 years. Now that he has seen fit to retire, all of us wish him and his family all good fortune and good health, and we hope he returns from time to time to renew acquaintances and to give us the benefit of his wisdom and advice.

Mr. AVERY. I thank the gentleman from Pennsylvania.

I now would like to yield to the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, during the many years I have served with the gentleman from Kansas, and they have been many years—a quarter of a century—I have always found him to be gentle and kind and ever attentive to his duties. He has always been skillful and effective in his work not only on his committees but on the floor of the House. He has been a sincere and truly dedicated public servant. You know character is what you are when nobody is looking, and judging by that test, ED REES has an exceptionally good character. I think he leaves upon the tablets of this House a good name. You know, a good name is like an acrostic, you read it from left to right and from right to left and up or down—it spells goodness, and ED REES is the very embodiment of goodness.

Mr. AVERY. I thank the gentleman.

Mr. Speaker, I now yield to the gentleman from Wisconsin [Mr. BYRNES].

Mr. BYRNES of Wisconsin. Mr. Speaker, I appreciate this opportunity to join in this most deserving tribute to our colleague, ED REES. I had the very distinct privilege when I came here as a freshman Member of the House of Representatives to have the opportunity to serve on what was then the Committee on Civil Service and at that time Mr. REES was the ranking member of that committee. I do not know of any Member who in that capacity gave more attention, time and consideration to helping the younger Members get their feet on the ground or who served as a finer model of a splendid legislator than did ED REES. We are all going to miss him. His counsel, his advice, his tolerance and his consideration are all things that we will always remember about him. I would like to join with the gentleman who has the floor and identify myself

with his very fine statement with respect to ED REES. I am sure all Members of the House feel deeply that the Congress will sustain a great loss in not having him here as part of the House of Representatives when the Congress reconvenes next year. We wish him every bit of long life, pleasure and happiness possible in his well earned retirement.

Mr. AVERY. I thank the gentleman from Wisconsin.

Mr. Speaker, I would like to make a comment. I think the gentleman from Wisconsin mentioned a characteristic of Mr. REES, which I am sure I had in my prepared remarks, but which I did not happen to mention. That is the characteristic of tolerance. I think if you will reflect for just a moment on your contacts with Mr. REES, you will know that you have never known a more tolerant man.

Nothwithstanding his characteristic of tolerance, he still stood firm in the position he took because he felt it to be right. Nevertheless, that is just another characteristic of the great man.

Mr. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. AVERY. I yield.

Mr. GEORGE. The diligent and energetic gentleman from Kansas [Mr. REES] has announced his retirement. He was very helpful to me as a freshman Member of this body. He is courteous and loyal to his people, a man of the greatest integrity. He has been a source of encouragement to a great many Members not only from Kansas but from other States. Although politically we often differ, as I do with the gentleman who has the floor on fundamental issues, we find ourselves in agreement many, many times.

It is my hope, even though the days of this Congress are numbered, that the Cheney project at Wichita, Kans., can still be approved, not only in the interest of the economic welfare of the people of the Fourth District and of the State of Kansas but its passage would be a great and deserving tribute to my friend, Mr. REES.

Never have I, during my 2 years as a Member of this House, ever heard the gentleman from Kansas [Mr. REES] engage in any slanted, partisan tirade as just took place a few moments ago. He has, in addition, always permitted someone to interrupt to give the other side of any question he was discussing.

Every Member of this body wishes for Mr. ED and Mrs. Rees many years of happiness.

I thank the gentleman for yielding.

Mr. AVERY. I thank the gentleman from Kansas [Mr. GEORGE].

I have noticed the gentleman from Iowa [Mr. GROSS] seeking recognition. I assume he would like to pay tribute to Mr. REES. I am sure that all of my colleagues would join with us in hoping that Mr. GROSS would pay his tribute to the gentleman from Kansas. I take it that Mr. GROSS would join with his colleagues in this special order today.

I now yield to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. I join with a great many other Members in expressing regret that our good friend Mr. ED REES is voluntarily retiring from the House of Representatives. He has given years of faithful service to the people of his district and to the citizens of this country.

As a former chairman of the House Post Office and Civil Service Committee, he has written his name indelibly upon the statutes in behalf of laws of benefit to Federal employees and the Nation's citizens who benefit from the farflung postal service.

As a new Member of Congress and upon assignment to the Post Office and Civil Service Committee I was given invaluable help by the gentleman from Kansas, and I shall ever be grateful to him.

May good health and contentment attend Mr. and Mrs. Rees in their retirement, a retirement well earned and richly deserved.

Mr. AVERY. I yield to the gentleman from West Virginia [Mr. STAGGERS].

Mr. STAGGERS. I thank my colleague for yielding to me to join with my colleagues in paying their respect to a distinguished American, a man whom I have deeply respected in every way. I have found him to be a true gentleman. He is an American; one who has given of his life, of his time, and of his talent toward his fellow man. I have always felt that when the end of our days come and we face our Maker, that He will ask us not whether we are Democrats or Republicans or what church we belonged to, but whether we have been of service, and about our conduct in life. I am sure that the gentleman from Kansas, Congressman REES, fits the bill, a kindly gentleman at all times. I wish for him and his family in their future path through life that it may be through green pastures and beside still waters.

Mr. AVERY. I yield to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I thank the gentleman.

I could not let this occasion pass without joining with my colleagues on both sides of the aisle in paying this deserved tribute to ED REES, which he richly deserves, a tribute that transcends politics and a tribute based upon deep and profound respect, and also upon the higher and nobler things in politics, friendship. I have profound respect for ED REES and a strong feeling of friendship. He is a person of understanding mind with true love of his fellow men. I find as a result of my years of association with ED REES that I had no difficulty because in ED REES I have met a man of deep, profound, understanding mind, a gentleman in every respect of the word, one who could disagree without being disagreeable, a man whose sweetness in his outlook on life has made a profound impression upon all of us. He little realizes how much of an impression he has made upon his fellow colleagues as a result of that nice, sweet character and disposition; but, ED, you have more than you realize. I am glad of the opportunity to be on the floor while this tribute is being paid to let ED REES know of the profound impression he has made upon JOHN McCORMACK and others, and the inspiration he has been to us in connection not with the superficial things of life, but the real, deep, fundamental things of life that constitute the spirit, the outlook of life, outlook in our relationship to our fellow men. All I can say is that meeting ED REES I have met one of the most noble-minded persons I have ever met in the journey of life. He leaves here with the profound respect of all of us without regard to party, and we all wish for him a long life in retirement and every happiness.

We know that ED REES even in retirement from active legislative life will lead an active life making his contribution to the furtherance of things such as charitable drives and activities of that kind that mean so much in the life of a community and the life of a nation and in the life of a state. While he retires from this body I cannot figure ED REES being inactive. My good friend, ED REES, I am not going to say goodby, but good day.

Mr. AVERY. I thank the distinguished majority leader. I would like to make some observations, if I might, at this time rather briefly. This order I requested on last Thursday, but made no particular decision about its progression until this morning. I think one of the finest tributes to our colleague that could possibly be made rests in the number of Members who are present to participate in this tribute to our colleague who is no longer going to be a Member of this body.

You have heard a lot about Kansas quite a number of times. We have so many capable persons in Kansas there are not enough congressional districts to accommodate all of them so some of them had to leave. I would now like to yield to one such person, the gentleman from Arizona [Mr. RHODES], who is Kansas-trained.

Mr. RHODES of Arizona. I thank my good friend from Kansas.

Mr. Speaker, it is a real privilege for me to be on the floor today and to join with the other Members in paying tribute to one of my oldest and best friends. I venture to say I have known ED REES longer than any other Member of this body; and the two of us, the gentleman from Kansas [Mr. AVERY] and myself, I believe, are the only two Members of the House to be privileged to have once been constituents of ED REES.

Mr. REES comes from Emporia, Kans. My mother was born and raised in Emporia. The Reeses and the Thomases have been fast friends for many years. Mrs. Rees' mother and my grandmother were practically like sisters. So I have known ED REES ever since I can remember. I have known of him as a fine lawyer, a fine gentleman, and as a great friend of my family.

My father was county chairman of the Republican Party of Morris County, Kans. When ED REES first decided to run for the House of Representatives, ED will well remember that he had two quite capable primary opponents at that time. It was my father's definite pleasure, although he had great respect for the other two, to give his backing to ED REES because of his ability and because of the fact he had known him for so long. I can say that having grown up

in the Fourth District of Kansas there was never one who represented a district in the Congress of the United States who is more revered and better respected than is ED REES, not only because of the big things he did but because of the many little things he did.

I know one of my first contacts with a Member of Congress consisted of receiving a birthday card from Congressman ED REES. Whether that had any effect on my deciding to try to be in a position to write birthday cards at some time I do not know, but I know the thrill that came from that first gesture of his filled a teenager's heart with a great amount of admiration and certainly with a great amount of gratitude.

Mr. REES will be missed by everybody, not only here but all over the country, and particularly by the people of the State of Kansas. I am very pleased that ED and Mrs. Rees, his wonderful wife and partner for life, will be able to enjoy these years and to relax a bit because these have been arduous years. Mr. REES is a man who has borne more than the average share of the trials and tribulations of his time. He was a Member of Congress during World War II, during the depression, and during the Korean war. Certainly his span of service has encompassed many of the great crises which face this Nation today.

In closing, I want to pay my tribute and that of my wife, and my mother's family to ED REES and Mrs. Rees, for their fine service to their country, and for the wonderful people they are. Especially, I thank ED REES for the great influence he has had, not only on me but on many others who grew up in his district, as I did. We wish him and Mrs. Rees the best of everything in the future.

Mr. AVERY. I thank the gentleman from Arizona. I yield to the gentleman from Georgia [Mr. DAVIS], also a ranking member of the Committee on Post Office and Civil Service.

Mr. DAVIS of Georgia. Mr. Speaker, I thank the gentleman from Kansas for yielding to me. It is a great pleasure and a genuine privilege to join with other Members in expressing my appreciation and admiration for the gentleman from Kansas [Mr. REES], who is soon to leave this body. I am serving now in my 14th year as a member of the House Committee on Post Office and Civil Service. Mr. REES was chairman of that committee when I first came to Congress. I soon learned that he possessed the basic qualities of truth, honesty, and integrity. I was not long in learning also that it was his effort and his keen desire to do all that he could to see that our Government is operated on the basis of efficiency and economy.

As I served on that committee, I noticed that although at times he may be on the losing side in connection with legislation which goes through the committee, he never ceased his efforts to work for the principles in which he believes. While he has always been a loyal member of the Republican Party, at the same time he has never been partisan in his conduct. Mrs. Davis has been a great friend of Mrs. Rees. It is with deep regret that I see them leave, and I join with the many Members who have expressed themselves here today in extending best wishes to Mr. and Mrs. Rees as they return home and in wishing for them many years of pleasure and contentment. I know that the gentleman from Kansas [Mr. REES] will continue, although he is leaving here in an active capacity, to serve the people of his home district and his State in other capacities. My best wishes go with him.

Mr. AVERY. I thank the gentleman from Georgia.

Mr. Speaker, there might be some disagreement as to which Member might be placed in the category of being the greatest statesman here today, but I next want to yield to a Member who, I am sure, we will all agree is the most charming Member and perhaps the greatest statesman, to participate in this tribute, the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Speaker, I think there may be grave doubts on both of those counts, but I am certainly very happy to be here at this time with my colleagues on both sides of the aisle to pay tribute to the gentleman from Kansas [Mr. REES].

When I first came to the Congress 13 years ago, in the 80th Congress, the gentleman from Kansas was the chairman of the Committee on Post Office and Civil Service. It has been said here this afternoon that that is not a blue-ribbon committee, and I think that is probably true, because since I have become a member of the committee on committees, I find that all new Members want to belong to the Committee on Foreign Affairs, and some of them eventually become members of the Committee on Post Office and Civil Service. But, I would also like to say that it is the best political committee in the House, and for that reason it is one of the greatest challenges in the House.

Mr. Speaker, I consider that I have been very, very fortunate in having the gentleman from Kansas [Mr. REES] as my first chairman, because we probably learn more from our first chairman, as we do from our first teachers, than we do from anybody else while we serve in the Congress of the United States. And, to me the gentleman from Kansas was an example, and he was an example because of his character, not because of his politics, not because of the way in which he got things done, but because of the patience, because of his great kindness. And, at times it is very hard to be kind unless it is in your own nature and in your own heart. And, I can assure the membership, and I know that they already know it, because I have heard it in their tributes, that the gentleman from Kansas is always kind and that he is always patient; that in his conduct as chairman and ranking member of that great committee he has never let politics embitter or sour him. Whether he won or lost, he was always fair and he was always just, and he always received the full support and the deep affection of all those who worked with him. Sometimes they did not always agree. In my case this is not true. I think that over all I have agreed with the gentleman from Kansas, with his feelings, with his beliefs, and above all, with his example, more than with anyone else in the House of Representatives.

It is indeed with great regret that I see him leave this House, but I know that he has earned this rest, and I hope that he and Mrs. Rees will have many long and very happy years together with their family and a happy retirement, and may all those good things and all those pleasures that maybe they have had to forgo, owing to all the calls upon them here in Washington, be theirs from here on out.

Mr. Speaker, may I end by saying that the State of Kansas will gain by their return and that we in the House of Representatives will be much the poorer by their departure.

Mr. AVERY. Mr. Speaker, I yield now to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Speaker, it is almost impossible to add anything to the tribute that has been paid this great public servant or to add anything to the words that have been said about him today or, for that matter, to increase in any way the dimensions of the tribute which the people of his district have paid him in 12 successive elections. I do want the House to know that I have been a personal beneficiary of the kindness, the good nature, the generosity, and the neighborly spirit of the gentleman from Kansas [Mr. REES], on many occasions; and I want to join with my colleagues in this House in expressing regret that this body is losing the services of such a distinguished American.

Mr. AVERY. Mr. Speaker, I thank the gentleman from Oklahoma. Now I should like to yield to another one of Mr. REES' students, so to speak, a member of the Committee on Post Office and Civil Service whose first committee assignment, if I remember correctly, was on that committee under Mr. REES as his ranking minority member, the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, of course, I count it a high privilege and it is a great personal pleasure to join in this tribute to our friend, ED REES. I share the mixed feelings that have been expressed by various of our colleagues, one of gratification for the gentleman from Kansas and one of regret for those who may be privileged to remain in the House after he leaves.

I would not make reference to one personal matter were I not very positive that I could document it, since everyone seems to be claiming kinship to the State of Kansas today, and I quite understand and applaud that desire. It does happen, however, that my mother was a native of the State of Kansas, a fact which I was not too long in acquainting Mr. REES with when we first met.

I have a further personal tie which possibly he had forgotten, so far as it relates to me, and that is that my distinguished predecessor whom I was privileged to serve as an assistant for 4 years prior to his death, the late Congressman Paul Shafer, was one I believe of three or four new Republican Members elected to the House along with Mr. REES in 1936.

Of course, I pay tribute as all of my colleagues who have spoken here do to the gentlemanly qualities, the kindness and courtesy of our friend. As the other gentleman from Kansas [Mr. AVERY] has mentioned, it has been my pleasure to serve with Mr. REES throughout my nearly 6 years as a member of the House Committee on Post Office and Civil Service. And apropos, and I hope this is not inappropriate, of the remark made by the gentlewoman from New York [Mrs. ST. GEORGE], whatever the ribbon status given to this committee, if I am privileged to remain here, I hope to continue on that committee. I regard it as one of great and significant importance to this House and the Nation.

I should like to have the record clear on one point. It is very true that the gentleman from Kansas wears the velvet glove of courtesy, of kindness, and considerateness; but I know, as I am sure all of his colleagues on the Committee on Post Office and Civil Service have had reason to know, and as many of his other colleagues in the House have had cause to know, and as some of those outside Congress who had had occasion to deal with him in his legislative capacity have learned, that there has always been under that velvet glove of courtesy the steel of integrity, of firm adherence to convictions, of dignified and quiet firmness, for ED REES is a man of character, of which kindness is one attribute and a very high sense of devotion to what he believes right is an equally important attribute.

I join with all my colleagues who have spoken in wishing for Mr. and Mrs. REES many years of health, of contentment, and of companionship together—a wish in which Mrs. Johansen joins me.

Mr. AVERY. I thank the gentleman from Michigan.

Mr. Speaker, I now yield to our neighbor from the State of Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, it is a sad day for this Congress and for this country when men like ED REES retire from public life. I wish to join my colleagues in paying this well-deserved tribute to a great American and one of the most beloved Members of this House, ED REES.

When I first came to Congress in 1941 ED REES had his office just across the hall from me. I had never had the pleasure of meeting him before. It did not take me long to recognize his sterling qualities. He was most gracious and affable, and soon made me very much at home. We found we had many things in common, including an interest in baseball, and I have enjoyed many games with ED. Our friendship has been very close and words are utterly inadequate to express my feelings.

One of the richest experiences of my service in this House has been my friendship with ED REES. His retirement is a great personal loss to me. ED REES has been a constant source of strength and inspiration to me during the years we have served in the House.

No good cause ever lacked a champion when ED REES was around. Everyone knew where he stood on every issue. He was for everything that was good and decent. It is obvious by the many expressions of affection here today that the Members of this House have confidence in ED REES, regardless of party affiliation. I do not recall when I have seen so many sincere and eloquent tributes paid a retiring Member. It makes me very happy to see ED REES receive this high praise, which he so richly deserves.

It has been a real privilege for me to serve in Congress with ED REES. I shall always treasure happy memories of our close association over the years. My life is richer for having known ED REES. Truly ED REES is one of God's noblemen. He shall be greatly missed by all of us. We shall not see his like again.

Mrs. Chenoweth and every member of my family join in wishing ED and Mrs. Rees much happiness and good health for many years to come. I know that ED REES is not going to retire, but he will always be found doing good and extending a helping hand where needed.

Mr. DORN of South Carolina. Mr. Speaker, may I join my colleagues in pointing out that ED REES is a man of humility. He worked quietly but very effectively as he represented his people and stood up for the highest traditions and ideals of this great Republic. ED REES served with honor and distinction in this great deliberative body and will be long remembered by all of us who associated with him. ED REES was loyal, patriotic, forthright, and capable. I join his colleagues here and his thousands of friends in wishing for him a pleasant retirement he has so well earned.

Mr. CANFIELD. Mr. Speaker, like our distinguished colleague, ED REES, I am retiring from the House this year, and I am prepared to say that during my 37 years of service on Capitol Hill this characterful Kansan is one of the most unforgettable men I have ever known.

ED was always a standup man in committee and in debate. He has been the sponsor of many constructive statutes and whenever he addressed his fellow members his presentations commanded attention. I have never seen him lose his temper or utter a word which he would recall. He exalted the friendly and the constructive approach.

I am certain that while ED REES is retiring from the Congress he is not retiring from the cause of good government and other worthwhile endeavors in behalf of his fellow men. He has a congenital liking for people and I cannot help but feel that more will be heard about his good works in the years to come.

Prayerfully I hope in these new years it will be so Mrs. Canfield and I can see ED and the lovely Mrs. Rees occasionally. I know it will mean much to us.

Mr. BARRY. Mr. Speaker, as a member of the House Post Office and Civil Service Committee of the 86th Congress and a Republican, it is a double pleasure to rise to honor ED REES.

This great Congressman has served 24 years in the House. He was the first chairman of the House Post Office and Civil Service Committee when it was organized in 1946. He has been probably its most influential member, fighting tirelessly for legislation to benefit the employees of our Federal Government. Through his ceaseless efforts to strengthen and improve the Federal Civil Service and the Post Office, he has benefited the whole Nation, for the well-being of its employees is essential to an efficient Federal Government.

To ED REES is owed the undying gratitude of millions of Federal employees and of the whole country.

But ED REES means more to me than his greatness as a man. As a freshman Congressman on his committee he, the senior Republican member, never made me feel a freshman. He always extended me great courtesy and appeared as interested in having me participate as I was to participate. The Post Office and Civil Service Committee will not be the same without ED REES. His friendship has been one of the greatest privileges of my first term in the Congress and I count myself lucky to have had the opportunity of knowing him.

To ED REES, one of our ablest leaders, you leave us with the appreciation of your colleagues and your countrymen—may you enjoy the long and useful years that lie ahead.

Mr. WALLHAUSER. Mr. Speaker, it is a real privilege for me to join in this tribute to ED REES who has announced his retirement at the end of the present session.

All of the complimentary remarks could not have been made to many men on this earth with the note of sincerity and honesty that is so evident here today.

This is a very complex life that we live, but it is made so much more simple if, as we pass through, we meet one who, by his friendship and friendliness, helps us pass along the way.

Such a person is ED REES, whose knowledge, integrity, and willingness to help have been of such great assistance to me in our most pleasant association.

I appreciate, beyond my ability to say in words, the privilege of knowing him and I wish for him and his family good health and an abundance of happiness in the future.

Mr. AVERY. I thank the gentleman from Kansas.

Mr. Speaker, I yield now to a longtime legislative and personal friend of Mr. REES, the former Speaker of the House, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, one of the great satisfactions that come to us from service in this great legislative body is the friendships we make with our colleagues who have served with us over a long period of years. For the past 24 years, it has been my privilege to have enjoyed the association and friendship of ED REES, who I regret has decided to retire at the end of his present term.

I know of no man who has served our country, the Congress and his district with more dedication or more conscientiousness than ED REES. He brought to the Congress a background of legislative experience in the Kansas Legislature and in the practice of law. Being the operator of a farm and coming from an agricultural district, he has always been interested in the problems of agriculture

and has always sought sound solutions of these problems. No one has fought harder for Kansas and the progress of the great western country than he.

ED REES is a man of courage, rare judgment and dedicated to making his country a better place to live in. His warm, affable personality won for him the love and affection of his colleagues in both political parties. In these days when we sorely need men of courage, men who will vote their convictions, the Nation can ill afford to lose the services of ED REES. These critical years ahead sorely need men like ED REES and his loss to the Congress is a distinct one to Kansas and the Nation.

As he approaches his well-earned retirement, I wish him and his good wife long life, good health, happiness and prosperity in the years ahead.

Mr. AVERY. I thank the gentleman from Massachusetts.

Mr. Speaker, I ask unanimous consent that following my own remarks at the outset of the special order there may be inserted in the RECORD the remarks of the distinguished gentleman from Tennessee [Mr. MURRAY]; and I further ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD in regard to our colleague, ED REES.

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

There was no objection.

Mr. MASON. Mr. Speaker, ED REES and I entered Congress the same year, 1937, and we have been close friends since that time. When the reorganization of the committees of the House took place about 15 years ago, we were friendly rivals for the chairmanship of the new Committee on Post Office and Civil Service. ED REES had been ranking member of the Civil Service Committee, and I had been ranking member of the Post Office and Post Roads Committee.

The better man—ED REES—was the lucky one to be named the chairman of the new committee, and I became a member of the Ways and Means Committee. However, being rivals for the same position did not interfere with the respect nor the friendship between us.

ED REES has decided to leave Congress at the close of this his 24th year. He will be missed by those of us who have looked to him for advice and help in all matters coming from his committee. We hate to see him go, but we wish him many years of not only quiet enjoyment but also years in which he will act as adviser and counselor for the coming Republicans of his district.

May God bless thee and keep thee
May His face shine upon thee and give thee peace.

This is the wish of your colleagues.

Mr. SCOTT. Mr. Speaker, I join my colleagues in expressing regrets that Congressman EDWARD H. REES, of Kansas, has seen fit to announce his retirement from Congress. Having served with him as a member of the Committee on Post Office and Civil Service, I have had an opportunity to become closely associated with him and have come to greatly admire and respect him as a fine gentleman in every sense of the term, and as a most able legislator. He has made many valuable contributions and has distinguished himself throughout the many years of his service as a hard-working, conscientious Member of the Congress.

I join my colleagues in expressing the hope that he will enjoy to the fullest the rest and happiness in retirement that he has earned and so well deserves.

Mr. ALLEN. Mr. Speaker, I wish to join the many friends of Hon. EDWARD H. REES, of Kansas, in expressing my regret that he is not seeking reelection to Congress. Elected to the 75th Congress, he has served with distinction continuously for 12 terms.

I have known ED during all those years. To know him is to respect and admire him. He is of the civic bone and sinew of the district in which he resides—American in every instinct.

He possesses tact and imagination. He is absolutely reliable; has a keen sense of honor and responsibility. His record of right living and honesty is unimpeachable.

The House of Representatives will seem different without him.

It is the hope of all of us that the future will bring him contentment and happiness.

Mr. LIBONATI. Mr. Speaker, the retirement of the Honorable EDWARD REES, of Kansas, removes from the Congress one of its illustrious leaders especially in the field of the Post Office and Civil Service fields of regulatory law and legal systems.

Although I have only known Mr. REES for a short period of his long service—24 years—it has been my privilege to converse with him on various subjects related to the legislation assigned to his committee. As a senior statesman his loss will be felt in not only an advisory capacity at the national level, but also the great qualities of leadership that establish his authoritative knowledge in his chosen field of activity.

It takes many years of experience and study in legislative affairs to develop the values of accomplishment in the services rendered by a Congressman. Mr. REES, personified the true value of congressional service. His experience over the years beginning in the House of Representatives of the Kansas Legislature, 1927–33; serving as majority leader, 1931–33; as State senator 1935–37—chairman of senate judiciary committee, 1935–37—are testimony to his extensive training over the early years—and now at the height of a great career of legislative service in these National Halls, this great lawyer, soldier, and statesman is retiring to enjoy the days of leisure that are so well earned. May God bless you on your way and we who respect and are fond of you pray for your greatest happiness and perfect health to be enjoyed with your dear family in days to come. The Nation and the State of Kansas have lost the services of a great patriot and statesman.

Mr. YOUNG. Mr. Speaker, it is with deep regret that I have learned of the impending retirement of my distinguished colleague and friend, EDWARD H. REES.

I had the honor of serving with the gentleman from Kansas, Congressman REES, as a member of the Post Office and Civil Service Committee. EDWARD REES made a lasting impression on me as a man completely devoted to the trust the good people of Kansas placed in him, a man of integrity and the highest character. He shall be greatly missed as my colleague and friend. I want to take this opportunity to wish him the greatest of good fortune and good health in the years to come.

Mr. McINTIRE. Mr. Speaker, it has been for me a prime personal pleasure and privilege to have had the acquaintanceship of the Honorable EDWARD REES of Kansas.

During the 9 years I have been in Congress, I have known ED REES to be generous and expert in his counsel on legislative matters, and with it all he was extremely kind and thoughtful.

He has been a truly devoted servant to his district, State, and Nation, just as he has been a key figure in the House of Representatives.

ED has been a distinguished member of the House Committee on Post Office and Civil Service, and his record in this area is replete with efforts directed toward sound legislation designed to create efficient Government service and provide just rewards for Government employees.

By all standards ED REES has well earned the comforts of a less strenuous life, but his personal gain will prove a loss to the House of Representatives.

Mrs. McIntire joins with me in extending to ED and Mrs. Rees our warmest and best wishes for health and happiness in their many years that lie ahead.

Mr. TUCK. Mr. Speaker, I cannot allow this occasion to pass without associating myself with those who have made remarks in respect to the high type of public service rendered by our distinguished colleague from Kansas, the Honorable EDWARD H. REES. I served during the 83d Congress as a member of the Post Office and Civil Service Committee during the time that Mr. REES was chairman of that committee. He presided with dexterity and skill, and with fairness and impartiality. He enjoys the respect and confidence not only of the members of that committee, but of the Members of the House of Representatives in general. I soon came to recognize his true manly worth and his nobility of character. He certainly deserves to rank as he does among the great men who have served in the House of Representatives. He is a solid and substantial man. He possesses sterling qualities of character and he will be greatly missed when he leaves this body.

I wish him every happiness and contentment in his retirement and hope that he may be spared many more years of his useful and happy life. His friendship means much to me and I shall always remember our associations in the House of Representatives.

Mr. VAN ZANDT. Mr. Speaker, the impending retirement from Congress of my good friend and colleague, EDWARD H. REES, recalls the bond of friendship that has existed between us since my three-term administration of the office of commander in chief of the Veterans

of Foreign Wars of the United States. I was highly pleased when ED REES was elected to the 75th Congress and 2 years later I began my congressional career as a Member of the 76th Congress. From the day when I took my seat in Congress in 1939, ED REES has always proved to be a dependable source of encouragement and counsel on many legislative matters and has always been willing and able to help me with his sage advice born of a legal mind. Born on a farm, he has been greatly interested in farm legislation. His ability as an attorney and as a State and National legislator enabled him to develop a reputation for thorough analysis of all issues while his unquestioned integrity clothed his views with authority and respect. This is especially true with respect to ED REES' membership on the House Committee on Post Office and Civil Service where his views are highly valued as the ranking Republican member of that committee.

When the 86th Congress adjourns and our genial colleague ED REES enters voluntary retirement from the congressional scene, he will have completed a legislative career that began in 1927 with his election to the Kansas State Legislature and which embraced 24 years as a Member of the Congress of the United States.

Mr. Speaker, there is no Member of Congress for whom I have greater affection or respect than our colleague ED REES. Serving with him in Congress for over a score of years has given me added opportunity to supplement the knowledge I had of his many fine qualities and which, as stated previously, I first discovered in the early 1930's before either of us were elected to Congress. Therefore, ED's retirement is tinged with sorrow because it means that Congress is losing one of its most valued Members. I join in extending best wishes to ED on the eve of his retirement and it is my fervent hope that continued good health and a full measure of happiness will continue to attend him, for he has justly earned the right to happiness and peace of mind for his years of dedicated service as a Member of Congress.

Mrs. GRANAHAN. Mr. Speaker, I want to join in extending by best wishes to the ranking minority member of the Committee on Post Office and Civil Service, the Honorable EDWARD H. REES, of Kansas, as he retires from Congress after 24 years of service.

Mr. REES has been a strong defender of his party's viewpoint in committee and has fought hard for principles in which he believes, but always has managed to make his arguments and pursue his legislative objectives without turning controversy into bitterness. He has always had a ready smile for his colleagues and it has been a pleasure to work with him even when we disagree on details of legislation.

I am sure I express the wishes of every Member that his retirement from Congress will be followed by many years of happiness.

Mr. DIXON. Mr. Speaker, one of my very closest friends in Congress is ED REES, of Kansas. I suppose our close friendship is because we have so many interests in common. Among them is our nationality. Now the Welsh people are quite clannish. They love to associate together, to sing together, to worship together, and to work together.

Nearly 6 years ago when I found that ED could speak the most difficult language of his ancestry, I prevailed upon him to teach me a few expressions which he did. Soon thereafter he prevailed upon me to attend a huge Welsh banquet at the Statler Hotel and I enjoyed being with him and with my mother's countrymen so much that we have attended similar gatherings together since that time.

I know his heart. I admire his dedication to his God and country. I respect his great wisdom and I praise this man "within the gates." May Heaven reward him for his long years of unselfish service to our people and may every blessing follow him today and forever.

Mr. FISHER. Mr. Speaker, I cannot think of a more honorable and distinguished man who has served in this Congress during the time I have been here than the Honorable ED REES, of Kansas. He is the one man who has always commanded universal respect. He is one man who, when he speaks, is listened to because everyone knows it comes from a well-informed source that speaks from sincerity.

I wish to join with his other friends in expressing regret that ED REES is leaving Congress and to wish for him the blessing of good health and happiness in the years ahead.

Mr. O'HARA of Illinois. Mr. Speaker, the Honorable EDWARD H. REES has served 24 years in this historic Chamber and his voluntary retirement at the close of his present term brings a pang of sorrow to his colleagues on this side of the aisle as well as on the side of the aisle that so long he has graced. It can truly be said that ED REES leaves with the friendship and good wishes of all his colleagues. I shall miss him very much. When the 87th Congress convenes and, if I am reelected, I shall miss the occasional meetings with him, the occasional little chats, and the warming of the heart and the cheering of the soul that always he gave to others. I do not think that ED REES ever thought ill of another human being. He served in the House quietly, unobtrusively, but with great ability and a steadfastness to his convictions.

I am sure I speak, not only for myself, but for all my colleagues from Illinois in wishing him in the years of his retirement the choicest of God's blessings.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate announced that the Senate has passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 13161. An act making supplemental appropriations for the fiscal year ending June 30, 1961, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. JOHNSON of Texas, Mr. CHAVEZ, Mr. ELLENDER, Mr. HILL, Mr. ROBERTSON, Mr. MAGNUSON, Mr. HOLLAND, Mr. BRIDGES, Mr. SALTONSTALL, Mr. YOUNG of North Dakota, and Mr. MUNDT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2565) entitled "An act to promote the effectual planning, development, maintenance, and coordination of wildlife, fish, and game conservation and rehabilitation in military reservations", 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. ENGLE, Mr. BARTLETT, and Mr. COTTON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 5068) entitled "An act to amend the Shipping Act, 1916, to provide for licensing independent foreign freight forwarders, 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. PASTORE, Mr. BARTLETT, Mr. ENGLE, Mr. BUTLER, and Mr. SCOTT to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10960) entitled "An act to amend section 5701 of the Internal Revenue Code of 1954 with respect to the excise tax upon cigars", 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. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12536) entitled "An act relating to the treatment of charges for local advertising for purposes of determining the manufacturers sale price", 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. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 12659) entitled "An act to suspend for a temporary period the import duty on heptanoic acid," 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. BYRD of Virginia, Mr. KERR, Mr. FREAR, Mr. LONG of Louisiana, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

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.

12580) entitled "An act 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 maternal and child welfare provisions of the Social Security Act; to improve the unemployment compensation provisions of such act; 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. 2633) entitled "An act to amend the Foreign Service Act of 1946, as amended, and for other purposes."

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that the Committee on Government Operations be permitted to file one or more reports along with any minority or individual views after the House adjourns the current session.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. GROSS. Mr. Speaker, reserving the right to object, is it my understanding the gentleman is asking consent to file reports?

Mr. HOLIFIELD. To file certain reports.

Mr. GROSS. From what committee?

Mr. HOLIFIELD. From the Committee on Government Operations.

Mr. GROSS. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore (Mr. WALTER). The Chair recognizes the gentleman from South Carolina [Mr. HEMPHILL] for 30 minutes.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. HEMPHILL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks at this point in the RECORD and to revise and extend them in a second instance in the time allotted to me for a special order today.

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

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I know Members of the House who are gathered in this Hall this afternoon listened with keen interest and a sense of frustration at points to what was described by our colleagues on the other side of the aisle as Operation Veracity. I know a number of us who were seated at the table on the Democratic side prepared rather extensive notes on remarks made by the gentleman from Michigan [Mr. FORD] regarding military strength, on the remarks made by the gentleman from Wisconsin [Mr. LAIRD] on agriculture, and on the remarks of the gentleman from Missouri [Mr. CURTIS] on our economic strength, with the hope that at the conclusion of their remarks or at some time during their remarks there would be opportunity to answer some of the representations and misrepresentations which had been made to this House. Unfortunately, in this instance, veracity was not strong enough to stand up under interruption because there was a refusal uniformly to yield by the task force on veracity, and this marks the first opportunity anyone on the Democratic side has had to say something on the subject of Operation Veracity.

Mr. Speaker, I do not wish to impose on my good friend, the gentleman from South Carolina, beyond another minute. I will not go into the points which I have mentioned here at this moment this afternoon, but I would like to cite just one instance of how much fidelity we have had to veracity in Operation Veracity this afternoon.

The gentleman from Wisconsin [Mr. LAIRD] who, I regret, has left the floor and who is not here, made very strong references to the fact that the Democrats possessed a 2-to-1 majority in both Houses of the Congress. He spoke very forcefully on the fact that this put Democrats in the position to do something about any legislative problem that confronted us. Now I think this represents a departure from veracity not just with reference to one House and its membership but as to the two Houses of the Congress. I hold in my hand, Mr. Speaker, an official list of the Members of the Congress of the United States compiled by Ralph R. Roberts, Clerk of the House on August 18, 1960. When I look at the membership of the Senate of the United States, I find listed Democrats 66, Republicans 34. In order to have a 2-to-1 majority in the Senate, Democrats would have to have 68 Members in the Senate, if my arithmetic is correct. Now you might say that that is a quibble and that they are pretty close to being accurate on that point. Let us look at the membership in the House. The same official list of Members gives as the membership of the House of Representatives, Republicans 152 and Democrats 280. To have a 2-to-1 majority on the House side, we would have to have 304 Democrats rather than the 280 who presently serve on the Democratic side.

If this is a sample of the standards of veracity that will be followed by the so-called "Truth Squad" on the opposite side, I would say we might just as well back up and rename it. Let us call it "Operation Inaccuracy" and let it be known throughout the country by the name it deserves.

I thank the gentleman for yielding to me.

Mr. HEMPHILL. Mr. Speaker, I yield to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. I want to reiterate that those of us on this side who participated in Operation Veracity stated that we would remain on the floor, and the gentleman has full opportunity to take whatever time he wants. We will remain here and examine him on his statements. Furthermore, this operation will continue tomorrow, and if the gentleman wants to be on the floor and get time, he may do so then.

Mr. HEMPHILL. Mr. Speaker, the purpose of my taking this time today was to discuss a piece of legislation which has been needed in this country for many years. Unfortunately, at the very time Congress is hard at work on legislation introduced for the purposes of benefiting this country, selfish interests, which are too often present, misinform the public of this country in order to delay the legislation, defeat it, or serve their own selfish purposes.

The legislation I refer to is H.R. 7201, known as the upstream benefits bill. Many people have asked me about the legislation. I realize it is technical legislation because it deals with the question of firm power, firm energy, hydroelectric physics. It also deals with problems about which both public and private power are concerned. Public and private power, each and both, are today in great need of the hydropower, the river coordination, the reservoir utilization and control, this legislation will produce.

I have been impressed at the opposition to the legislation by those who claim they are trying to do something for their country, because the initial impact of the legislation would have been to provide that insofar as the storage facilities of this country are concerned, the maximum benefits on release of that storage capacity would be required in order that we have the maximum electric power from the available storage and waterpower.

There were some who said: "Well, this is legislation to benefit the private power people." Some people wanted to believe that rather than to look into the facts. Then there were others who said: "Well, you are going to raise the rates of the REA's and other public power people"; and some people wanted to believe that because they were told so. It will not cause a raise in REA rates. The fact of the matter, however, was, is today, and will be tomorrow, whether or not this legislation is passed next year, that this legislation is needed. It is needed by REA's, PUD's, and private power. The report of our committee, which I suppose very few people have read, shows public and private power alike crying for the legislation.

The public utility districts out on the Columbia River are crying for the legislation because under the present law there is no way to make any private power company upstream release the storage in such way that the public utility districts could be guaranteed the firm hydropower it needs to meet consumer demands or attract new industry.

In Oklahoma, in the great district of my friend who sits at the debate table, we have a great public power authority desperately needing this legislation.

There were some who said this looks like a windfall to the private power people. When we put the testimony into

the record and the statistics into the record they showed that on the Columbia River system alone the United States would benefit $1 million per year. Then the opposition tried to find some other excuse.

Then, I went to my friends from Tennessee realizing some others might go to them and say this would hurt the Tennessee Valley Authority which it will not. I found that in the Tennessee Valley the public and private power interests do just what this bill wants them to do all over the Nation, and I found that there is a great aluminum plant on the Tennessee River system solely because of the fact—solely because of the fact—that public and private power people cooperate and coordinate.

Then I went to some other people who are trying to fight this legislation to try to reason with them because certainly I do not believe I have sponsored anything unreasonable here, and I said: "How about backing this legislation?" One gentleman from Alabama said: "I am just afraid you are going to upset my cost-benefit ratio." So I went to the Department of Engineers of the U.S. Army who are the people who determine the cost-benefit ratio, and asked them about it. They gave me a letter which I gave to interested Alabama people which said that it would not disturb the cost-benefit ratio.

Then, lo and behold, I find that the opposition began to come from headquarters of the National Rural Electric Cooperatives Association. It just so happens I know something about the REA. It is a great authority. REA has meant a lot to this country; it is going to mean a lot in the future. But the people I know who direct the REA's are the farmers and businessmen of my area, people who are not inclined toward any socialism. They are people who recognize that the REA is pretty much indispensable to them. REA did what private power would not do.

It has been very definitely proven that public and private power both need competition. The private power people need the public power competition, and vice versa, because it keeps them both on their toes. The REA directors over the country are farmers and businessmen who still believe in the private enterprise system. They correctly think of REA as organizations of private citizens to do a public job and they do a magnificent job of providing rural power. But the directors did not object to the legislation. They are neither selfish nor blind. The directors I know are God fearing, honest, independent and patriotic. The opposition did not come from them.

On June 27, 1960, expecting this legislation to come up and hoping it would come up before the end of the session, I put in the RECORD some remarks on H.R. 7201. Included in those remarks were statements and documents to point out to the country at large the fact that certain opposition had come from the general manager, I believe is the way the gentleman signs himself, of the National Rural Electrical Cooperative Association. This man had not even testified in connection with the legislation. I felt at that time, and I feel today, that if the people in the REA's were told the truth about this legislation they would be for it. The reason I put that statement in the record was because of the fact that on a bill called H.R. 3, which was a bill called the States Rights bill, rights which in the Constitution even though it is not in the hearts of as many men as I would like, this man had taken a certain part. I documented it. In fairness to the gentleman, may I say he wrote me back a letter and said I had not represented him correctly and asked if I would put in the CONGRESSIONAL RECORD a certain letter. I am going to put it in today because, above everything, I want to be fair. He said that my remarks were personal because I had documented a certain situation. Of course, my remarks were not personal. I have never seen any Member of the House feel that way. We just documented what we thought was the truth.

Now, I do not control the REA magazine, and I have no access to it, but I challenge that gentleman right now to put my remarks of June 27 and these remarks in their magazine, if he wants to be fair, because I am putting them both in the CONGRESSIONAL RECORD.

I could go on and say something not only about the fact that the farmers of my district and the farmers in my State believe in States Rights—they do not want the NRECA dabbling in States rights, and when he does dabble he is not representing their views or their wishes.

A number of my homefolk directors were in my office, a number of them, and I said "Is this what you want?" They said, "Heavens, no, deliver us from that sort of thing." Even the manager of the South Carolina co-op came up and said "No, I am a States Righter." I said "I am glad that exists in the hearts of men somewhere."

I could talk about a bill that we voted on the other day involving farmers, a bill in which there was involved the migratory farm proposition. It had to do with the migratory labor. Somebody asked, "Are you going to vote for it?" I said "Of course I am." I saw some of my friends from Arkansas and other places here, and that their farmers are in trouble. Let us go out and vote for them. But I am not going to comment on the fact that once again the manager of the NRECA took a stand against the farmers. He was against that.

The reason I am documenting that today is I am going to tell lots of people about this. If the NRECA is for the rural people of this country, let them begin to speak for the rural people and get their nose out of other people's business and quit trying to block farm legislation to help farmers in other parts of the country, quit trying to block States rights legislation. All of us are for the REA. I have voted for it every chance I had. Now, to have this sort of thing happen is almost beyond my comprehension.

In this particular letter, which I am including out of a sense of fairness, they said they thought I had no personal interest. And, I have none. I have never yet owned one share of power stock in my life. I have never represented a power company as a lawyer, and I do not believe I have ever been in the office of a power company except to pay my light bill. They say that the South Carolina Gas & Electric Co. had an interest in it. I think they did. But, the officers are not in my district. I think they had one dam in my district, but that is not affected by this legislation. Not a soul in my district would be adversely affected. Yet the inference here is that because somebody from South Carolina had asked me to come in and examine the merits that I was protecting their interests. I want you to read it. It is on page 3. This letter I am going to put in to be fair, and I challenge the REA magazine to place this letter of June 27 in their magazine, because they have put me in an unfavorable light.

Here are people who are supposed to be specialists in the power business. I do not claim such erudition. They say that under the present law you can accomplish all that H.R. 7201 seeks to accomplish. If it could be accomplished, read my remarks of June 27, if you do not believe it, and I document in there the letters from the people out West who are suffering.

Here is the situation. Section 10(f) of the Federal Power Act as it presently exists provides that a downstream owner, whether public or private, can require the public upstream owner to release the water in a beneficial way, but if the upstream facility is a private power company, the Government facility cannot make them do it. Now, it is a two-way street, and all we are doing is saying if the private power company operates upstream and they have the capacity to help the downstream public facility by release of water—if the upstream can hold his storage and then release it beneficially, the downstream fellow can demand it if he pays for it. But, it will be distorted. I know as I speak today that this speech will be distorted when it is reported, and I expect it, and I make the speech knowing it.

Then he quotes from certain testimony of a Mr. Williams, which they took out of context or, at least, reported it in a manner to reflect something that I do not actually think it reflected.

Then we went on and talked about the payments under the Federal Power Act. Under this particular legislation we have a provision—and it may sound silly to you—it says that if I furnish you some power that I have not been furnishing you, hydropower, I want you to pay for it; you cannot make me furnish it now, but if I furnish it to you and you can profit by it you have to pay for it. But, this legislation also says that if I have the water and I let you have it, I cannot charge you for it unless you can benefit by it and make a profit or it.

Now, that is a simple premise. It has aroused much propaganda among the REA people. They say they are going to raise your rates. Well, I went into that question very fully with the Federal Power Commission and with the Department of the Interior, which was interested in it, and I got a letter from them dated February 29, 1960, in which it says that costs would be increased by only in accordance with benefits. However,

these charges would be a very minimum and only of the magnitude of those now being charged non-Federal interests under section 10(f) of the Federal Power Act. And, looking over here, I find that the United States this year will lose $1 million, and these public utility districts will not get the power or the water they need. They are going to lose and the country at large is going to lose.

Mr. Speaker, I ask unanimous consent to include at this point in my remarks a letter from the Federal Power Commission dated February 29, 1960.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The letter is as follows:

FEDERAL POWER COMMISSION,
Washington, D.C., February 29, 1960.

Hon. ROBERT W. HEMPHILL,
House of Representatives,
Washington, D.C.

DEAR MR. HEMPHILL: Your inquiry concerning the effect of the headwater-benefit-charge provisions of H.R. 7201, H.R. 7494, and related bills, amending section 10(f) of the Federal Power Act, has come to me. A question naturally arises as to whether under this amendment customers served by Federal powerplants would find their rates increased by reason of the payment by the United States of annual charges for power benefits received corresponding to the annual charges paid by non-Federal power developers.

If the United States is required to pay annual charges for power benefits which it now receives without charge, it is obvious that the operating costs would be correspondingly increased by the amounts so paid. However, these new charges would be very minimal and only of the magnitude of those now being charged non-Federal interests under section 10(f) of the Federal Power Act because there is presently no provision for a guarantee of firm capacity such as would be authorized in the bill. Correlatively, the payments to the United States under section 10(f) at the present time are equally minor in the Pacific Northwest and will continue to be so as long as there is no agreement for storage releases which will add firm capacity at the downstream powerplants. You understand, I am sure, that the bill would not impose any retroactive obligation upon the United States since as to constructed powerplants of the United States the bill would impose a liability only from the date of its enactment.

One of the major purposes of the new provisions is to assure downstream powerplants of new firm capacity which would be made available by upstream facilities by reason of the water control exercised. This new firm capacity would be obtained at the downstream powerplants without any additional capital investment or additional labor costs.

Also, during some years, the stream flow is so high that practically no storage at these upstream reservoirs is used for downstream power production and the payments to the United States under the present law become relatively insignificant. Under the bill, however, if an agreement is made for payments for firm capacity, as anticipated, the United States would receive payments even during a high-flow year, similar to the high flows in 1958 in the Columbia River system. These firm power payments must, by the very economics of the situation, be greater than would be the costs to the United States for the benefits now being received from non-Federal storage releases.

The only section of the country where the charges paid by the United States would be substantial is in the Columbia River basin where large storage reservoirs are the rule. In the other river basins where there are Federal powerplants, it happens that the power benefits from the storage and release of water at non-Federal reservoirs are not substantial, and, therefore, the payments could not be material.

Specific testimony on these points was given when Mr. Farley (Chief, Division of Licensed Projects, of our Bureau of Power) testified before a subcommittee of the Senate Committee on Interstate and Foreign Commerce on S. 3434 in the 83d Congress, 2d Session, June 9, 1954. He said (hearings, p. 38 et seq.) that the Commission's engineering staff had studied the Columbia River basin with conditions as they would be about 5 years from that time when all of the projects under construction would be completed except The Dalles, which would be practically completed. Under those conditions they estimated that the United States under the terms of the bill then proposed would pay about $300,000 a year to non-Federal owners of reservoirs who would be providing benefits, and that in that area the United States would receive $435,000 a year in payments from non-Federal agencies. None of the $300,000 is presently being paid, of course, but he said that amount is about four-tenths of 1 percent of the revenues of the Bonneville system, or in terms of the cost of kilowatt-hours it would be about one one-hundredth of a mill. In his opinion, this would be far too small to enter into the rate picture. At the McNary power project, for example, he said that with full operation the payments by the United States would amount to half of 1 percent of the annual cost of the project, which is beyond the realm of accurate estimate.

It is my opinion, therefore, that the United States has far more to gain from the passage of this legislation than it has to receive under the present law. This legislation would not only be of direct financial benefit to the United States, but in providing impetus for more practical cooperation between Federal and non-Federal power interests, the legislation would be of genuine benefit to the economy of the country, especially in the Pacific Northwest where so many of the municipalities and public utility districts are urging its enactment.

Sincerely yours,
WILLARD W. GATCHELL,
General Counsel.

Mr. Speaker, on page 9 of this letter which I am going to include in the RECORD in a spirit of fairness, he says that H.R. 721 is itself a club with which the investor-owned company seeks to subjugate the United States. There was not any testimony like that. There was objection to the legislation, and that is proper. But if that were true, where was the REA when we had the hearings? Where was the gentleman who wrote the letter?

I could go on, but my time has been taken in many instances by gentlemen who needed the time for other purposes.

All we want here is reservoir coordination. The Tennessee Valley boys will tell you that they have it. If it is wrong, tell me why it is wrong. The REA's are not going to suffer. They are going to benefit, because if you take the question or the answer and turn it around, if an REA facility gets some water it has not been able to get, and if it can market that water they can make money for REA. Do you not know that hydropower as compared to steampower can be manufactured at much less cost? And that means that the domestic facility has a generator and a generator is moved by waterpower instead of by steampower and the cost is less. And, of course, the power is marketed at the same price.

I do not know what is wrong with the efficient use of water in this country. I am a little bit appalled at the trend of affairs. We find that the steel companies now are producing only 50 percent of their production and that should be a matter of concern to every American. We find that many firms, businesses, are closing their doors in many areas of the country. And my friend from West Virginia would point out that their people are destitute. Americans either were betrayed by the policies of this Government or were just plain let down. And here we find a situation in which what we are trying to do is to increase the productive capacity of this country.

I know what we are coming to. I know what we are coming to, and it is later than you think. You can talk about socialism all you want to. We are going to come face-to-face with this proposition in this Nation in the not too distant future. Either you want a completely welfare state with every national industry nationalized, or you do not. Either you will return to the private enterprise system which has brought us to greatness or you will let down future generations by saying that we want the Government to do everything for us.

What we have done with this legislation is withdraw it because it did not have any hearings in the Senate. It is going to be presented next year to the Committee on Interstate and Foreign Commerce of the House. We are going to make sure at that time that everybody who wants to be heard will be given a chance to be heard and those who did not come before will get a chance to be heard. We are going to make sure, and we are going to take apart this propaganda about rates, REA rates, and about windfalls. We are going to take that apart. We have had to do it here on the floor.

We are going to ask these people to build up a record. We are going to ask the people of the House to read it, as well as the people of the Senate, and I am satisfied if that be done that this Nation will demand the legislation.

I want to include here my response to a certain premise made to Members of Congress June 1, 1960.

First. The ultimate effects of this bill on the various river basins of the Nation, and the ultimate cost to the Federal Government has never been fully evaluated.

Neither are the ultimate or even the current effects of present section 10(f) of the Federal Power Act known after 40 years of operation under this act.

Second. In the Columbia and certain other river basins, H.R. 7201 would make the Federal Power Commission the "water master" of the river, and would assign to the Commission considerable jurisdiction over operation of river projects—an operating function not suited to the FPC's regulatory responsibilities.

Under the provisions of H.R. 7201 the Federal Power Commission would have the normal authority of the Commission in approving coordination commitments and agreements to determine if they meet the requirements of this bill with

respect to coordination, determination of charges and other factors and also act in a reviewing capacity if hearings are involved. These functions of the Commission are not those of a "water master." The determinations as to how coordination is implemented on a day-to-day, month-to-month and year-to-year basis will be up to the utilities involved as is now done under power pooling arrangements in the Northwest and other areas.

Third. This proposed legislation would provide windfall benefits to the Idaho Power Co., the Montana Power Co., and other organizations owning upstream dams built under Federal licenses which, in some cases, already require coordinated operation.

Benefit payments to licensed dams and reservoirs of the Idaho Power Co. and the Montana Power Co. by downstream Federal and non-Federal project owners would be on a cost basis as if the downstream owner also owned the portion of the upstream dam and reservoir contributing the benefit and not on a market value basis. Such payment would, in effect, be for service performed in storing and releasing water, which service is made possible by the upstream dam and reservoir owners investment. It is true that the licenses for headwater projects in some cases have provisions requiring coordination, but such provisions do not state that coordination must be performed in a particular manner or that it is required at the detriment or financial disadvantage of the headwater project owner. The bill does not in any way disturb existing license provisions. Thus, the payments for benefits would be for services performed and actually at less than the non-Federal headwater project owners costs. Under such conditions and the actual intent of coordination provisions in existing headwater project licenses it seems misleading to call the payments for benefits windfall benefits. The provisions of section 28 of the Federal Power Act—which remain in full force—are as follows:

> That the right to alter, amend, or repeal this act is hereby expressly reserved; but no such alteration, amendment, or repeal shall affect any license theretofore issued under the provisions of this act, or the rights of any licensee thereunder (41 Stat. 1077; 16 U.S.C. 821).

Fourth. H.R. 7201 would require the Federal Government to make upstream benefit payments on the basis of private investment and operating costs, while the non-Federal project owner would make payments on the basis of lower cost Federal financing, giving the non-Federal owner a 3-to-1 advantage over the Federal Government in payments for comparable benefits.

This statement ignores the fact that payments for coordination benefits under the bill as proposed for amendment would be on the basis that the Federal Government would pay for such benefits received by it at the Government's costs and the non-Federal project owner would pay the Federal Government on the basis of the non-Federal project owner's higher costs. Thus, the Government would pay for such benefits received by it at a lower rate than the non-Federal project owner would pay for such benefits as they would receive from the Government.

Fifth. H.R. 7201 could place downstream project owners, Federal and non-Federal, at a disadvantage to upstream project owners, since subsection (c) on page 4 permits the upstream owner to file a plan of coordinated operation, on his own terms, with the FPC such plan to go into effect unless disapproved by FPC within 6 months. It is highly unlikely that FPC would make a full and equitable study of such a complicated river basin operating plan within 6 months, especially since the Commission has spent years studying similar problems under the present section 10(f) of the Federal Power Act and still has not resolved all questions.

The factual situation would be that a coordination plan of a headwater project owner must assure benefits to the downstream project owners and under such conditions the downstream owner should pay for these assured benefits. With the requirement in the bill that a coordination plan provide for production of optimum firm and secondary power at the downstream plants and with the headwater reservoir owner having right of ownership and operation of his project it is unrealistic to consider an arrangement for a downstream owner to initiate a coordinated operation with a headwater owner. The headwater owner owns and controls his storage and his right of ownership is not compatable with having another project owner require him to conform to a particular method of operation. In addition, it is at least questionable whether a downstream owner or anyone else can legally force a reservoir owner to operate in any particular way.

With reference to the question raised over the 6-month provision for approval of a coordination commitment by the FPC, it is very important that prolonged delays not be permitted in bringing about actual coordinated operation after a commitment is filed with the Commission. Any increase in the 6-month period for approval could possibly result in correspondingly longer delays in bringing coordination plans into operation. Also the determinations that must be made by the Commission within the 6-month period are only those relating to the proper form of the commitment and plan and do not relate to the more complex and time consuming determinations of annual charges and so forth.

Mr. Speaker, H.R. 7201 is good legislation. It is good for the present of this country and it is going to be good for the future.

Mr. Speaker, I ask unanimous consent to include at this point in my remarks a letter directed to me from the Federal Power Commission dated June 30, 1960; a letter directed to me by Howard C. Elmore, assistant manager of Public Utility District No. 1 of Chelan County, Wenatchee, Wash., dated August 18, 1960, including a copy of a letter, written by Mr. Kirby Billingsley, manager of Public Utility District No. 1 of Chelan County to Mr. Gus Norwood, executive secretary, Northwest Public Power Association, Vancouver, Wash., and another letter by the same gentleman dated August 18, 1960, addressed to our distinguished colleague from California [Mr. Moss]; also a letter dated July 25, 1960, sent to me by Clyde T. Ellis, general manager of the National Rural Electric Cooperative Association.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The letters referred to follow:

FEDERAL POWER COMMISSION,
Washington, June 30, 1960.

Hon. ROBERT W. HEMPHILL,
House of Representatives,
Washington, D.C.

DEAR MR. HEMPHILL: This will confirm your telephonic conversation with Mr. Stewart P. Crum on June 30, 1960, relative to H.R. 7201—a bill to provide for the comprehensive operation of hydroelectric power resources of the United States, and for other purposes.

I understand that you have informed Mr. Crum the authorized Federal Millers Ferry and Jones Bluff projects on the Alabama-Coosa River are marginal from an economic point of view, and that objections have been raised to H.R. 7201 because these two projects would be rendered economically infeasible if they are assessed for benefits provided by privately-owned headwater improvements.

At present the Alabama Power Co. owns and operates three hydroelectric developments, namely its Lay, Mitchell, and Jordan developments, under Federal Power Commission license on the Alabama-Coosa River upstream from the aforementioned Federal projects. These three privately-owned plants provide pondage only, and it is believed that they would provide little, if any, benefits to the two downstream Federal projects. Consequently, the three existing privately-owned plants would have practically no beneficial effect on the two downstream Federal projects.

The Alabama Power Co. now has under construction its Weiss hydroelectric development with 135,000 acre-feet of usable storage capacity on the Alabama-Coosa River upstream from the Federal Millers Ferry and Jones Bluff. Construction of the Alabama Power Co.'s Kelly Creek development with 56,000 acre-feet of usable storage capacity, also on the Alabama-Coosa River upstream from the two Federal projects, is scheduled to be commenced this year. The Weiss and Kelly Creek projects are licensed by the Federal Power Commission. Owing to the regulatory storage capacity to be provided by the two projects, it is believed that they will provide benefits to the two downstream Federal projects. If this is the case, under H.R. 7201 the Federal projects would be required to make payments for headwater benefits. However, such payments would not be more in any case than the value of the benefits received. In other words, the margin of benefits over costs would not in any case be reduced. Hence, construction of the Weiss and Kelly Creek storage projects could not adversely affect the economic feasibility of the downstream Federal projects, and would probably improve their feasibility.

Sincerely yours,

HARRY J. TRAINOR,
Executive Director.

PUBLIC UTILITY DISTRICT NO. 1
OF CHELAN COUNTY,
Wenatchee, Wash., August 18, 1960.

Hon. ROBERT HEMPHILL,
Congress of the United States,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: For your information in support of H.R. 7201, forwarded herewith are copies of two letters which I believe are

self-explanatory and which might be of some value to you. One letter is dated August 1, 1960, and was directed by us to Mr. Gus Norwood, executive secretary of the Northwest Public Power Association. The other letter, dated August 18, 1960, is directed to Congressman JOHN MOSS. Both of these letters attempt to answer unjustified and erroneous statements concerning H.R. 7201.

Reports reach us here that the bill will be debated in Congress on August 23. As you know, we are vitally interested in this legislation, however, if there is a possibility that the bill might be defeated in Congress we believe it would be better strategy to not consider the bill during the remaining period of this session. It appears to us that the possibility of getting favorable action on this legislation during the next session of Congress would be greatly improved if we did not have a record of a defeated bill in the House. We know, of course, that you will exercise your best judgment in this regard.

Your interest and cooperation is most appreciated.

Very truly yours,

HOWARD C. ELMORE,
Assistant Manager.

PUBLIC UTILITY DISTRICT NO. 1
OF CHELAN COUNTY,
Wenatchee, Wash., August 1, 1960.

Mr. GUS NORWOOD,
Executive Secretary, Northwest Public Power Association, Vancouver, Wash.

DEAR GUS: You have forwarded me a copy of your letter to WALT HORAN, dated July 26, 1960, in which you quote a statement by WALT as published in a recent issue of the Wenatchee Daily World with reference to H.R. 7201. WALT should, of course, defend his own statements; however, since you have sent a copy of your letter to me, I am taking the opportunity to comment.

You disagree with WALT's statement that "We're wasting on the Columbia River a great many dollars for failure to properly regulate the flow of the river." You state that "This surprised me so much that I double checked with BPA. They cannot point out any basis for the report. They do not know where or how any dollars are being wasted; neither do I." You further state that we may know where this report got started.

We believe you should know well where the report got started.

In our work on this legislation, among the first questions raised during and following the congressional hearings last year by you and others was for specific information on what this legislation could be expected to bring about in the way of payments to the Federal Government and payments to the non-Federal reservoir owners for benefits created downstream as a result of the form of coordinated operation visualized by the proponents of the legislation. To answer this question, you are aware that Jack Stevens prepared a study, the results of which were given wide distribution and made a part of the Senate committee hearings on S. 1782.

In spite of the fact that you and others have questioned the study, no one, to my knowledge, including Bonneville, has come up with any analysis that could be used to factually or conclusively disprove its assumptions or conclusions. One of the conclusions of the study, as you know, was that if coordinated operations worked as envisaged in the legislation the Federal Government would receive in payments something over $900,000 annually over and above any payments that the Government would be required to make. This would be revenue to the Government which is not now received.

Perhaps someone can come up with an analysis that shows a different answer, but until a different answer is produced with some basis in fact, it seems to me that from the evidence at hand it is entirely correct to say that something is going to waste on the Columbia River.

It does not seem right that you should claim ignorance on this point since the Stevens study as well as considerations in the legislation, have been worked out to answer critical questions and accusations as to the possible bad results that might be expected from the legislation and you have considerable familiarity with all this.

We have never made any "pie in the sky" claims for this legislation. Many things have been said for and against it that are entirely misleading. We are only concerned with the fundamentals involved and these, we think, are properly being taken care of.

One is that we now have to operate our plants on the Columbia River without assurance in advance as to how headwater storage is to be released for use in our plants. Our resulting benefits from headwater storage on such a basis are, in effect, uncoordinated as far as we are concerned and do not have firm power value. We want coordination on a firm basis to produce firm power and we see no reason why the Federal Government should not desire and be willing to commit itself to operate on such a basis for its own benefit and for the benefit of others, including ourselves. Existing section 10(f) of the Federal Power Act is entirely inconsistent with this principle, since it recognizes only payment for benefits received on an after-the-fact basis without assurance in advance that they will be received downstream, and, of course, there is the further barrier to full coordination in the exclusion of payment by the Federal Government for benefits received from non-Federal reservoirs.

Secondly, we do not know what our costs are or what they will be for these indefinite after-the-fact benefits. We need to know what we can expect to pay for firm benefits.

Thirdly, we believe that there is real urgency in doing something legislatively on this matter because of the impending Canadian Treaty settlement which could, we think, adversely affect the type of legislation that might be passed if such legislation does not precede the treaty settlement. The Canadian Treaty will make it imperative that powerplants in the U.S. Columbia River Basin be coordinated in dealing with Canada and that we have legislation making it possible to carry out this on an overall basis, and also to establish a principle for payment for benefits created by U.S. Federal and non-Federal reservoirs.

We have discussed these various points with you and in your presence many times, and it seems somewhat redundant and repetitious to restate them here. However, repetition seems to be necessary to answer questions being raised against H.R. 7201 that have the appearance of being deliberate, misleading attempts to give the legislation some sinister purpose and associate those of us working on it with some sort of a plot to increase the cost of Bonneville power or take the Federal Government out of the power business or some other such ridiculous ideas.

Sincerely,

KIRBY BILLINGSLEY,
Manager.

PUBLIC UTILITY DISTRICT NO. 1
OF CHELAN COUNTY,
Wenatchee, Wash., August 18, 1960.

Hon. JOHN E. MOSS,
Member of Congress,
Old House Office Building,
Washington, D.C.

DEAR CONGRESSMAN MOSS: Your letter of July 20, 1960, to Mr. Alex Radin, executive director of the American Public Power Association has been forwarded by Mr. Radin to members of the association, including ourselves. We believe it our obligation to answer the erroneous and unjust statements and claims made therein discrediting needed legislation that is definitely in the public interest. The bill, H.R. 7201, now before Congress provides for needed amendment to the Federal Power Act. To make certain that the intent of the bill is clearly expressed Congressman HEMPHILL is proposing two amendments to the bill. One of these amendments would add the optimum production of secondary energy as well as firm energy to the requirements for coordinated operation of hydroplants and the other would provide more specific language on the determination of how payments for storage and coordination benefits shall be determined. It is with these proposed amendments in mind that we wish to comment on your letter, however, even without consideration of these amendments our comments in most instances are valid.

Your letter states that H.R. 7201 would amend the Federal Power Act and would "drastically impair some of the best and most firmly established principles of this Nation's water resources." We believe that amendment of the Federal Power Act with reference to section 10(f) is essential. Also, contrary to your contention the bill is intended to operate and would operate in accordance with the best principles of water resource development. The people of the Nation are certainly entitled to the greatest possible use of the Nation's water resources. They are so entitled whether the manmade improvements on our waterways are constructed by the Federal Government, by local governmental agencies, or by privately financed corporations. When the Federal Water Power Act was enacted in 1920, the value and necessity of operating facilities in concert, with such facilities under multiple ownership, were not clearly recognized. The Congress did provide certain standards for the construction of such facilities by licensees, but it did not take the additional necessary step of providing the machinery and proper inducement to procure the now essential coordinated operation of such facilities. H.R. 7201 will provide the additional step of bringing about the sensible and proper operation of existing projects so that all of the people may realize the full benefit that a river allows regardless of who owns the projects. It does not in any way violate principles of water resource development or conservation; it implements those principles by providing for sensible operating procedures and a fair distribution of the benefits of such operation to all consumers.

An accusation is also made that the bill would provide a subsidy to private utilities and a drain on the Federal treasury. This is completely erroneous. Perhaps the best explanation of the true facts relating to the effect the bill would have on the Federal Government and on private utilities is to be found in the CONGRESSIONAL RECORD of June 27, 1960, at page 14620. On the Columbia River system alone the Federal Government will receive a net payment of some $927,000 per year. There is no possibility of the United States realizing such an income under the present law and practices on the Columbia River. On the other hand, the private utilities on the Columbia River, as a group, would receive a net payment of less than $50,000 per year for the benefits they provide. Additionally, the general counsel for the Federal Power Commission testified that the Federal Government has far more to gain than it has to lose under H.R. 7201. Further still, the Federal Government is not responsible for any sum of money under this bill because every cost involved is an obligation of the rate payers. Therefore, the tendency of the bill is either to reduce Federal power rates or bring money into the Treasury of the United States. It cannot by any stretch of the imagination result in a subsidy; it is a revenue measure.

You claim that the bill would impair multiple purpose functions of Federal projects and that it would require the Federal Government to pay more than others for the same or lesser benefits. Neither of these claims has any foundation in truth.

The Department of the Interior at one time considered that the bill did not contain sufficient specific language to insure that Federal project functions other than power production would remain unimpaired. The Department, together with the Federal Power Commission, drafted language to provide such assurance. Such language was accepted by the House Committee and is now in the bill. Also, the sponsors and proponents of the legislation have at all times in the development of language in the bill intended that the Federal Government would in no case be required to pay more than it receives for equal benefits. You must certainly be aware that the proponents, rather than those who claim the Government would pay more than others, have prepared an amendment to the bill to make it specific and clear that no such situation shall result. It is important to note that the opponents of this bill, who have apparently advised you in this matter, have studiously avoided admitting the obvious—that the Government will in fact receive a higher payment per unit of benefit conferred than it will be required to pay for benefits conferred on the Government.

You criticize the procedure for bringing about coordinated operation in the event that contractual negotiations fail. The bill does not allow an upstream owner to bind a downstream owner to do anything at all merely by the act of filing a plan. The commitment filed by the upstream owner (such as the Bonneville Power Administration which is by far the most important upstream owner in the Columbia River system) merely (a) obligates such upstream owner to operate his facility for the overall good of the region, and (b) activates the legal machinery by which the Federal Government, acting through the Federal Power Commission, decides what amount, if any, of the appropriate reservoir costs must be contributed by each downstream owner for the benefits conferred upon him. Thus the upstream owner can only impose an obligation on himself. The Federal Government imposes the obligation on downstream owners in accordance with standards set forth in the bill.

Under present law, the Federal Government, acting through the Federal Power Commission, is charged with the responsibility of establishing charges which must be paid by downstream owners. However, under present law, a reservoir owner may be entitled to a federally enforced contribution even though he does nothing whatsoever except operate his facility to meet his own needs. Under H.R. 7201, a reservoir owner is not entitled to receive any contribution from downstream owners and consumers unless and until he obligates himself to operate for the best benefit of the unit composed of himself and everyone who will be expected to contribute to his costs. In either event, the Federal Government establishes the amount, if any, of the payments to be made. It is true that, under present law, the Federal Government is not required to make any contribution to the costs of a reservoir owner even though the Government receives benefits made possible through the expenditure of such costs. Under H.R. 7201 the Federal Government would be required to make its fair contribution to such costs. The reasons and necessity for including the Federal Government within the purview of this obligation is conclusively shown by the testimony in the hearings on this bill, and the official position of affected Federal agency is in support of this basic principle.

Your letter also alleges that neither the Commission nor the downstream owners have any meaningful opportunity to challenge the coordination terms. We are sure that the Congress will realize that the interested parties have the right to challenge the proceedings at each stage. The Federal Power Commission has the power to throw out the whole plan and the additional power and responsibility to establish the amount and allocation of all required payments.

You state that the bill is anti-conservation in its impact. This position, like most of the other matters contained in your letter, is a repetition of statements made in the minority report of the House Committee. You apparently base this position on the same reasoning contained in the minority report, i.e., the erroneous assumption that the Federal Government will be required to pay more than it receives per unit of benefit. The error in this assumption has been discussed above. Suffice it to say that the whole intent and effect of the bill is to secure the maximum in perpetual benefits for every affected consumer and prevent the existing waste of hydroelectric power resources. It is a conservation measure in every sense. We agree that it is essential that the full meaning of this bill be brought to the attention of the American people. For that reason we are writing you in answer to your July 20, 1960 letter, with the hope that the erroneous conceptions about H.R. 7201 that are being formed might be viewed in the light of the facts and the true conditions.

We are writing you in behalf of the public utility districts of Grant County, Pend Oreille County, Douglas County and our own district. All of these districts have generating plants on the Columbia River or its tributaries either in operation, under construction or being engineered. We are speaking from the standpoint of our particular interest which is not in any way contrary to the broad public interest even though some individuals and organizations have attempted to make our position appear as a selfish one.

We sincerely hope this will be of value to you in taking a constructive look at the problem.

Very truly yours,

KIRBY BILLINGSLEY,
Manager.

NATIONAL RURAL ELECTRIC
COOPERATIVE ASSOCIATION,
Washington, D.C., July 25, 1960.

Hon. ROBERT W. HEMPHILL,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HEMPHILL: This is in further reference to your statement in the CONGRESSIONAL RECORD of June 27, 1960, concerning the position of this association on H.R. 7201. As you know, I sent you a telegram on June 28, 1960, regarding the personal references you had made about me in your statement. However, 30 days later, I have had no response from you. The text of the telegram was as follows:

"I have just read your speech entitled, 'Upstream Benefit Bill,' in June 27 CONGRESSIONAL RECORD, and shall write you next week on issues involved.

"Meantime, however, I hope you will reconsider, in light of all the facts, your references to my 'individual honesty and integrity.' I cannot bring myself to believe any Member of Congress would make such unwarranted accusation against a citizen, no matter how divergent the views held on the issues, if all the facts had been clear to you.

"You charged me with falsification and what amounts to perjury, and you did this on basis of an obvious misreading of the record. You have done me a great and grave injustice and I hope your honesty and fairness will impel you to correct it and place a statement to that effect in the CONGRESSIONAL RECORD.

"Apparently you confuse the sequence of the communications you quote on page 14613 of the RECORD. Actually you omit one date altogether. Here is what I did and when:

"June 16: I signed a letter to five Congressmen in regard to what I feared would be effect of H.R. 3 on rural electrification program.

"June 25: I sent a wire to Mr. Shiflet, stating in part: 'I did write five Members of the House in the hope of getting an amendment to exclude matters affecting the rural electrification program from H.R. 3 and such an amendment was offered on the floor.'

"July 9: (note this is the next month) I wrote Congressman PILCHER, stating in part: 'Prior to the day on which the letter was written, I personally had no knowledge of the contents or purpose of H.R. 3.' The letter here referred to was the June 16 letter.

"It is apparent from this sequence there are no inconsistencies. My statement to Mr. Shiflet was true and my statement to Mr. PILCHER was true. There is no inconsistency.

"Nor is there basis for your statement: 'There is no question but what Mr. Ellis has impeached himself because these two statements from his own mouth are inconsistent. One of these statements must be false. For in one he contends he did send the letter in the hope of getting an amendment. Now he says he had no personal knowledge of that bill. If he had no personal knowledge, how could he have been hoping for an amendment?'

"To leave no doubt, I did not say that I: 'Had no personal knowledge of that bill.' But that: 'Prior to the day on which the letter (June 16) was written I personally had no knowledge of the contents or purpose of H.R. 3.' On that day, June 16, the matter first came to my attention and on the same day I signed the letter to the five Congressmen.

"This is a very serious charge to make without any basis. You say: 'Had these inconsistent statements been made under oath in a court of justice, the consequences would be serious indeed.' I shall be glad to make the same statements under oath, for they are true.

"You are aware, I know, that in a court of law the accused is always given equal opportunity to present his case with equal force and effect. For such simple justice I am forced to depend upon your honesty and fairness. I value my character as much as I am sure you do yours and I appeal to you for the justice of which you speak by correcting the RECORD.

"Regards."

I still appeal to you to correct your incorrect and unfair statements in the CONGRESSIONAL RECORD.

Now, as to the issues involved in H.R. 7201. I would like to discuss various points that seem significant to us.

As you know, the membership of this association passed resolution No. E-14 at our 1960 annual meeting in St. Louis opposing H.R. 7201. The NRECA staff is bound by this resolution to employ all ethical means to persuade Congress that it would be in the national interest to defeat H.R. 7201.

You may recall that during the morning of February 25, 1960, at the very time our membership was considering the 1960 annual meeting resolutions, I took a call from you at the stage telephone in Kiel Auditorium, St. Louis. You asked us to contact you immediately upon our return to Washington concerning H.R. 7201.

On Tuesday morning March 1, 1960, Mr. Dick Dell, Mr. Charles A. Robinson, Jr., and I called at your office. You expressly informed us that you had no personal interest in this bill, and were supporting its passage to help those members of the House committee who were directly interested in it. We explained our opposition to you. But

not until we read the printed hearings later did we learn of the interest of the South Carolina Electric & Gas Co. And not until we read your House floor speech did we learn of your strong feeling toward the national organization of the rural electric cooperatives.

H.R. 7201 provides, among other things, that the owner of a headwater storage dam may go to the Federal Power Commission, and, upon agreeing to coordinate its project with downstream projects for a 5-year period, require the Commission to assess against all downstream projects annual charges payable to the headwater project owner for such benefits as its coordination may confer upon downstream projects. The bill, however, does not confer parallel procedural rights on the downstream owner resulting from its coordination with the upstream project. However, the downstream owner cannot require that FPC order a headwater licensee to operate his project on a coordinated basis. We suggested to you during our March 1 meeting that our opposition to the bill might be lessened, though not eliminated, were it amended to allow downstream Federal projects to require coordinated operation of the privately owned headwater projects. We talked particularly of the Columbia Basin.

You then said that you had no desire to impose any inequity on Federal projects. You asked us to prepare a suitable amendment in this regard.

Within 3 days we wrote to you and enclosed the requested amendment. To this day we have received no reply, nor have we any indication that our amendment was ever considered by you or by anyone else.

Benefits to South Carolina Electric & Gas Co. You accuse us of misrepresenting the facts in stating that Mr. Arthur Williams, Jr., vice president and general counsel of the South Carolina Electric & Gas Co., indicated in his testimony that H.R. 7201 would benefit his company by some $1 million per year.

In support of our assertion in this particular, I submit the following information:

On July 27, 1959, Mr. Williams appeared before the House subcommittee and testified in part as follows:

"South Carolina Electric & Gas Co. has maintained on this river, for approximately 50 years, a hydroelectric facility known as the Stevens Creek plant. Shortly after World War II, the United States, acting through the Army Engineers, completed a dam and hydroelectric generating station a few miles upstream at Clark Hill.

"Acting in accordance with authority embodied in the act, and permit from the Secretary of War issued pursuant thereto, under which Stevens Creek Dam was constructed, the Federal Power Commission moved in 1952 to assess the annual charge to be paid by our company to the United States for alleged benefits derived by Stevens Creek plant from the Clark Hill facility.

"We were then informed by representatives of the Federal Power Commission that their studies over the period 1950–56 inclusive, had resulted in these significant figures: (a) The benefit to Stevens Creek from Clark Hill amounted to $247,498; (b) the benefit from Stevens Creek to Clark Hill amounted to $318,000; and (c) the damage to Stevens Creek from Clark Hill amounted to $896,900.

"Thus, it can be seen that if either the damages resulting to our facility from the operation of the Federal facility, or the benefits from our facility to the Federal facility could have been used in computing the annual charge, we would have been relieved of paying anything" (p. 80, House hearings).

I submit that the following three conclusions can be reasonably drawn from the above statement: (1) That the Stevens Creek project is 50 years old, that probably a major portion of it has already been amortized by the company's customers and that any payments large or small, annual or otherwise, made by the Federal Government to Stevens Creek would, therefore, constitute windfall profits. (2) That in claiming payments under H.R. 7201, South Carolina Electric & Gas Co. intends to rely upon the $896,900 damages which it asserts have been imposed on Stevens Creek as a result of Clark Hill operation.

And, concerning damages, it appears to us that the bill is entirely susceptible to just such interpretation as evidenced by the language of the Minority Report appearing at page 60 of House Report 1414, 86th Congress, 2d session, which reads as follows:

"(e) Furthermore the language of subsection (d) authorizing the Commission to allow the owner of a hydroelectric facility suffering a detriment 'such offset charges assessed under subsection (b) of this section as the Commission shall deem to be equitable,' is quite unclear. There is no provision in subsection (b) for the assessment of offset charges."

(3) That the benefits and detriments mentioned by Mr. Williams which amount to over $1 million will be claimed on an annual basis. And I call your attention to the words "annual charge" used by Mr. Williams himself as mentioned above.

It is quite true that subsequent to his direct testimony before the House subcommittee, the following exchange took place between Congressman AVERY of Kansas and Mr. Williams at page 85 of the House hearings:

"Mr. AVERY. I think I understand the general premise you are working on. It is a little hard for me; I am trying to understand with no larger reservoir than that how you could account for that large damage. That is an annual damage?

"Mr. WILLIAMS. No, sir. That is over a 6-year period, from 1950 to 1956.

"Mr. AVERY. That would make a little difference then.

"Mr. WILLIAMS. The other two I had put annual. Those are the figures I corrected orally. I should have made it even stronger by saying that all three of those figures represent the time during the Federal Power Commission study which covered 1950–56." (There is no record of any oral correction.)

"Mr. AVERY. In other words that is a 6-year loss.

"Mr. WILLIAMS. That is correct, sir.

"Mr. AVERY. Mr. Chairman I have one more question. I do not seem to find it right now.

"Mr. WILLIAMS. Let me say this: That a 6-year period, during the first couple of years they were still filling the reservoir up at Clark Hill. I think they started in 1950.

"Mr. AVERY. So actually it would amount to a 4-year period.

"Mr. WILLIAMS. I think that is correct."

Therefore, during the House hearings Mr. Williams stated under questioning that the period involved might be 6 years or 4 years despite his direct testimony to the effect that it was 1 year.

But, the very next day, on July 28, 1959, Mr. Williams appeared before the Senate subcommittee. We must presume that he is a competent lawyer and had well in mind his cross-examination on the preceding day. Nonetheless, during his presentation to the Senate subcommittee, he made exactly the same direct presentation, talked of "computing the annual charge," and never mentioned a 4- or 6-year period.

When he completed his Senate testimony on "annual charges," Senator THURMOND of South Carolina asked:

"Senator THURMOND. Do you have anything else you would like to say in addition?

"Mr. WILLIAMS. Nothing, except to thank you for your courtesy and time, Senator."

This presentation I think is significant in view of the fact that at the present time, South Carolina Electric & Gas Co. and the Department of the Interior are engaged in an FPC proceeding to determine the benefits and detriments which flow between Clark Hill and Stevens Creek by way of reservoir storage and reregulation.

It is our opinion that Mr. Williams wants to play both sides of the street so that his company will not be precluded from claiming the largest possible payments.

And, any person who happened to read the Senate hearings, and not the House hearings, would draw only one conclusion; that the company intends to claim $1 million per year under the bill.

Will H.R. 7201 increase hydro capacity? You state at page 14615 of the CONGRESSIONAL RECORD on June 27, 1960, that:

"The net effect of the proposal is to assure 1,268,000 kilowatts of firm energy from coordinated use of the different owners' storage on the Columbia River system, alone, as an example, a large part of which could not otherwise be guaranteed firm."

This figure seems to have increased substantially during the past year. During the House hearings held on July 16, 1959, Congressman LEE METCALF, of Montana, who introduced the bill, stated:

"When Senator MURRAY introduced S. 1782, which is an identical bill, he said that the mere passage of this legislation would create from 500,000 to a million extra kilowatts of firm power without building another dam on the Columbia."

Your figure of 1,268,000 kilowatts is apparently taken from a letter submitted to the Senate committee by Mr. Jack Stevens, a consulting engineer of Seattle, Wash., who testified in support of the legislation. This letter, which appears in the printed record of the Senate hearings at page 36, is dated March 18, 1960; 8 months after conclusion of the hearings. There was, therefore, no opportunity to cross examine Mr. Stevens nor was any Federal agency asked to comment on his estimate. No comparable figure was presented orally by Mr. Stevens during his personal appearance before either the Senate or House subcommittee.

And, immediately after Congressman METCALF's assertion before the House subcommittee to the effect that H.R. 7201 would create 500,000 kilowatts in the Columbia Basin, we wrote a letter to him asking that he apprise us of the assumption upon which his assertion was based. To this day we have not been favored with a reply. A copy of our letter to Congressman METCALF is attached.

As a matter of fact a major portion of any possible increase that would be made available by this legislation in the Columbia Basin is already realized by the existing Northwest Power Pool. Assistant Secretary Aandahl testified on H.R. 7201 before the House subcommittee in part as follows:

"And I might say that the pooled operation on the Columbia River which is not reduced to contract but is voluntary day-to-day operation carries sizable elements of coordinated operation. In fact, that is the secret to the fact that by voluntary coordinated operation without a contract, the usable kilowatts in the Pacific Northwest, I believe, are now close to a million above what they would be if there were independent operation of each of the facilities by their respective owners" (p. 152, House hearings).

Therefore, it appears to me that the benefits which you ascribe to the affect of H.R. 7201 on the Columbia River system are very much too large and are based upon biased testimony submitted after the hearings were concluded.

Costs to the Government under the proposed legislation. At page 13568 of the RECORD of June 27, 1960, you refer to a table thereon contained, which purports to indicate that under H.R. 7201 the United States would realize a net income of $927,700 from headwater benefit payments in the Columbia

Basin. This figure, and the chart upon which it is based, were submitted to the Senate committee on October 9, 1959, more than 8 months after the conclusion of that committee's hearings by Mr. Jack Stevens to whom I have previously referred. Mr. Stevens' estimates, in our opinion, simply do not agree with the facts.

Under the Federal Power Act as it now stands, the Commission is empowered to assess against downstream non-Federal projects annual charges related to the benefits conferred upon such projects by Federal dams. The record shows that for the Columbia River Basin the Federal Government was paid a total of $21,100 in 1957, $15,900 in 1958, and $53,400 in 1959. This is indeed a far cry from the $927,700 net income which Mr. Stevens claims will be available under H.R. 7201, although that legislation must, it seems to me, reduce rather than increase the income to the Federal Government in view of the fact that the Federal Government is not chargeable with any downstream benefit liability at the present time.

H.R. 7201, as it now stands, would require the Federal Government, in making headwater benefit payments to non-Federal projects, to pay three times what a non-Federal project would pay a Federal project under the same circumstances. This is true simply because investor-owned fixed charges are about three times Federal fixed charges. In this regard you commented in a letter of June 25, 1960, which you sent to Members of Congress:

"Clarifying amendments will be offered to H.R. 7201 on the floor which will assure that the Federal Government will pay no more than the cost of furnishing such storage had it owned all of the storage in the river basin. These amendments will satisfy the major objection of the American Public Power Association in its resolution of May 5, 1960."

This declaration is, you must concede, an admission that H.R. 7201 is deficient in its present form. Whether the proposed amendments, which you say will be offered on the floor, would resolve this problem, we do not know. I have not seen copies of the proposed amendments, and I suggest, that in view of our extensive interest in the legislation, we might have been given a chance to help formulate and/or review them.

Can H.R. 7201 actually achieve its purpose? You say at page 13562 of the aforementioned RECORD that:

"The essence of the solution is that Federal, private, and non-Federal public reservoirs be operated in concert to assure the most efficient utilization of water for power generation. As things now stand, each dam owner is free to operate his reservoir without regard to the needs of the other owners' downstream dams, and there is now no real inducement to operate in any other way."

The Federal power marketing agencies already possess full authority to enter into voluntary coordination contracts with other hydroelectric project owners. In fact, this has been done to a great extent in the Northwest. In those cases where no coordination agreement has been executed, it is, in large measure, I think, due to the fact that the investor-owned utility companies demand a lion's share of the benefits, leaving only the dregs to the Federal Government.

Under such circumstances, the Federal agency involved understandably refuses to enter into a voluntary contract. This bill purports to confer authority on the headwater owner to have the Federal Power Commission require that the downstream Federal projects coordinate facilities and pay for such headwater benefits as may be bestowed upon them by the upstream owner. To secure this domination of the Federal Government, the upstream owner need only agree to provide such benefits for 5 years. H.R. 7201 is, therefore, a club with which the investor-owned companies seek to subjugate the United States.

If I may be very presumptuous, let me say that there is, however, in my mind, very serious doubt as to whether this bill could actually achieve this purpose at all as a matter of law. The Federal Power Commission has authority to require its licensees to operate their projects in coordination with all other hydroelectric projects in their river basins. This requirement has been placed in some licenses. But it has been omitted from many.

Article 6 of the Federal Power Act provides that licenses may be altered only on mutual agreement of the licensee and the Commission. And article 28 of the act, which reserves to Congress the right to amend the act, expressly states that no amendment of the act shall affect any license theretofore issued or the rights of any licensee thereunder. Moreover, section 2 of H.R. 7201 provides that—

"Nothing contained in this act shall in any matter affect any right * * * which vested or accrued prior to the effective date of this act."

To now require a licensed project to operate on a coordinated basis against the owner's consent would certainly "affect" its vested right, except where the license already requires such operation. So also would an order to a licensed project to pay for benefits from upstream projects on a basis different than that prescribed in the present law.

Accordingly, I submit that by its very terms H.R. 7201 could not apply to many existing licensees without their consent. It follows very logically that the bill could not achieve full coordination.

If the bill could not achieve full coordination, and yet would impose on the Federal Government headwater benefit liability, it would be nothing more than a subsidy for non-Federal headwater project owners.

In closing we want again to emphasize our strong conviction that enactment of this bill will saddle the rural electric systems and their consumer members with extra costs in tribute to the power companies, costs that will go on and on for decades. Furthermore, we are convinced that passage of this bill will destroy or impair the feasibility of Federal hydro projects.

Congressman, we value very highly your support of the rural electrification program in Congress, and your record of generally supporting the Federal wholesale power program. We wish you could agree with the rural electric systems on H.R. 7201. We hope that our disagreement on this issue can be maintained on a professional level because neither NRECA nor you can possibly gain by either attacking the motivation or personal character of the other.

I, of course, have no access to the CONGRESSIONAL RECORD, and cannot, therefore publish my arguments against H.R. 7201 in the same way that you published your support of it. In fairness, therefore, I request you to place this letter in the RECORD.

Again, may I say we appreciate your record of support in the past and we hope we can be privileged to work with you in the future. We stand ready to talk with you further on H.R. 7201 at your convenience.

Since Congress is in recess, I am sending a carbon copy of this letter to your office in South Carolina.

Sincerely,

CLYDE T. ELLIS,
General Manager.

NATIONAL RURAL ELECTRIC
COOPERATIVE ASSOCIATION,
Washington, D.C., July 30, 1959.

Hon. LEE METCALF,
U.S. House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN METCALF: I was very much interested in your recent testimony in support of H.R. 7201 before the Subcommittee on Communications and Power of the House Committee on Interstate and Foreign Commerce.

As you probably know, we have not taken a position on this legislation this year. We are, however, attempting to work up a study of the effects to be anticipated should H.R. 7201 or similar legislation be enacted. As I recall, you stated that one such effect would be the development of an additional 500,000 kilowatts of power on the Columbia River system without the necessity of building additional dams. I feel certain that our study of this matter would be substantially expedited if you would be willing to make available to us the basic data which you used in the preparation of your testimony.

Sincerely,

RICHARD A. DELL,
Director, Legislation and Research Department.

FACTS ABOUT FARMERS

The SPEAKER pro tempore. Under previous order of the House the gentleman from Missouri [Mr. RANDALL] is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, I am taking the floor today on behalf of the forgotten man—the farmer. I represent a district in western Missouri. About half of my constituents earn their living by tilling the soil. Farming is an essential and an honorable profession but it is a profession which has fared badly in recent years.

I know of no better way to dramatize the plight of the farmer today than to review his recent losses in purchasing power. At the close of 1952 farmers in Missouri could buy a standard tractor with 55 market hogs, 1,325 bushels of corn, or 10 head of beef cattle.

At the close of 1959, Missouri farmers had to sell 100 hogs, 2,583 bushels of corn or 12 head of beef cattle to purchase a similar tractor. Note that it took almost twice as many hogs or bushels of corn in 1959 as in 1952 to buy a tractor, and it took about one-fifth more beef cattle.

A similar situation prevails with respect to the loss in farm buying power for other industrial products. In late 1952 it took 46 market hogs to buy a combine. At the close of last year it required 85 hogs to buy a similar combine. In terms of corn, the cost had jumped from 1,007 in 1952 to 1,958 bushels last month.

All farm prices stood at 77 percent of parity on January 1 of this year, the lowest parity ratio since 1933. However, the national average parity ratio does not fully reflect the desperate economic situation of Midwest farmers.

The major farm products of the Midwest are corn, hogs, milk for manufacturing, eggs and beef cattle. Prices received by farmers for these products last month—as a percentage of parity—were as follows:

Corn	56
Hogs	52
Milk for manufacturing	87
Eggs	61
Beef cattle	84

Mr. Speaker, the farmers in my district want to know why their prices are allowed to drift lower and lower while high administration officials help large industrial corporations experiencing record profits, to increase still further their wages and prices.

The distinguished chairman of our Committee on Agriculture, the gentleman from North Carolina [Mr. COOLEY], analyzed the situation correctly at the close of the last session of Congress when he said:

In this session of Congress, as in past sessions, Mr. Ezra Taft Benson, the chief agricultural officer of our country, has placed roadblocks and obstacles in the pathway of progress.

The Secretary of Agriculture has not provided leadership commensurate with the responsibilities of his high office. On the contrary, he has continued his efforts to divide the agricultural forces of our country and to array consumers against producers and to bring the farm program into disrepute.

Freedom and bankruptcy for the farmers of America is Mr. Benson's program.

Unfortunately he does not understand the plight of our farmers nor does he understand their problems.

Mr. Speaker, the farm income problem as it has developed in the last 7 years is the result of production-increasing technical advances being adopted at a rate which causes total farm production to increase faster than markets can be expanded.

With fewer workers and a smaller crop acreage, farmers produced 23 percent more products in 1958 than in 1950 and would have increased production even further except for the soil bank program and acreage restrictions on basic crops. Yet population increases amounted to only 15 percent during these years.

The availability of the new technologies for adoption which resulted in this sharp increase in production are largely the result of our scientific research and educational programs, supported to a large extent by public funds. A recent report of the National Planning Association, a nonprofit, nonpolitical organization established in 1934, concludes that, given the present backlog of new farm production techniques now available or in the testing stage, farm production will likely continue to expand faster than available markets even though farm production techniques now available or in the testing stage, farm production will likely continue to expand faster than available markets even though farm product prices decline further. Yet the program of the Secretary of Agriculture and the administration continues to be the further lowering of price supports, removal of production controls and additional public funds for research and education. How mistaken can an administration be?

Farm economists at Iowa State University recently completed a study which shows that there would be further drastic declines in farm prices if the administration's program was adopted. This study, although assuming that surpluses now on hand are held off the market concludes that if prices were allowed to find their own level in a free market, within a year or two wheat would drop from an average price this marketing year of about $1.71 a bushel to 74 cents. Corn would drop from $1.06 to $.66 a bushel. Beef cattle prices would drop from $21.60 per 100 pounds to $11.50. Hog prices, which are establishing a postwar yearly average low of $13.50 per 100 pounds this year, would slide on down to $10.80 in another 2 years. Other livestock prices would fall more or less in proportion.

Mr. Speaker, I cosponsored a bill entitled "The Family Farm Income Act." I do not pose as a farmer or as a specialist on farm problems. But I am enough of a businessman to know that farmers must find some means of balancing their production with available markets. Industry developed the large corporation, labor developed large labor union and out of these large aggregations of market power came a system of price leadership and price stability. In industry it is an accepted practice to gear production to the amount that can be sold at stable and profitable prices. Workers in the automobile industry were laid off in 1957 and 1958 and plants were utilized at less than full capacity. What would have happened to the automobile industry if full production had been maintained and the additional cars sold in auction markets or put in Government warehouses? This is what farmers will be forced to do under the administration's program. It just doesn't make sense. We must develop a farm program which permits farmers to gear their production to available markets and reduces Government costs.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I should like to compliment my good friend from Missouri on the fine statement he has made and for the very profound way in which he has answered part of the so-called Operation Veracity which occurred earlier this afternoon.

A few moments ago I had the opportunity to comment on the fact that Operation Veracity could not even be accurate in its presentation to the House of the cold figures with regard to membership in the House and the Senate. One spokesman for the other side had said that the Democrats had a 2-to-1 majority in both Houses, when as a matter of fact we do not have a 2-to-1 majority in either House of Congress. We fall far short of a 2-to-1 majority in the House. I do not think it is particularly remarkable that this misstatement should be made by the gentleman on the other side because it has been made on a number of occasions by their party leader, the President of the United States, in White House press conferences. He persists in commenting upon the 2-to-1 majority in both Houses which the Democrats are supposed to have.

As we demonstrated a few moments ago, the membership ratio is 280 Democrats to 152 Republicans in the House, and 66 Democrats to 34 Republicans in the Senate. But, the gentleman has touched upon a field in which I think, certainly, the standards of veracity were outraged a few moments ago by one of the spokesmen participating in the Republican operation on the floor. I see that the gentleman is here on the floor, my good friend, the gentleman from Wisconsin [Mr. LAIRD], and he took great exception to some language appearing in the Democratic platform which said that "unimaginative, outmoded Republican policies which failed to use these productive facilities of our farms have been immensely costly to our Nation." And the argument made in answer to this by the gentleman from Wisconsin was that, in fact, this administration has been forced to operate under Democratic policies and not under Republican policies. Would not the gentleman agree with me that in an operation called Operation Veracity, there is some obligation on the other side to make part of the record the fact that five different pieces of major legislation in the farm field, which the Democratic Congresses have enacted since the Eisenhower-Nixon administration took over, have been vetoed by the President of the United States? In other words, the efforts of the Democratic Congresses to update and to bring in line with present conditions the farm policies of this country have uniformly been thwarted by the Republican administration.

Any Operation Veracity that failed to make part of the record the five major vetoes by the President in the field of farm legislation, certainly falls far short of spreading the complete record for the public to examine in determining who is responsible.

The gentleman from Michigan [Mr. FORD] also had some statements to make and a challenge to issue in the course of his remarks. I had hoped that the gentleman from Michigan would be back on the floor of the House. He took exception to some language occurring in the Democratic platform in which it stated that the Republican administration has "lost that position of preeminence" and that "over the past 7½ years, our military power has steadily declined relative to that of the Russians and the Chinese." Further, that this "is not a partisan election charge. It has been persistently made by high officials of the Republican administration itself." The gentleman from Michigan said he challenged us to name a single administration official who has in any way made that kind of representation to the people. Well, I think to get the record straight, we can name one at least who is well known to the public, a gentleman who held the position of Assistant Secretary of the Air Force named Trevor Gardner who protested bitterly against administration policies of putting the budget first on military matters and who finally resigned as an official of this administration in protest against the policies which were being followed by this administration with regard to the military budget. I think if you want to look around a little bit to find some other prominent Republican who shared Mr. Gardner's viewpoint, you can go just a few miles north and find one of the most prominent names in the Republican party, the Governor of the State of New York, Nelson Rockefeller, who had quite an extensive study made of the budgetary policies of this administration in the military field. He, unless I am mistaken, came out with some pretty

positive criticisms of those policies and some pretty strong recommendations for action in the Republican National Convention.

Unless I am mistaken the Republican National Convention radically changed its platform position on the question of military strength after this protest had been registered by its spokesman for the Republican Party in the State of New York, the Governor of that State.

There is one other statement I would like to comment upon in reference to Operation Veracity.

The gentleman from Missouri [Mr. CURTIS] took exception to the language appearing in the Democratic platform in which the Democratic platform pointed out the problems of economic growth and stated that "the Republican failure in the economic field has been virtually complete." As I recall the gentleman's statement, he said that no indicator of economic strength to support that charge is cited in the Democratic platform. If the gentleman has copy of the platform before him, he will find directly following the language to which he takes exception is some pretty strong language about the fact of two recessions, 1953–54 and 1957, which occurred during this administration. He also will find mention that $9 billion of additional interest charges have been added to the national debt. He will find reference to unemployment ranging from 5 to 7½ percent of our labor force. The gentleman may not regard unemployment as an economic indicator. He may not regard additional interest as an economic indicator, but certainly I think the gentleman would agree that a recession is an economic indicator.

Reference is made very definitely to the recessions which took place during the Republican administrations.

So I would say that on several accounts Operation Veracity has been something of a disappointment to the House today.

Mr. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from Kansas.

Mr. GEORGE. I do not know what they mean by Operation Veracity. I wish the gentleman from Ohio was here on the floor. I am sure he realizes the provisions of the Democratic platform do not go to the Veterans' Affairs Committee.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield.

Mr. McCORMACK. I have already characterized in two 1-minute speeches that is actually Republican political operation untruth.

Mr. GEORGE. I agree with that. Two thousand and seven hundred beds for veterans in every area of the country today are needed, and we have a waiting list of veterans who do not have beds to enter in the hospitals. That is one of the things the Democratic platform referred to.

Another remark the gentleman from Missouri [Mr. CURTIS] made was that our economic status was higher than ever. Never have the farmers been faced with such high prices. The income is lower than at any time in history when consideration is given to the things they have to buy. That is one of the reasons Operation Veracity must fail.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. RANDALL. I yield to the gentleman from Illinois.

Mr. PUCINSKI. It is interesting to try to discover which Madison Avenue agency dreamed up this latest slogan "Operation Veracity." Two years ago we heard about truth bonds. We have been getting these slogans all along, but I wonder how the Republican Party is going to explain to the American people the answer to the question which I had in my district 2 or 3 weeks ago.

I asked my constituents if they had any reason to believe on the basis of their employment and business that we were headed for another economic slump. Thirty-one percent of the people said "Yes." Now we have heard a number of statistics about economic growth; we have heard a lot of things here this afternoon about the Democratic platform, but the fact of the matter is that apparently—and this is a statement that has been made not only to us on this side of the floor, but it is testimony that was presented to the other body by the Chairman of the Federal Reserve Board, that we are headed for another economic slump either during the third or fourth quarter of this year or the first quarter of 1961. I suspect we are going to hear a great deal of discussion on the other side about international matters only because of the abominable domestic record that the Republican Party has written in this Congress and previous Congresses.

The fact of the matter is today you have 5½ million people unemployed, and another very distressing factor is that we have a shorter workweek. We in Chicago for instance have the electronics industry and we are working a 3- and 4-day week.

These are the things our friends on the other side are going to very conveniently sweep under the rug and with the very fancy title "Operation Veracity" they will run with the ball.

Mr. RANDALL. I compliment the gentlemen from Oklahoma, Kansas, and Illinois.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

BEEF AND PORK IMPORTS

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Iowa [Mr. WOLF] is recognized for 30 minutes.

Mr. WOLF. Mr. Speaker, I have had many letters from farmers in my State who are concerned that the price of their production is being reduced in the marketplace, and yet day after day they read in the papers of shipload after shipload of meat of all kinds arriving at American ports from other countries and finding its way into the domestic market.

The farmers of my district know that they are not only competing with domestic production of their neighbors and friends but they are also competing with beef and pork raisers in many other countries of the world.

If the American farmer's profits and the return on his investment were adequate, I am sure that we would hear no complaint from him, but in light of the fact that each day the statistics tell a more grim story about the tragedy of the average family farmer in America, there must be some way that we can deal with this problem.

In 1959 we imported more red meat—beef and pork—products than the total production of these products in 26 average counties in Iowa. In other words, our importation of red meat is equal to more than one-fourth the production of red meat in Iowa, the largest hog and cattle producing State in the Nation.

Coupled with this knowledge is the fact that in many of the countries from which this meat is coming there are many people living on very inadequate diets—many on the verge of starvation. This is the greater tragedy. In other words, what we are doing, Mr. Speaker, is literally taking the food out of the mouths of the hungry people in these countries.

Mr. Speaker, I had the opportunity to visit various meat-processing plants in Europe in 1957, and I can say that the standard of quality of processing permitted in these countries is considerably below that standard which would be tolerated in this country. It is significant that wages which are paid to workers in the nations from which we are importing red meats are, of course, far below the wages paid to American farm employees and workers. Mr. Speaker, it seems that increased imports help more the richest elements in these nations rather than the poor worker and his family.

Thus, the tragedy of this situation, Mr. Speaker, as I see it, is that while the purpose of importing this meat is to aid the economy in the country involved it is unfortunate, but true, that in many cases the great corporations involved are not sharing the benefits with the unfortunate low-paid farmers and workers in the particular country.

It has been my feeling for many years that it was important to America to support the reciprocal trade agreements and to expand trade with other nations of the world. For this reason I have always been a strong supporter of the reciprocal trade agreements. But the intent of the framers of the Reciprocal Trade Agreements Act was to guarantee good markets for American producers, not just for foreign producers. The intent of the act was not to penalize any section of the American economy but rather to strengthen it. This is the general directive under which the Tariff Commission carries out its duty.

Mr. Speaker, today it appears that the intent of the framers of this law is being violated because of what I believe to be a misunderstanding of the purpose of the act. I hope the administration will promptly review this situation.

I also hope that in the beginning of the next session of Congress we will be able to look more closely into this matter. And, I hope other Members of this body will give considerable attention to this grave economic problem.

Mr. Speaker, concerning the effects of meat imports on the domestic economy, I would like to point out that under our present law it is impossible for livestock producers and feeders to secure any relief from the Tariff Commission, even if they can show serious injury to their industry.

This fact was pointed up in a 4-to-2 decision on June 1, 1960, of the members of the Tariff Commission in the case of a petition made by the producers and feeders of sheep. In this instance, the Commission held, in effect, that any objection and showing of injury by imports of carcass or frozen meat products would have to come, not from producers and feeders, but from the packers themselves. The impact of this decision that producers still would not be entitled to relief even if, in the future, they made a satisfactory showing of injury from imports is devastating. This situation is unrealistic and must not be allowed to stand.

For this reason, I am introducing a bill which, if enacted, will overturn the above-mentioned interpretation in the future and provide that the producers and feeders of the live animals shall be considered interested parties under any escape-clause investigation and are included within the definition of "domestic industry producing like or directly competitive products."

I realize that this bill has no chance for consideration by committee in this session of the Congress. I feel it important, however, to point up the need for prompt action in the next Congress to correct this grievous situation so that the producers and feeders—the people who can be really hurt the most—can be heard. My bill, therefore, is merely an expression of what I believe is the direction in which the Congress should go next year on this subject.

The text of my bill follows:

A BILL TO AMEND SECTION 7 OF THE TRADE AGREEMENTS EXTENSION ACT OF 1951, AS AMENDED

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of subsection (e) of section 7 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1364(e)), is amended by inserting before the period at the end thereof a comma and the following: "or any group of producers of the raw or processed agricultural or horticultural products from which any such products or articles are obtained."

SOIL BANK ILLUSIONS

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Iowa [Mr. SMITH] is recognized for 30 minutes.

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter.

The SPEAKER pro tempore. Is there objection the gentleman from Iowa?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. As soon as I have made my statement I will yield.

Mr. CURTIS of Missouri. Will not the gentleman yield for half a minute?

Mr. SMITH of Iowa. I will yield later.

Mr. McCORMACK. May I suggest to my friend that he show the true democratic spirit and yield to the gentleman?

Mr. SMITH of Iowa. I have a statement to make. I will have plenty of time to yield later.

Mr. Speaker, there have been so many misleading and inaccurate statements concerning the soil bank and other aspects of farm programs that I feel certain facts should be stated on the floor of the House. Since I have been working many months trying to get some of these facts and have been close to the problem, several of my colleagues asked that I present them before all of you, and, in response to letters from my neighbors in Iowa the past few days, I am going to have it reprinted and sent to farmers in my area immediately.

Lack of information is bad, but misinformation is worse. We must have the facts straight to act properly. There is a saying in the farm community where I was raised, "Salt down the facts, the law will keep." To apply it to the farm problem, "one must have the true facts to know what law we need."

I have been engaged in farming and lived on a farm all my life except for time spent in service and in school. In fact, I farmed part of the time I was in college. Farming is more than a way of making a livelihood for many people, it is a way of life, a wonderful, clean place to raise children. With the operator of a grocery store, the law of supply and demand rules; but, with the farmer, the laws of nature are also at work.

All acres do not have the same fertility; the rainfall, hail, wind, and sun are not the same each year, nor do they come on a prescheduled date; insects and weeds are at work trying to balance nature, and animal diseases come and go. Thus, renting 10 percent of the farmland in the United States does not mean a 10 percent reduction in production of each commodity—it depends on which acres are rented and the other forces at work. The Secretary of Agriculture and others have stated, and I am not doubting their statement, that 40 percent of our land produces 90 percent of our products. This means that withdrawal of the 60 percent least productive farms would only reduce production by 10 percent. That would be over 200 million acres.

At my request, the Agricultural Adjustment Center at Iowa State University worked on some estimates of the number of acres which would have to be taken out of production nationally by extending the present conservation reserve program—soil bank—to make corn bring $1.30 and other grains a comparable price. This is very important because the cost must be within reason or we must turn to some alternate approach as the main goal. A figure of 60 million acres within 3 years has been used by the Department of Agriculture, and others, without any real estimate as to what is required to produce reasonable results. We should not be experimenting with such an important and costly thing without at least some hope that it will succeed. In the effort to balance production with demand we cannot afford any more failures such as the 1959 corn program—or the farm programs will be so discredited that no more farm legislation can be passed.

I personally think 3-year conservation contracts result in at least two-thirds slippage. I can change my rotation, go from a 4-year to a 6-year rotation, and move my capital to other acres and produce just about as much. In New Mexico over one-third of the land is in the program and production of every major crop moved to new heights. I believe 1 acre under a 10-year easement is as effective as 2 acres under a 3-year contract. I am trying to get an independent estimate on this at the present time.

Only 15 percent of input into production comes from land, 30 percent from labor, and 55 percent from capital. Reducing land alone does not reduce the same percentage of labor and capital. Much of a farmer's labor and capital moves to his other land. To reduce input of land 60 million acres would be sure to reduce total input only 2 percent (12 percent by 15 percent). I doubt if the total input of labor and capital on a farm would be reduced more than a fraction under 3-year contracts that are not conditioned on cross-compliance and a reduction of a base allotment.

An additional problem arises in that the rental price will rise as prices become higher. If it works, it will cost more. It seems that we may discredit what should not be discredited by not having the right kind of contract or a realistic goal.

Most everyone agrees that considerably less than average productive land has gone into the present soil bank contracts. In commenting upon the estimated acreage that must be retired to make corn bring $1.30 and wheat $1.50 per bushel, Arnold Paulsen of the Adjustment Center at Iowa State University states as follows:

> There is some variation in the present yields of land assigned the same rate per acre within a State. One might assume that the land attracted to the conservation reserve yields less than the average of all land assigned a given rate. If the land presently attracted to the conservation reserve yields only 75 percent as much as the average of all land receiving the same rate, the present production control would be 9.6 million tons and 133 million acres would be required of an expanded conservation reserve.

The figure of 60 or 70 million acres in contracts under the present program to bring corn to $1.30 has been thrown around so much that even responsible people are in good faith quoting it with the thought that it is backed by responsible analysis. This estimate was for a vastly different kind of program—more nearly like the acreage reserve program which was abandoned by the Administration with the approval of Congress in 1959 when the new corn program without allotments was adopted. Vastly differ-

ent acreage payments would be required and every acre must be an acre that reduces grain production. It is very misleading and grossly inaccurate to use the 60-million-acre estimate as the amount required under the present conservation reserve program to balance supply and demand sufficiently to make corn bring $1.30 and wheat bring $1.50 per bushel. The 133 million figure is much more accurate and many think it is too low a figure. Although it is doubtful that this many acres could be secured on a voluntary basis at the average $20.80 estimated necessary to secure 60 million acres, it would cost $2.75 billion per year at this rate. I watched all but 9 of the 150 Republicans and also 90 of the 250 Democrats vote against a bill that would have cost less than one-third of this amount and reduced storage costs tremendously. Is there anyone who thinks those Representatives who voted to sustain the Presidential vetoes of farm bills, either Republican or Democratic, are going to vote $2.75 billion per year for 1 year—let alone 10 or 20 years?

It is interesting to note that some of the strongest advocates of extending the conservation reserve program enough to balance supply and demand at the level mentioned also advocate a 25-percent maximum per farm or per county. Even if every farm in the United States complied with the maximum of 25 percent, there would not be the required 133 million acres in the program.

Let us correct those who are throwing irresponsible illusions around and face the facts. The present 28 million acres under the current program is just a teaser and 60 million acres will not do the job either. Both will help slightly but neither will do the job without being connected with a control program such as has been contained in the vetoed bills, and a vastly different rate paid per acre so better acres can be secured. There has been considerable argument whether whole farms or only portions of farms should be retired; however, the fact is that many farmers farm what is considered more than one farm unit or separate tracts of land that do not belong to the same person. In this event, one "farm" can be put in the soil bank and then fertilize and crop the other land heavily. Thus there is also slippage in whole farm retirement under the present program.

I want to do whatever will help, even if it is not a complete cure, and will support any responsible legislation as I have in the past, and I will not take the attitude that some have that it must be exactly what I prefer or I vote "no"; but, we cannot afford to have anyone under the illusion that a program adopted will solve the problem and then after adoption find that it will not work. If this were to happen, I predict that would sour most Congressmen against all future farm legislation. Misleading people as to the effects of a 60-million-acre extension of the present program is a great disservice to farmers for years to come and if such extension were adopted with the illusion that it would balance supply and demand at the level of $1.30 for corn and $1.50 for wheat, it would in the end disgust Congressmen from nonfarm areas so much it would prove disastrous to future legislation.

A subcommittee of which I was a member, the Intergovernmental Relations Subcommittee of the Government Operations Committee, after long hearings and study into such matters and the problem of economy and efficiency in the administration of the programs, has just pointed out that a large share of the vast resources of the Department of Agriculture for analyzing programs and making estimates are being wasted by only projecting the views that coincide with conclusions of the Secretary and the President. We recommended that minority as well as majority views be released in analyzing these programs. For example, we found that the cost per bushel of reducing corn production under the acreage reserve was 57 cents in 1958 compared with a much higher cost under the conservation reserve program, but these facts were not given to the Congress when it approved substituting the conservation reserve for the acreage reserve program. Not only the Secretary, but also most others debating farm issues, reach their conclusion and then look only for the facts that support the previously conceived conclusion. I think this is a most important recommendation and refers to a waste of cost analysis that has cost us billions of dollars by hiding facts necessary to objectively draft new legislation with a minimum of loopholes. Throttling the views of responsible Government-paid technicians to the effect that 60 million acres would have little effect in adjusting total supplies is really unconscionable. If the thousands of technicians and economic analysts added to the Department of Agriculture are to have their work distorted by using only those politically acceptable to the Secretary, we would be better off to loan all of the technicians to the agricultural colleges that do not curb academic freedom or to the Adjustment Center at Iowa State University, and thereby secure the benefits of their skill and work.

I sincerely hope that the next administration, whether Republican or Democratic, will adopt the recommendation.

The full text of the statement of the Adjustment Center is as follows:

AGRICULTURAL ADJUSTMENT CENTER,
IOWA STATE UNIVERSITY,
Ames, Iowa, August 26, 1960.

Congressman NEAL SMITH,
House Office Building,
Washington, D.C.

DEAR CONGRESSMAN SMITH: You inquired in your letter as to how large the present conservation reserve program would have to be to bring about a price of $1.30 for corn. Estimates of this kind can only be made with the aid of assumptions and are difficult to make with a satisfactory degree of accuracy.

In a study made at Iowa, it was estimated that a reduction in grain production of 40 million tons would be required to support prices at $1.30 per bushel for corn and $1.50 for wheat and simultaneously reduce stocks to normal carryover levels in 10 years. With the present 28.6 million acres in the conservation reserve, the soil bank division estimates that total grain production is reduced 12.8 million tons. Thus, assuming that the Department of Agriculture estimate of the effectiveness of the conservation reserve program is accurate and if additional land were retired in the present geographical pattern, the same mix of crops, and of the same productive quality, a conservation reserve of 100 million acres would be required to reduce grain production 40 million tons. One hundred million acres may be near the low end of the range of possible estimates. I propose the following hypothesis as a basis for higher estimate.

There is some variation in the present yields of land assigned the same rate per acre within a State. One might assume that the land attracted to the conservation reserve yields less than the average land of all land assigned a given rate. If the land presently attracted to the conservation reserve yields only 75 percent as much as the average of all land receiving the same rate, the present production control would be 9.6 million tons and 133 million acres would be required of an expanded conservation reserve. Any change in the conservation reserve program as it were expanded would change the estimate of acres required to reduce certain grain production by a given amount.

The important principle involved is that a rather significant proportion of agriculture's capacity to produce grain must be prevented from doing so if the goals of $1.30 corn and $1.50 wheat and orderly reduction of stocks are to be obtained.

Sincerely,

ARNOLD PAULSEN,
Agricultural Policy Analyst.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mr. McCORMACK. I will ask the gentleman to yield to somebody on the Republican side to show the real democratic spirit of understanding and generosity. Furthermore, they are on the defensive already. We are not afraid of anything they may offer.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. First, I would like to say to the majority leader that had he been here he would have heard these observations made.

Mr. McCORMACK. I did not hear the gentleman.

Mr. CURTIS of Missouri. Had the majority leader been on the floor throughout the entire time, he would have heard these observations made. We took longer in our hour than we had anticipated and many of us had actually to cut short what we were going to say. The Republicans were asking us to yield as well. I pointed out twice on the floor we would remain here in order to answer any remarks or comments that the Democrats might make later today.

Mr. McCORMACK. But you would not yield. You could not use it as campaign literature then, is that right?

Mr. CURTIS of Missouri. No, that is not right.

Mr. McCORMACK. It was a planned proposition. I would like to know who wrote the speeches?

Mr. CURTIS of Missouri. I will tell the gentleman who wrote mine. I wrote my own, and the gentleman knows I did, and I think probably each one of the members wrote his own. The members

were picked on the basis of which particular field they were familiar with because of their work in the House and on the committees.

Mr. McCORMACK. I see.

Mr. CURTIS of Missouri. They had their own material.

Mr. McCORMACK. Your own material. What about writing the speeches?

Mr. CURTIS of Missouri. We had our own material.

Mr. McCORMACK. Your own material and writing speeches are two different things.

Mr. CURTIS of Missouri. And writing the speeches. I said both.

Mr. McCORMACK. I will accept the gentleman's word, but the gentleman will admit there is a justifiable suspicion?

Mr. CURTIS of Missouri. No, we would not make the mistake again. If this operation is going to continue tomorrow we will be sure we have ample time so we can yield, because it is the purpose to lay out our charges, to have whatever answers you gentlemen might have to these charges, then we in turn can rebut those answers if we can. Although the gentleman from Missouri was going to yield, we never had time enough to yield, and I can understand that because there is a limitation on time.

I would like to direct my charges in reference to the charges I made about the untruth, as I see it, in the Democratic platform which stated—I have it here—that the Republican failure in the economic field has been virtually complete. Then I made the remark about the economic indicators, and they will reveal that the reverse is true. Then I proceeded to read off these basic indicators. I think they are true. They show that we have broken American records and world records in all these instances.

The question of two recessions having occurred during this administration is proper argument, proper comment, in light of the recession that was in the previous administration. The main thing I will say about the 1954 recession is it was the mildest we ever had, and I might say in regard to the gentleman from Illinois who is now predicting a depression, the Democratic leaders, including your Senator from Illinois, predicted these previous recessions were going to amount to depressions. We have been listening to 7 instances, we have been listening to the gloom and doom of some of the Democratic leaders, and if we had taken them seriously we would have had 7 depressions and about 10 wars in the last 7 years.

Mr. McCORMACK. The gentleman of course again makes a statement that is not consistent with truth or with what the Democrats have said.

Mr. CURTIS of Missouri. Those are the words of Senator DOUGLAS.

Mr. McCORACK. We never said there would be a depression. We said there would not be a depression due to the cushions in the law, like social security, unemployment insurance, and the other beneficial and progressive legislation that all became law under the Democrats. Your own administration as well said it was due to the cushions in the law. What are the cushions?

Mr. CURTIS of Missouri. We are not objecting to that.

Mr. McCORMACK. It was all the result of Democratic Congresses of the past.

Mr. CURTIS of Missouri. We are not going to accept that statement. It is true our recessions cannot become depressions because of these built-in controls, but they were all assisted in by the ranking member of our Subcommittee on Unemployment Insurance and Social Security and, may I say that during the Republican administration we have improved the unemployment insurance system, we have extended it to more people during this administration than any previous Congress possibly. I am only pointing out that no political party has a claim to legislation involving unemployment compensation. It first began in the State of Wisconsin under a Republican administration.

Mr. McCORMACK. The gentleman was not here when we put the first bill through.

Mr. CURTIS of Missouri. No political party, neither this nor any previous administration, has the sole claim.

Mr. McCORMACK. The gentleman was not here when the Mutual Security Act and the unemployment compensation bills were put through, and a great majority of your party tried to defeat them.

Mr. CURTIS of Missouri. That is not true.

Mr. McCORMACK. Oh, my friend, you were not here then.

Mr. CURTIS of Missouri. I know, but I can read the RECORD, and I have gone back to read the RECORD.

Mr. McCORMACK. I do not have to read the RECORD. I lived the record.

Mr. CURTIS of Missouri. The gentleman's memory and all of our memories sometimes are faulty, but I suggest he go back and read the RECORD and refresh his memory on just what occurred, because that, I regret to say, is not an accurate statement.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Illinois.

Mr. PUCINSKI. The gentleman made a remark about a statement I made, and I think I should have a chance to reply. The fact of the matter is I never said there was going to be a recession or a depression.

Mr. CURTIS of Missouri. What did the gentleman say?

Mr. PUCINSKI. I am relying on a statement made by the Harris Trust & Savings Bank of Chicago in their business summary for this week in which they point out that all of those stable business indicators which the gentleman quoted in his earlier statement do not indicate that the much expected upturn in business activity in the third and fourth quarters of 1960 is going to materialize. The fact of the matter is that we had two recessions under the Republican Party. And, the fact that they did not develop into depressions is simply because of the foresight of the Democratic Party in building up these economic cushions, and yet we see in every instance, in this last session of the Congress, the Republican Party standing firmly as one phalanx against every effort to improve that legislation. I know that in a free economy, such as we have in our country, there are going to be hills and valleys, but I say that the job of this Congress and the job of this Government is to make sure that those valleys do not become depressions. This is what we have been doing in this entire Congress, and yet your party has refused to recognize that fact.

Mr. CURTIS of Missouri. I disagree with the gentleman.

Mr. PUCINSKI. Since the original minimum wage bill was passed in 1938 we had 56 percent of the American labor force employed in production and 44 percent in services. Now, in the ensuing 20 years the picture has changed. Today only 45 percent of the Nation's labor force is in production and 55 percent in services, and yet the gentleman knows under the minimum wage law passed in 1938 those engaged in services do not have any protection of fair labor standards. And, the other side ran through this House a minimum wage bill a few weeks ago that does nothing to improve the standards of the people or improve the standard of living. This is obstructionism that we had to fight in this Congress all the way, not only this Congress but in the history of your party.

Mr. SMITH of Iowa. I will say, first of all, I sure am pleased to see so many Republicans reading the Democratic platform. And, they are doing it in Iowa and all over the country. I think it is a real good thing. The other thing I want to mention to the gentleman from Missouri is—and I wish he would straighten me out—that any good laws that are passed when a Republican administration is in and the Democrats are in control, why, then the administration gets credit, but anything they do not think does good, then it is the Democrats' loss.

Mr. CURTIS of Missouri. No, I do not believe this way. The point I would like to make to the gentleman from Illinois is the statement I was taking exception to in the Democratic platform that the Republican failure in the economic field has been virtually complete. I think the gentleman's remarks equally indicate that he himself recognizes that is an inaccurate statement. The fact that we are not going into quite the prosperous fourth quarter that we expected certainly is no indication that we are going into a recession or depression.

Mr. PUCINSKI. Mr. Speaker, if the gentleman will yield further, in response to the last statement, the Democratic platform covers the ground quite prop-

erly, because we are now locked in a gigantic world struggle, and the fact of the matter is that this Nation's economic growth has not been what it needs to be to cope with these tremendous advancements made by the Soviet Union or even countries friendly to us.

Germany, for instance, has been increasing its economic growth by a vastly larger percentage than we have; so has Japan. The question is, how does the gentleman under his program, under the platform, propose to provide some 70 million jobs in this country? If he has an answer, I would like to listen to it, because it certainly has not been reflected in the legislative program of the minority party in this Congress.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mr. EDMONDSON. The point at which we clash in the statement of the gentleman from Missouri is when he says that the Democratic platform contained no indicators of economic strength to back up the statement in the platform. I call his attention to the fact that not only did we mention the recessions, not only did we mention the added interest charges on the national debt, but we also mentioned and set forth the unemployment statistics in this country which certainly bear on economic strength. So the gentleman has missed the point completely in his rebuttal to the charges made.

Mr. CURTIS of Missouri. If the gentleman were listening to me he would have heard me say that every indicator of economic well-being of a society reveals that just the reverse is true. In other words, never in the history of mankind has the economic condition of a society been as good or on such a sound, broad basis as the United States in the year 1960.

The previous recessions do not bear on that statement.

I will say this; there is no way to tell in the indicator on unemployment. The indicator on unemployment is an indication of well-being, and I, myself, have said in our minority views on the Economic Report this year, that unemployment is an area on which we need to do a great deal of thinking and studying. On the other hand, I certainly would say this, that the incidence of unemployment in light of the rapid technological growth in this country is something that we have to deal with almost as an indication of our achieving these high goals which I pointed out in the other economic indicators.

Mr. PUCINSKI. Mr. Speaker, I think the gentleman from Missouri would agree that even the unemployment figures are not always a sound indicator, because they do not always reflect the facts. Let us take a man who is working only 2 or 3 days a week. Let us say that he gets $80 a week net, brings home $80 a week. He has three youngsters. If he is reduced to a 2- or 3-day workweek, this man is suffering as great a depression as anybody on relief. Yet his reduced earning capacity is not being reflected in the figures on unemployment.

Mr. CURTIS of Missouri. But the number of hours worked per week, which is another one of the statistics, does not bear out the gentleman's statement.

Mr. PUCINSKI. It has been going down, and the gentleman knows it. The average workweek has been going down.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. FORD. I appreciate the gentleman's yielding. Earlier this afternoon I made this statement. I said this was an inaccurate statement in the Democratic platform for 1960, that the Republicans have also admitted that our conventional military forces on which we depend for defense in any nonnuclear war have been dangerously slashed for reasons of economy and that they have no plans to reverse this trend.

It is my understanding that the gentleman from Oklahoma subsequent to my statement on the floor of the House indicated that former Assistant Secretary of the Air Force Trevor Gardner did have views that coincided with this statement in the Democratic platform. It is my recollection that former Assistant Secretary of the Air Force for Research and Development, Mr. Gardner, resigned because of his disagreement with the President over the adequacy of funds for our missile programs primarily and research and development particularly. I have no recollection whatsoever that Mr. Gardner ever had this view as expressed in the Democratic platform for 1960.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield to me to comment on that point?

Mr. SMITH of Iowa. I yield.

Mr. EDMONDSON. If I have in any way misrepresented Mr. Gardner's position I regret it. I based my statement on the short newspaper account which I have shown to the gentleman from Michigan, and in good faith made the statement regarding Mr. Gardner's resignation over the budget-first position which the administration had taken.

I wonder if the gentleman would comment on the books which have been written on the subject of a budget-first defense policy by General Ridgway, who was associated in a very responsible way with this administration's military program, and by General Gavin, who has also associated with the military program of this administration. Both of them have written volumes, I believe, on the conventional forces in this country and the way in which they have been hurt by a budget-first philosophy.

Mr. FORD. Let me ask my friend from Oklahoma whether he has read the books by the two gentlemen he mentions, Generals Ridgway and Gavin, or the latest book by General Taylor. I do not think he will find in any of those three books a statement which coincides with this paragraph in the Democratic platform. That was the only inaccuracy which I indicated.

Mr. McCORMACK. If the gentleman will yield, as a matter of fact, they go much further than that. Their attack was that our defense was inadequate. As a matter of fact, President Eisenhower himself admitted it only a few days ago. In his recent message to Congress he admitted that because of Communist efforts greater national defense is necessary. That is what we Democrats have been mentioning.

At the Republican Convention President Eisenhower, Vice President NIXON, and others criticized the Democrats for urging and advocating greater national defense, yet within a few weeks the President sent a message up here advising us he was going to use some of the money Congress appropriated over his budget.

My friend and I do not disagree on the necessity for strong national defense, so I do not have to go to the fact that we appropriated for a 900,000-man Army, and it was frozen. I do not have to refer to the fact that the Marine Corp was 200,000 and it is now down to about 180,000—frozen. I do not have to refresh my friend's mind that last year he made us increase the assignments for the future Army and to start it only $400 million was used for that purpose. I do not have to refresh my friend's mind that the Polaris was started by men in this Congress on both sides. It did not originate in the executive branch. Nine out of the 14 Polaris submarines authorized to be constructed were from funds appropriated by Congress over and above the budget estimate. I do not have to refresh my friend's memory that the Soviets are 4 to 5 years ahead of us in outer space in the propulsion part and my friend knows that is the heart of it.

Those are some of the things that cause concern to the American people, that have caused concern to the gentlemen my friend referred to, and have caused concern to Robert Lovett, to Robert Sprague, to Thomas Watson, Thomas Lanphier, and some of the others who have expressed themselves in connection with the adequacy of our national defense. Of course we are powerful but are we powerful in relation to the Soviet Union? That is the question. Men might honestly disagree about that. But those who do not think we are powerful enough should not be attacked and accused that we are weakening the position of our country throughout the world by urging a greater national defense, because my friend did not do that, and I join with him and he joins with me.

I expect within a few days I will join with others if necessary, and I shall if necessary. I hope that the conference committee on deficiency appropriations will bring in $115 million, at least, voted in by the other body. The other $90 or $95 million might well go over to next year on the development loan, and so forth but I hope they will agree to the $115 million, to show how I feel on the matter.

So that "Operation Veracity," as you call it, in fact, as I call it, has become

"Republican Political Operation Untruth;" and quote or unquote it, it is so.

Mr. FORD. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Michigan.

Mr. FORD. In the first place, the Democratic candidate for President in Detroit, Mich., my home State, last week said the United States was first in military power at the present time. I agree with him and I believe the military program recommended by President Eisenhower and passed by the Congress will maintain that superiority.

Second, my only statement today was as to a paragraph in the Democratic platform. As of now, I still have not found a single person in this administration, past or present, who agrees with that.

One other point, in looking over the statistics for the last six sessions of the Congress, starting in 1955, which following the election of 1954, and in 1955, 1956, 1957, 1958, 1959, and in 1960 the Democrats have controlled the Congress. Peculiarly enough, in 1955, in 1957, and in 1959, the Democratic controlled Congresses cut the President's military budget. Those are nonelection years.

In 1956, 1958, and 1960, in other words, in election years, the Democratic controlled Congresses have increased the President's budgets. I do not know whether this is by happenstance or by direction that in political years they increase the military budget and in nonelection years the military budget is cut. I do not know what causes that to happen, but it is a fact.

Mr. SMITH of Iowa. But whose responsibility is it to balance the budget? Is it the responsibility of the President or of the Congress? I wish you would take a consistent position on that.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Of course, the gentleman realizes it does not necessarily mean that just because those statements were made that my friend's recollection as to what happened is correct. My recollection is that last year we put in $400 million that the President did not recommend to start the modernization of our Army. The President froze that money with the exception of 40-and-some-odd million dollars. He did use 160-some-odd million dollars for some other purpose by use of the transferability clause. But he froze about $40 million.

Mr. FORD. Mr. Speaker, if the gentleman will yield, if my colleague will go back to the record, I am sure he will find the record will show this—in the fiscal year 1960, the military appropriation bill which we approved in the last session, in the regular military operations bill, the Congress cut $19 million and some-odd thousand below the President's budget and in the military construction appropriation bill, the cut was about $190 million for a total of $219 million less than the President recommended. That was a nonelection year.

In this session of the Congress, in other words, in an election year the President's budget for military operating expenses was increased $661 million. I cannot recall what the figures were on military construction, but I believe the Congress gave less than what the President recommended.

Mr. McCORMACK. There was a reduction of over $600 million in other directions, and then we increased the appropriations to the extent of about $1,300 million in other directions where we felt increased appropriations were necessary; is that not correct?

Mr. FORD. No; when the bill went through the House of Representatives, actually, the House cut the President's military budget by $3,200,000 approximately. When the bill went to the other body, the President's military budget was increased $1,200 million in the compromise between the Senate and the House versions, and we came up with a figure of $661 million over the President's request for the fiscal year 1961. I am told, however, that the military construction appropriation bill for fiscal 1961 was cut by approximately $200 million; so there is a net increase of $400 million for fiscal 1961. I happen to think those changes were desirable because circumstances have changed between January 1960, and June, July, and August 1960. I think the Congress was right in making those changes. However, the increases were made but in prior years there were greater decreases.

Mr. McCORMACK. The gentleman does admit that in the last fiscal year ending June 30 last we appropriated over $400 million for modernization purposes in the Army.

Mr. FORD. Not over the President's budget.

Mr. McCORMACK. Oh, but we did; but the President did not ask for that, did he?

Mr. FORD. The authorizations went over the President's budget.

Mr. McCORMACK. I do not recall the exact detail but he did not ask for it.

Mr. FORD. There was about $1,100 million in total Army procurement items and about $400 million for modernization, about half of which was for military hardware.

Mr. McCORMACK. The gentleman will remember that the year before we fixed the Army at 900,000 officers and men and we appropriated funds for that purpose. The President said he was going to reduce it to 870,000. Is that right?

Mr. FORD. I will have to refresh my memory, but I think the gentleman is in error. I think he is talking about the Army National Guard and the Army Reserve.

Mr. McCORMACK. That is another matter.

Mr. FORD. That is correct, but I do not think those figures are accurate.

BANKRUPTCIES AND BUSINESS FAILURES—TRENDS BY TYPE OF INDUSTRY, BY SIZE OF BUSINESS, BY STATE, AND FOR A LIST OF LARGE CITIES

The SPEAKER pro tempore (Mr. WALTER). Under the previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, there has been some discussion of the increasing number of bankruptcies taking place in the country and some attention directed to the mounting toll of small business failures. All of us know in a general way about these most disturbing trends, but most of us have not seen the facts on the subject assembled in one place.

Just what has the record of business failures been over the past 40 years? In which States are the bankruptcies and failures taking place? What are the trends in the principal cities of the country? How long have the firms that are now failing been in business? How large are the firms that are failing? And what is the amount of their liabilities?

I have had prepared several statistical tables in answer to all of these questions. I will give a brief description of each of these tables and then insert them in the RECORD for the Members' attention.

WHAT ARE THE DIFFERENCES BETWEEN BANKRUPTCIES AND BUSINESS FAILURES?

First, however, let me call attention to the sources of this information and give a brief description of the definitions used in assembling this information.

The information on business failures all comes from reports of Dun & Bradstreet, Inc. The information on bankruptcies all comes from the Administrative Office of the U.S. Courts. Unlike the Dun & Bradstreet reports, the data on bankruptcies refer to all types of bankruptcies, including business firms, farmers, and individuals.

It is particularly important to know what the Dun & Bradstreet data on business failures actually refer to. These data by no means include all types of business firms, nor do they by any means include all of the firms which close their doors and cease operations even among the types of business which the reports cover. Let me be more specific.

As I understand the matter, Dun & Bradstreet reports failures only when the failing firm appears on the Dun & Bradstreet list of what it calls listed concerns. To illustrate, for the year 1959, Dun & Bradstreet listed 2,746,000 business concerns in the United States, whereas the Department of Commerce reported that there were 4,710,000 firms actually in operation. In other words, Dun & Bradstreet lists slightly more than one-half the business firms which are actually in operation, and its report of business failures refers to failures among firms on this list.

Dun & Bradstreet does not list among its listed concerns businesses of a number

of types. For example, it does not list business firms which are classified as amusements, such as movie houses, bowling alleys, sports facilities, and so on. It does not list insurance and real estate companies, mortgage, loan, or investment companies, or other financial enterprises, including banks. Furthermore, it does not list what it calls "many small one-man services." None of the professional offices, such as those of doctors, lawyers, dentists, accountants, and so on, are listed; nor are farmers included either in the listed concerns or in the business failures. Speaking of what it does list, Dun & Bradstreet states in its report:

Total listed concerns represents the total number of business enterprises listed in the Dun & Bradstreet reference book. This book includes manufacturers, wholesalers, retailers, building contractors, and certain types of commercial service including public utilities, water carriers, motor carriers, and airlines. This count by no means covers all the business enterprises of the country. Specific types of business not listed are: financial enterprises including banks, and mortgage, loan, and investment companies; insurance and real estate companies; railroads; terminals; amusements; and many small one-man services. Neither the professions nor farmers are included.

WHAT IS A BUSINESS FAILURE?

Now what do we mean by "failure"? The number of failures reported by no means include all of the business firms that are forced out of business or go out of business voluntarily. They include only those firms who go bankrupt or otherwise close under circumstances which involve a substantial loss to their creditors. Those business operators who close their doors when they run out of money or those who can raise enough money to pay off their creditors, such as by selling their homes or borrowing on their life insurance, are not counted as business failures, although from the point of view of our interest in what is happening in the economy, and our interest in knowing the extent to which small business is disappearing, such small business disappearances are as much failures as any other small business failures.

In view of these limitations in the Dun & Bradstreet reports on business failures, we must keep these points in mind: First, the number of failures reported by no means includes all of the business failures—certain types of businesses are omitted entirely. Furthermore, the failures reported are generally instances of failures among the more substantial firms. Certainly all of the larger firms that fail, among the types of businesses covered, are reported, and the important omissions tend to be for the smaller firms. Increases or decreases in the number of failures reported surely provide a good indication of the trends taking place, even though these reports do not tell us the total number of firms that have actually failed.

With this background, let me describe each of the tables I will insert in the RECORD.

WHAT HAS BEEN THE TREND IN BUSINESS FAILURES SINCE 1920?

Year before last, which, as we know, was a recession year, Dun & Bradstreet reported 14,964 failures. This was the greatest number of failures in any year since 1933.

Last year, which I believe is ranked as a year of high prosperity, there were still 14,053 failures, a number just slightly under the 1958 total.

Coming now to the rate of failures, considering that there are more firms in business today than in years gone by, Dun & Bradstreet reports that the failures last year were at the rate of 52 firms per each 10,000 concerns listed. We may note from table 1, to follow, that the failure rate has increased sharply since a low point in 1945. The rate of 52 for last year compares, for example, with a failure rate of 34 in 1949, and a rate of 29 in 1952. The failure rate of the last 3 years is now in the neighborhood of the rate reached during the years of the great depression of the 1930's, though it is only about half of the rate of failures reached in the years of the Harding, Coolidge, and Hoover administrations.

TABLE 1.—*Number of business failures, 1920–59*

Year	Number of listed concerns	Number of failures	Failure rate per 10,000 listed concerns
1920	(1)	8,881	48
1921	(1)	19,652	102
1922	(1)	23,676	120
1923	(1)	18,718	93
1924	(1)	20,615	100
1925	(1)	21,214	100
1926	(1)	21,773	101
1927	(1)	23,146	106
1928	(1)	23,842	109
1929	(1)	22,909	104
1930	2,183,000	26,355	122
1931	2,125,000	28,285	133
1932	2,077,000	31,822	154
1933	1,961,000	19,859	100
1934	1,974,000	12,091	61
1935	1,983,000	12,244	62
1936	2,010,000	9,607	48
1937	2,057,000	9,490	46
1938	2,102,000	12,836	61
1939	2,116,000	14,768	70
1940	2,156,000	13,619	63
1941	2,171,000	11,848	55
1942	2,152,000	9,405	45
1943	2,023,000	3,221	16
1944	1,855,000	1,222	7
1945	1,909,000	809	4
1946	2,142,000	1,129	5
1947	2,405,000	3,474	14
1948	2,550,000	5,250	20
1949	2,679,000	9,246	34
1950	2,687,000	9,162	34
1951	2,608,000	8,058	31
1952	2,637,000	7,611	29
1953	2,667,000	8,862	33
1954	2,632,000	11,086	42
1955	2,633,000	10,969	42
1956	2,750,000	12,686	48
1957	2,080,000	13,739	52
1958	2,704,000	14,964	56
1959	2,746,000	14,053	52

[1] Not available.

Source: Dun & Bradstreet, Inc.

Table 1, which I will insert at this point, shows the number of concerns on the Dun & Bradstreet list for each year since 1920, the number of failures, and the failure rate per 10,000 concerns. The number of listed concerns is omitted from the table for the years 1920–29, as this information is not available to me. However, since both the failures and the failure rates are shown, the number of listed concerns for these years can be computed with reasonably close approximation.

WHAT HAS BEEN THE FAILURE LIABILITIES SINCE 1920?

Last year the total liabilities of the failures reported by Dun & Bradstreet amounted to approximately $693 million. The average liability per failing firm was $49,300. The average liability has been increasing in recent years. No doubt several factors account for this. As I will point out later, more of the older and better established firms are appearing among the failures. Furthermore, some account must be taken of the fact that more money is required to do a given volume of business today than was true in previous years. Table 2 is as follows:

TABLE 2.—*Failure liabilities and average liability per failure, 1920–59*

Year	Number of failures	Total failure liabilities	Average liability per failure
1920	8,881	$295,121,000	$33,230
1921	19,652	627,401,000	31,926
1922	23,676	623,895,000	26,351
1923	18,718	539,387,000	28,817
1924	20,615	543,226,000	26,351
1925	21,214	443,744,000	20,918
1926	21,773	409,233,000	18,795
1927	23,146	520,105,000	22,471
1928	23,842	489,559,000	20,534
1929	22,909	483,252,000	21,094
1930	26,355	668,282,000	25,357
1931	28,285	736,310,000	26,032
1932	31,822	928,313,000	29,172
1933	19,859	457,520,000	23,038
1934	12,091	333,959,000	27,621
1935	12,244	310,580,000	25,366
1936	9,607	203,173,000	21,148
1937	9,490	183,253,000	19,310
1938	12,836	246,505,000	19,204
1939	14,768	182,520,000	12,359
1940	13,619	166,684,000	12,239
1941	11,848	136,104,000	11,488
1942	9,405	100,763,000	10,713
1943	3,221	45,339,000	14,076
1944	1,222	31,660,000	25,908
1945	809	30,225,000	37,361
1946	1,129	67,349,000	59,654
1947	3,474	204,612,000	58,898
1948	5,250	234,620,000	44,690
1949	9,246	308,109,000	33,323
1950	9,162	248,283,000	27,099
1951	8,058	259,547,000	32,210
1952	7,611	283,314,000	37,224
1953	8,862	394,153,000	44,477
1954	11,086	462,628,000	41,731
1955	10,969	449,380,000	40,968
1956	12,686	562,697,000	44,356
1957	13,739	615,293,000	44,784
1958	14,964	728,258,000	48,667
1959	14,053	692,808,000	49,300

Source: Dun & Bradstreet, Inc.

WHAT HAS BEEN THE FAILURE TREND OF THE FIRST 7 MONTHS OF 1960?

During the first 7 months of this year, failures have been running substantially ahead of the first 7 months of 1959. It is too early to say whether total failures in the year 1960 will exceed those of the depression year 1958, but the record to date indicates a good possibility that they will do so.

Table 3 shows the number of failures reported in each month during the first 7 months of the year. In addition, for purposes of comparison, the monthly totals over the previous 10 years are shown, as are monthly averages for these 10 years.

TABLE 3.—*Number of business failures, by month, 1950–60, and 10-year monthly average*

	1960	Average for 10-year period, 1950–59	1959	1958	1957	1956	1955	1954	1953	1952	1951	1950
January	1,181	951	1,273	1,279	1,148	1,048	939	867	647	671	775	864
February	1,214	909	1,161	1,238	1,146	1,024	877	926	691	619	599	811
March	1,335	1,048	1,263	1,495	1,336	1,170	1,038	1,102	739	716	732	884
April	1,370	976	1,292	1,458	1,175	985	903	975	693	780	693	806
May	1,273	970	1,135	1,341	1,200	1,164	955	943	697	638	755	874
June	1,334	948	1,244	1,260	1,084	1,105	914	965	817	671	699	725
July	1,146	878	1,071	1,253	1,059	1,018	861	856	724	580	665	694
August	----------	907	1,135	1,127	1,145	1,101	888	912	700	594	678	787
September	----------	832	1,144	1,039	1,071	932	822	819	686	539	620	648
October	----------	929	1,125	1,271	1,122	1,158	919	871	840	631	643	707
November	----------	898	1,130	1,121	1,173	999	945	933	815	590	587	683
December	----------	874	1,080	1,082	1,080	982	908	917	813	583	612	679
Total	8,853	11,119	14,053	14,964	13,739	12,686	10,969	11,086	8,862	7,611	8,058	9,162

Source: Dun & Bradstreet, Inc.

WHAT SIZE BUSINESS FIRM FAILS?

Dun & Bradstreet has reported, since 1934, the number of failures according to the amount of the liability of the failing firm. More precisely, it has reported this information for five size classes.

Less than one-half of 1 percent of the firms that failed had liabilities in excess of $1 million. I believe then we can safely say that all of the firms that have failed are small firms. Certainly we have heard of no failures among the really large corporations, such as those having $10 million of liabilities, or $100 million of liabilities, or the corporate giants having several billion dollars of liabilities:

TABLE 4.—*Distribution of business failures, by size of liability, 1934–59*

	Under $5,000		$5,000 to $25,000		$25,000 to $100,000		$100,000 to $1,000,000		Over $1,000,000	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
1934	4,610	38.1	5,340	44.2	1,471	12.2	615	5.1	55	0.4
1935	4,992	40.8	5,278	43.1	1,421	11.6	496	4.0	57	.5
1936	3,988	41.5	4,255	44.3	1,042	10.9	290	3.0	32	.3
1937	3,866	40.8	4,349	45.8	988	10.4	266	2.8	21	.2
1938	5,131	40.0	6,026	46.9	1,396	10.9	263	2.0	20	.2
1939	6,522	44.2	6,873	46.5	1,146	7.8	213	1.4	14	.1
1940	6,891	50.6	5,442	40.0	1,067	7.8	209	1.5	10	.1
1941	6,754	57.0	4,116	34.7	815	6.9	153	1.3	10	.1
1942	5,097	54.2	3,525	37.5	660	7.0	122	1.3	1	.0
1943	1,614	50.1	1,272	39.5	269	8.3	61	1.9	5	.2
1944	452	37.0	549	44.9	175	14.3	42	3.5	4	.3
1945	270	33.4	343	42.4	146	18.0	45	5.6	5	.6
1946	263	23.3	488	43.2	252	22.3	119	10.6	7	.6
1947	600	17.3	1,661	47.8	842	24.2	350	10.1	21	0.6
1948	846	16.1	2,799	53.3	1,208	23.0	374	7.1	23	.5
1949	1,915	20.7	4,646	50.3	2,147	23.2	520	5.6	18	.2
1950	2,065	22.5	4,706	51.4	1,975	21.6	407	4.4	9	.1
1951	1,832	22.7	4,160	51.6	1,634	20.3	412	5.1	20	.3
1952	1,428	18.8	3,884	51.0	1,769	23.3	512	6.7	18	.2
1953	1,383	15.6	4,317	48.7	2,375	26.8	748	8.5	39	.4
1954	1,640	14.8	5,640	50.9	2,946	26.5	829	7.5	31	.3
1955	1,785	16.3	5,412	49.3	2,916	26.6	820	7.5	36	.3
1956	2,032	16.0	6,152	48.4	3,431	27.1	1,022	8.1	49	.4
1957	2,001	14.6	6,699	48.8	3,847	28.0	1,147	8.3	45	.3
1958	2,028	13.5	7,015	46.9	4,456	29.8	1,408	9.4	57	.4
1959	1,841	13.1	6,664	47.4	4,202	29.9	1,284	9.1	62	.5

Source: Dun & Bradstreet, Inc.

HOW OLD ARE THE BUSINESS FIRMS THAT ARE FAILING?

In recent years more and more of the older, established small business firms have been falling in the ranks among the failures. In 1949, 10.9 percent of all the firms that failed had been in business more than 10 years. This percentage has increased almost steadily until last year 20.6 percent of the firms that failed had been in business for more than 10 years. The percentages for the intervening years are shown in the following table 5.

TABLE 5.—*Trend in age of business failures, 1949–59*

[Percent in business over 10 years]

1949	10.9
1950	12.8
1951	13.3
1952	14.3
1953	14.8
1954	15.5
1955	17.4
1956	18.3
1957	19.3
1958	21.4
1959	20.6

Source: Dun & Bradstreet, Inc.

Last year 37 percent of the firms that failed had been in business for 3 years or less, and 57 percent had been in business for less than 5 years. In all major lines of business—manufacturing, wholesale, retail, construction, and service industries—about 40 percent to 50 percent of all the failing firms had been in business 5 years or more. Further details on the age of the business firms failing in each of the major industry classes are shown in table 6, below:

TABLE 6.—*Age of business failures, by functions, in 1959*

Age in years	Manufacturing	Wholesale	Retail	Construction	Commercialservice	Total, all concerns
	Percent	*Percent*	*Percent*	*Percent*	*Percent*	*Percent*
1 year or less	3.1	3.3	4.3	2.0	3.6	3.6
2	16.8	12.8	21.4	12.1	18.7	18.1
3	14.2	11.8	17.1	13.0	15.6	15.3
Total, 3 years or less	34.1	27.9	42.8	27.1	37.9	37.0
4	10.5	10.7	11.5	13.4	11.5	11.5
5	7.4	8.7	7.9	11.4	9.6	8.6
Total, 5 years or less	52.0	47.3	62.2	51.9	59.0	57.1
6	6.7	6.8	6.3	8.8	6.7	6.9
7	4.8	5.7	5.1	6.3	4.1	5.2
8	3.9	5.1	3.8	5.4	4.0	4.2
9	3.0	3.0	2.7	4.0	3.2	3.0
10	3.3	3.8	2.6	3.4	3.6	3.0
Total, 6–10 years	21.7	24.4	20.5	27.9	21.6	22.3
Over 10 years	26.3	28.3	17.3	20.2	19.4	20.6
Total	100.0	100.0	100.0	100.0	100.0	100.0
Number of failures	2,465	1,387	6,873	2,064	1,264	14,053

Source: Dun & Bradstreet, Inc.

WHAT TYPES OF BUSINESS FIRMS ARE FAILING?

The Members will be especially interested, no doubt, in some industries more than others, particularly when some particular industry looms large in the economy of a Member's district. Last year 6,873 of the roughly 14,000 business failures occurred in one retail line or another. Failures were, however, high among almost all kinds of manufacturing firms, among the wholesale firms, the building contractors, and the service industries.

Table 7, below, shows both the number of failures and the total liabilities of the firms failing in each of some 44 divisions of industry. This information is provided, furthermore, for each of the years 1953 through 1959:

TABLE 7.—*Commercial and industrial failures by 44 divisions of industry, 1953–59*

[Liabilities in thousands of dollars]

Line of industry	1953		1954		1955		1956		1957		1958		1959	
	Number	Liabilities	Number	Liabilities	Number	Liabilities	Number	Liabilities	Number	Liabilities	Number	Liabilities	Number	Liabilities
Mining and manufacturing:														
Mining—Coal, oil, miscellaneous	41	$3,034	42	$8,007	55	$5,156	42	$8,193	75	$11,588	86	$17,619	91	$88,363
Food and kindred products	165	22,370	179	16,089	165	14,198	188	10,366	183	11,407	189	17,431	176	14,288
Textile mill products and apparel	472	30,381	543	28,682	506	25,334	537	34,536	500	30,447	493	33,082	420	24,125
Lumber and lumber products	287	14,092	336	18,584	336	13,658	401	22,898	504	25,087	530	30,453	503	24,599
Paper, printing, and publishing	107	10,687	129	12,274	114	6,760	123	7,542	136	9,609	181	8,411	164	8,881
Chemicals and allied products	60	7,292	75	5,634	49	3,454	61	12,607	56	5,460	66	4,477	62	4,568
Leather and leather products	98	7,109	103	6,868	80	4,358	84	5,519	77	7,460	100	12,668	72	6,724
Stone, clay, and glass products	39	2,082	60	2,232	49	1,821	33	4,720	56	3,015	62	10,631	48	4,143
Iron and steel, and products	66	11,977	115	10,437	120	14,219	139	12,056	113	27,803	177	16,797	136	15,098
Machinery	171	29,753	301	37,874	291	37,278	259	30,172	254	27,477	294	38,487	254	43,049
Transportation equipment	60	6,249	51	5,938	47	5,327	64	5,209	76	8,869	80	16,838	108	9,457
Miscellaneous	291	13,828	348	18,665	390	25,382	354	37,412	381	28,619	422	38,704	431	44,441
Total mining and manufacturing	1,857	158,854	2,282	171,284	2,202	156,945	2,285	191,230	2,411	196,841	2,680	245,598	2,465	207,736
Wholesale trade:														
Food and farm products	265	16,672	298	14,038	274	12,635	300	12,787	283	18,724	330	20,903	290	22,602
Apparel	38	1,217	46	1,595	62	2,176	49	2,241	43	2,531	62	2,726	42	1,722
Dry goods	44	2,338	60	2,377	54	4,107	47	1,808	34	1,375	46	1,463	42	1,954
Lumber, building materials, hardware	103	9,304	113	5,019	135	7,014	147	18,121	154	9,136	175	12,840	153	10,171
Chemicals and drugs	35	1,598	47	1,334	36	1,187	45	1,460	45	1,883	50	1,297	60	1,672
Motor vehicles and auto equipment	36	1,240	56	1,833	68	2,020	66	3,576	72	3,202	67	2,274	74	3,340
Miscellaneous	412	19,830	512	30,142	535	28,543	553	34,717	605	41,086	701	40,481	726	40,713
Total wholesale trade	933	52,199	1,132	56,338	1,164	57,682	1,207	74,710	1,236	77,937	1,431	81,984	1,387	82,174
Retail trade:														
Food and liquor	888	15,586	1,004	14,805	1,053	19,556	1,102	18,773	1,096	24,104	1,127	25,717	1,113	29,973
General merchandise	149	4,239	192	7,052	193	5,193	274	9,626	265	11,620	291	11,438	281	16,202
Apparel and accessories	597	15,204	808	15,153	865	17,774	1,161	28,762	1,122	24,490	1,140	29,459	1,011	38,841
Furniture, home furnishings	711	26,654	906	43,419	719	21,072	793	26,696	1,004	37,334	1,041	45,098	816	35,859
Lumber, building materials, hardware	221	7,181	311	9,844	324	10,367	380	11,256	469	13,705	504	15,980	453	15,146
Automotive group	520	17,172	616	20,604	544	12,915	727	22,191	885	24,279	1,101	39,300	1,015	26,922
Eating and drinking places	793	17,473	985	18,683	956	20,330	1,149	23,914	1,279	28,543	1,436	37,333	1,334	35,528
Drug stores	123	4,199	161	4,839	128	2,574	165	3,486	162	3,986	165	3,975	122	3,111
Miscellaneous	379	9,591	508	11,074	557	11,838	590	11,344	613	18,786	709	16,977	728	25,250
Total retail trade	4,381	117,299	5,491	145,473	5,339	121,619	6,341	156,048	6,895	186,847	7,514	225,277	6,873	226,832
Construction:														
General building contractors	382	21,537	456	29,757	443	39,827	708	54,115	805	64,425	872	62,758	749	66,075
Building subcontractors	582	16,082	793	23,707	880	34,485	1,030	41,400	1,175	36,466	1,169	41,006	1,159	42,492
Other contractors	60	5,708	56	3,365	81	8,867	96	5,288	125	9,421	121	11,351	156	13,316
Total construction	1,024	43,327	1,305	56,829	1,404	83,179	1,834	100,803	2,105	110,312	2,162	115,115	2,064	121,883
Commercial service:														
Passenger and freight transportation	212	8,197	282	14,461	255	11,870	295	13,693	367	13,614	398	21,943	437	22,714
Miscellaneous public services	27	2,513	40	1,746	30	4,028	34	3,613	48	2,723	43	2,424	43	2,523
Hotels	25	4,088	37	2,614	41	5,901	65	11,127	59	8,955	76	17,988	68	9,380
Cleaning, dyeing, repairing	74	1,315	105	1,838	95	1,229	99	2,097	112	2,117	121	2,746	138	2,461
Laundries	40	1,189	41	1,174	50	1,344	53	1,203	39	1,771	41	1,178	53	1,612
Undertakers	5	133	5	32	8	401	8	60	7	179	6	98	11	282
Other personal services	41	648	61	2,124	61	536	82	1,385	64	1,026	71	3,240	83	3,949
Business and repair services	243	4,391	305	8,715	320	4,646	383	6,728	396	12,971	421	10,667	431	11,262
Total commercial service	667	22,474	876	32,704	860	29,955	1,019	39,906	1,092	43,356	1,177	60,284	1,264	54,183
Total United States	8,862	394,153	1,086	462,628	10,969	449,380	12,686	562,697	13,739	615,293	14,964	728,258	14,053	692,808

Source: Dun & Bradstreet, Inc.

WHAT LINES OF BUSINESS ARE SHOWING A HIGH RATE OF FAILURE?

When we consider not just the number of failures in an industry, but also the number of firms in the industry, we find, of course, the failure rate in some industries is much higher than in others. Among the lines of business for which Dun & Bradstreet has given failure rates, furniture manufacturing stands out as the highest. Failures in this industry last year were at the rate of 244 failing firms for each 10,000 firms in the industry.

Failures among manufacturing firms making transportation equipment, electrical machinery, leather, shoes, and apparel all amounted to more than 100 firms per each 10,000 in the industry.

Among the retail lines, failures in infants' and children's wear firms, sporting goods stores, women's ready-to-wear stores, and men's wear stores were all at a rate above 100 failures per 10,000 firms. In no line, however, can we really say that the failure rate was low. Table 8 presents these rates for several selected lines of manufacturing and retail, as follows.

TABLE 8.—*Failure rates in specific manufacturing and retail lines, 1959*

MANUFACTURING

[Failure rate per 10,000 operating concerns]

Furniture	244
Transportation equipment	208
Electrical machinery	143
Leather and shoes	136
Apparel	112
Metals, primary and fabricated	91
Textiles	76
Machinery	71
Lumber	60
Chemicals and drugs	53
Food	48
Printing and publishing	45
Paper	42
Stone, clay, and glass	41

TABLE 8.—*Failure rates in specific manufacturing and retail lines, 1959*—Continued

RETAIL

[Failure rate per 10,000 operating concerns]

Infants' and children's wear	176
Sporting goods	157
Women's ready-to-wear	132
Men's wear	110
Furniture and furnishings	92
Cameras and photographic supplies	90
Appliances, radio, and television	87
Lumber and building materials	78
Gifts	66
Women's accessories	65
Shoes	61
Bakeries	61
Dry goods and general merchandise	57
Jewelry	57
Books and stationery	51
Automotive parts and accessories	43
Eating and drinking places	42
Automobiles	34
Hardware	33
Groceries, meats, and produce	26
Drugs	22
Farm implements	15

Source: Dun & Bradstreet, Inc.

IN WHICH REGIONS AND STATES ARE THE BUSINESS FAILURES OCCURRING?

Last year, as well as the year before, the largest number of firms failed in New York of any one State. Total failures in New York in 1959 were 3,190, and more than $173 million of liabilities was involved.

California had the second largest number of failures last year with 2,296 in that State. The losses amounted to more than $105 million.

Table 9, below, shows the number and the amounts of liabilities for each State, as well as the totals for the various regions:

TABLE 9.—*Number and liabilities of business failures, by region and State, 1959*

Regions and States	Number		Liabilities (in thousands)	
	1959	1958	1959	1958
New England	809	908	$40,341	$49,114
Maine	38	33	824	2,220
New Hampshire	23	27	2,403	1,904
Vermont	13	15	529	1,970
Massachusetts	377	390	17,501	22,170
Connecticut	208	308	12,824	15,804
Rhode Island	150	135	6,260	5,046
Middle Atlantic	4,566	4,969	238,749	232,006
New York	3,190	3,365	173,178	139,503
New Jersey	639	778	27,619	43,475
Pennsylvania	737	826	37,952	49,028
East North Central	2,401	2,374	124,258	127,416
Ohio	740	664	29,431	36,084
Indiana	143	168	10,391	11,560
Illinois	663	622	39,508	35,022
Michigan	496	547	30,600	32,767
Wisconsin	359	373	14,328	11,983
West North Central	448	529	23,754	35,151
Minnesota	118	133	4,098	7,499
Iowa	74	62	4,369	2,499
Missouri	158	182	7,948	7,764
North Dakota	4	13	195	1,101
South Dakota	6	10	115	187
Nebraska	13	30	384	2,998
Kansas	75	99	6,645	13,103
South Atlantic	1,262	1,417	68,806	66,802
Maryland	142	197	4,425	8,856
Delaware	12	9	3,097	629
District of Columbia	27	28	4,931	2,680
Virginia	129	129	7,385	7,781
West Virginia	89	67	5,123	2,581
North Carolina	131	157	4,467	4,913
South Carolina	133	122	3,207	1,969
Georgia	177	191	11,904	10,476
Florida	422	517	24,267	26,917
East South Central	328	397	$12,763	$20,968
Kentucky	59	80	2,027	6,870
Tennessee	133	157	5,746	6,225
Alabama	80	72	3,202	4,390
Mississippi	56	88	1,788	3,483
West South Central	752	819	42,325	46,832
Arkansas	65	55	2,506	1,970
Oklahoma	60	92	2,977	6,431
Louisiana	192	222	6,676	8,628
Texas	435	450	30,166	29,803
Mountain	364	330	17,890	15,301
Montana	21	30	744	1,269
Idaho	20	32	555	911
Wyoming	17	5	1,017	128
Colorado	103	62	5,108	4,032
New Mexico	7	11	1,374	403
Arizona	123	111	5,921	4,288
Utah	46	49	1,543	2,816
Nevada	27	30	1,628	1,454
Pacific	3,123	3,221	123,922	134,668
Alaska	(1)	(1)	(1)	(1)
Washington	356	355	8,715	8,144
Oregon	471	532	9,785	11,308
California	2,296	2,334	105,422	115,216
Total, United States	14,053	14,964	692,808	728,258

[1] Not available.

Source: Dun & Bradstreet, Inc.

WHICH STATES HAVE THE HIGHEST RATE OF BUSINESS FAILURES?

Last year Oregon, New York, and California, respectively, suffered the highest rate of business failures. In Oregon, 175.3 firms failed for each 10,000 firms in operation. In New York and California the rates were 127.8 and 112.5, respectively. However, only North Dakota, South Dakota, Nebraska, and New Mexico suffered what seemed to be a reasonable rate of business failures. In these States the failure rate ranged between 4 firms and 6 firms for each 10,000 firms in operation.

Table 10, below, gives the failure rate for each State for the years 1957 to 1959, except that at the time of publication the data for Alaska and Hawaii were not available:

TABLE 10.—*Rate of failures, by States,*[1] *1957–59*

[Failure rate per 10,000 listed concerns]

Region and State	1957	1958	1959
NEW ENGLAND			
Maine	19.0	21.3	25.2
New Hampshire	27.6	27.2	23.6
Vermont	19.0	23.0	20.1
Massachusetts	34.9	42.9	41.5
Connecticut	54.6	79.6	55.1
Rhode Island	97.5	83.4	98.1
Total, New England	42.6	51.1	46.2
MIDDLE ATLANTIC			
New York	111.4	129.3	127.8
New Jersey	59.9	81.9	67.5
Pennsylvania	43.5	48.1	43.4
Total Middle Atlantic	80.3	94.3	88.8
SOUTH ATLANTIC			
Maryland	44.6	56.7	41.0
Delaware	23.3	14.9	20.4
District of Columbia	41.8	32.6	30.2
Virginia	26.0	28.3	28.1
West Virginia	26.5	26.3	35.7
North Carolina	19.8	26.3	21.5
South Carolina	40.0	44.3	47.4
Georgia	42.2	39.9	35.3
Florida	57.8	69.8	52.2
Total, South Atlantic	37.9	43.0	37.1
EAST NORTH CENTRAL			
Ohio	44.5	52.1	58.5
Indiana	20.0	27.0	22.6
Illinois	37.3	42.6	45.6
Michigan	51.4	54.5	49.6
Wisconsin	37.3	55.0	51.9
Total, East North Central	39.7	47.1	47.6
WEST NORTH CENTRAL			
Minnesota	30.7	25.3	22.4
Iowa	14.1	12.8	15.3
Missouri	18.6	26.9	23.6
North Dakota	12.8	12.9	4.0
South Dakota	172.0	8.8	5.2
Nebraska	15.2	11.5	4.9
Kansas	28.2	26.8	20.6
Total, West North Central	21.0	20.9	17.8
EAST SOUTH CENTRAL			
Kentucky	13.4	19.9	14.8
Tennessee	47.2	36.6	31.6
Alabama	26.2	21.2	23.6
Mississippi	34.7	36.6	22.7
Total, East South Central	31.9	28.1	23.3
WEST SOUTH CENTRAL			
Arkansas	25.9	21.2	24.9
Oklahoma	17.8	24.2	15.7
Louisiana	47.3	53.1	44.2
Texas	32.2	29.8	28.5
Total, West South Central	31.8	31.9	28.9
MOUNTAIN			
Montana	16.3	24.8	16.9
Idaho	23.3	32.7	20.3
Wyoming	17.2	8.5	27.5
Colorado	45.6	20.7	32.8
New Mexico	14.6	8.4	5.1
Arizona	93.6	77.8	76.1
Utah	50.5	41.5	38.9
Nevada	110.5	75.4	63.1
Total, Mountain	44.0	32.7	34.4
PACIFIC			
Washington	101.9	91.2	90.2
Oregon	198.0	201.5	175.3
California	123.9	118.9	112.5
Total, Pacific	128.4	123.1	115.5

[1] Data for Alaska and Hawaii not yet available.

Source: Dun & Bradstreet, Inc.

IN WHICH CITIES ARE THE BUSINESS FAILURES OCCURRING?

Last year almost 4,700 of the 14,000 small business failures reported by Dun & Bradstreet occurred in 25 of the principal cities of the country. In New York City alone there were almost 2,100 failures, and these involved liabilities of more than $122 million.

Dun & Bradstreet has reported the failures and the amount of liabilities for each of these 25 cities as shown in table 11, below:

TABLE 11.—*Number and liabilities of business failures in 25 large cities, 1958 and 1959*

	Number		Liabilities (in thousands)	
	1959	1958	1959	1958
New York, N.Y.	2,096	2,261	$122,164	$93,567
Chicago, Ill.	303	332	19,017	23,515
Philadelphia, Pa.	256	355	10,419	24,026

TABLE 11.—*Number and liabilities of business failures in 25 large cities, 1958 and 1959*—Continued

	Number		Liabilities (in thousands)	
	1959	1958	1959	1958
Detroit, Mich	200	254	$16,604	$17,495
Los Angeles, Calif	294	350	18,944	17,305
Cleveland, Ohio	187	176	6,386	7,561
Baltimore, Md	97	134	2,813	5,132
St. Louis, Mo	60	73	2,981	3,632
Boston, Mass	81	78	4,626	4,759
Pittsburgh, Pa	76	74	3,676	5,977
Washington, D.C	27	28	4,931	2,680
San Francisco, Calif	130	114	4,440	4,618
Milwaukee, Wis	173	190	4,285	4,902
Buffalo, N.Y	72	72	6,514	2,750
New Orleans, La	34	55	939	2,267
Minneapolis, Minn	37	62	1,203	4,990
Cincinnati, Ohio	58	57	2,676	3,117
Newark, N.J	77	101	5,391	5,700
Kansas City, Mo	42	43	2,688	3,008
Indianapolis, Ind	47	49	1,717	4,287
Houston, Tex	68	84	7,474	9,052
Seattle, Wash	113	127	3,116	2,877
Rochester, N.Y	86	64	2,499	2,486
Louisville, Ky	16	35	439	1,428
Denver, Colo	43	37	1,807	3,148
Total, 25 cities	4,673	5,205	257,749	260,279
Balance of country	9,380	9,759	435,059	467,979
Total, United States	14,053	14,964	692,808	728,250

Source: Dun & Bradstreet, Inc.

WHAT IS THE TREND OF BANKRUPTCIES?

We come now to the statistics on bankruptcies. These include bankruptcies of business firms of all types and of all sizes, and they also include bankruptcies of individuals and partners running professional offices; they include farmer bankruptcies and bankruptcies of individuals.

In the fiscal year ended June 30, 1960, 110,034 bankruptcy petitions were filed in the U.S. courts. This was by far the largest number in the history of the country. In fact, almost twice as many firms and individuals went bankrupt last year as in the peak depression year, 1932, when there were some 70,000 bankruptcies.

It is extremely disturbing to note, furthermore, that the number of business firms and individuals who went bankrupt last year were almost 10,000 more than in the previous fiscal year—a year which embraced a long period of business recession. There were almost four times as many bankruptcies in this past fiscal year as occurred in 1952.

The year-by-year totals from 1900 through fiscal year 1960 are presented in table 12, as follows:

Bankruptcy petitions filed in the United States, fiscal years 1900–60

Fiscal year ending June 30:	
1900	21,938
1901	19,007
1902	18,482
1903	16,875
1904	17,082
1905	16,946
1906	12,972
1907	14,160
1908	17,818
1909	18,018
1910	18,053
1911	19,338
1912	19,745
1913	20,930
1914	22,959
1915	27,632
1916	27,368
1917	24,838
1918	20,385
1919	14,048
1920	13,558
1921	22,812
1922	38,165
1923	41,304
1924	43,519
1925	45,641
1926	46,374
1927	48,758
1928	53,064
1929	57,280
1930	62,845
1931	65,335
1932	70,049
1933	62,256
1934	58,888

Bankruptcy petitions filed in the United States, fiscal years 1900–60—Continued

1935	69,153
1936	60,624
1937	57,485
1938	57,306
1939	50,997
1940	52,577
1941	56,332
1942	52,109
1943	34,711
1944	19,533
1945	12,862
1946	10,196
1947	13,170
1948	18,510
1949	26,021
1950	33,392
1951	35,193
1952	34,873
1953	40,087
1954	53,136
1955	59,404
1956	62,086
1957	73,761
1958	91,668
1959	100,672
1960	110,034

Source: Administrative Office of the U.S. Courts.

IN WHICH STATES ARE THE BANKRUPTCIES OCCURRING?

Increasing numbers of bankruptcies have occurred in all States over the past 10 years. Table 13, below, shows the number of bankruptcy cases started in each State, and in the territories in the fiscal years 1950 through 1959. Information is not yet available for the fiscal year ended June 30, 1960, on the basis of individual States.

This information has been compiled on the basis of the jurisdictions covered by the Federal district courts. In several States there are, of course, more than one judicial district. In these instances the number of bankruptcy petitions filed are shown for each district within the State, as is the total for the State.

Table 13 is as follows:

TABLE 13.—*Number of bankruptcy petitions filed, by State, fiscal years 1950–59*

	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959
Alabama	6,513	7,107	7,452	8,046	8,616	8,734	7,598	8,525	8,559	7,767
Northern	5,851	6,430	6,827	7,097	7,241	7,285	6,496	7,322	7,056	6,271
Middle	533	508	441	495	593	568	436	473	606	606
Southern	129	169	184	454	782	881	666	730	897	890
Alaska	9	10	28	12	12	16	28	12	30	27
1st	3		15	6	2	4	4	3	5	
2d				1		1				
3d	5	8	10	4	8	10	18	9	21	24
4th	1	2	3	1	2	1	6	1	4	3
Arizona	116	88	113	120	193	287	397	488	665	806
Arkansas	66	78	62	85	96	143	192	216	357	331
Eastern	43	54	51	61	73	107	176	193	328	304
Western	23	24	11	24	23	36	16	23	29	27
California	4,124	4,238	4,004	4,748	7,510	8,933	9,294	11,629	15,219	17,477
Northern	1,420	1,372	1,323	1,507	2,153	2,674	2,799	3,344	4,232	5,004
Southern	2,704	2,866	2,681	3,241	5,357	6,259	6,495	8,285	10,087	12,473
Colorado	453	528	494	536	1,070	1,137	1,276	1,546	1,871	2,039
Connecticut	553	553	506	542	687	734	726	761	981	1,100
Delaware	21	17	11	19	20	22	18	32	33	27
Florida	232	181	197	211	306	313	308	318	432	467
Northern	25	9	10	12	6	14	11	12	15	18
Southern	207	172	187	199	300	299	297	306	417	449
Georgia	987	872	918	1,116	1,727	1,904	2,135	2,398	3,164	3,334
Northern	663	603	677	777	1,193	1,164	1,181	1,296	1,640	1,688
Middle	222	177	177	260	423	434	458	545	866	875
Southern	102	92	64	79	111	306	496	557	658	771

TABLE 13.—*Number of bankruptcy petitions filed, by State, fiscal years 1950–59*—Continued

	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959
Hawaii	70	61	74	64	76	83	75	119	119	110
Idaho	88	87	75	96	145	189	252	281	364	451
Illinois	1,658	1,693	2,020	2,741	4,200	5,138	6,537	8,108	11,013	12,583
Northern	1,045	1,019	1,263	1,892	2,868	3,785	5,081	6,385	8,942	10,264
Eastern	161	174	201	222	415	440	462	484	575	610
Southern	452	500	556	627	917	913	994	1,239	1,496	1,709
Indiana	268	266	272	303	431	579	641	781	1,177	1,534
Northern	157	169	139	171	247	291	336	481	640	889
Southern	111	97	133	132	184	288	305	300	537	645
Iowa	130	105	120	160	192	209	248	431	821	809
Northern	42	38	45	62	73	84	87	98	159	202
Southern	88	67	75	98	119	125	161	333	662	607
Kansas	361	426	425	589	1,094	855	905	1,332	2,209	2,174
Kentucky	472	521	541	639	809	1,038	1,148	1,513	2,238	2,356
Eastern	169	189	215	244	237	305	347	427	575	720
Western	303	332	326	395	572	733	801	1,086	1,663	1,636
Louisiana	279	339	305	388	504	537	500	632	798	997
Eastern	194	232	192	265	300	362	327	383	491	596
Western	85	107	113	123	204	175	173	249	307	401
Maine	356	435	396	458	536	593	622	733	913	872
Maryland	109	79	56	58	89	83	96	113	121	179
Massachusetts	811	788	667	672	888	888	850	935	1,153	1,112
Michigan	1,309	1,331	1,307	1,585	1,940	2,415	2,396	2,981	3,235	4,057
Eastern	1,020	959	935	1,166	1,285	1,570	1,488	1,930	2,223	3,001
Western	289	372	372	419	655	845	908	1,051	1,012	1,056
Minnesota	715	767	858	1,022	1,419	1,434	1,398	1,533	1,695	1,785
Mississippi	86	89	85	79	143	117	123	159	206	221
Northern	18	16	19	14	45	35	30	38	39	43
Southern	68	73	66	65	98	82	93	121	167	178
Missouri	532	499	410	641	941	976	1,033	1,332	1,410	1,555
Eastern	160	123	129	160	241	280	337	420	628	772
Western	372	376	281	481	700	696	696	912	782	783
Montana	95	75	65	64	86	126	106	159	197	243
Nebraska	170	177	141	162	239	305	325	431	572	510
Nevada	15	28	25	23	37	49	88	97	140	153
New Hampshire	60	88	80	91	83	121	141	135	269	278
New Jersey	653	677	568	591	645	717	769	821	796	854
New Mexico	49	60	54	57	90	97	118	136	141	161
New York	2,549	2,451	2,450	2,471	3,058	3,219	3,298	3,315	3,698	4,064
Northern	525	512	512	546	693	862	943	964	1,036	1,152
Eastern	681	646	731	698	819	805	825	822	886	832
Southern	827	751	781	735	894	787	811	720	736	831
Western	516	542	426	492	652	765	719	809	1,040	1,249
North Carolina	70	68	60	72	97	105	82	99	106	113
Eastern	33	29	21	24	29	42	32	40	37	49
Middle	14	19	17	17	36	36	33	42	46	44
Western	23	20	22	31	32	27	17	17	23	20
North Dakota	24	29	16	20	22	41	22	48	57	55
Ohio	2,420	2,581	2,474	2,816	3,813	4,629	4,641	5,824	7,869	10,118
Northern	1,426	1,560	1,388	1,579	2,000	2,579	2,499	3,113	4,164	5,815
Southern	994	1,021	1,086	1,237	1,813	2,050	2,142	2,711	3,705	4,303
Oklahoma	314	351	346	375	604	666	748	967	1,138	1,120
Northern	153	207	187	204	317	354	411	460	520	512
Eastern	21	29	37	26	19	33	27	40	48	46
Western	140	115	122	145	268	279	310	467	570	562
Oregon	776	881	910	1,065	1,501	1,730	1,827	2,170	2,682	2,860
Pennsylvania	382	345	318	353	466	516	549	595	694	728
Eastern	214	181	183	201	262	308	335	343	414	402
Middle	61	60	62	53	74	73	72	82	98	116
Western	107	104	73	99	130	135	142	170	182	210
Rhode Island	95	122	109	97	160	159	202	233	262	301
South Carolina	20	22	21	26	30	33	23	27	30	28
Eastern	12	14	12	19	16	25	17	17	17	19
Western	8	8	9	7	14	8	6	10	13	9
South Dakota	17	22	27	15	24	26	30	67	58	61
Tennessee	1,513	1,914	1,960	2,585	2,742	2,976	3,250	3,699	4,460	4,482
Eastern	699	830	879	1,115	1,055	1,134	1,193	1,272	1,424	1,502
Middle	341	410	383	415	546	561	649	712	903	884
Western	473	674	698	1,055	1,141	1,281	1,408	1,715	2,133	2,096
Texas	240	210	175	222	287	285	283	305	341	340
Northern	91	87	61	98	122	103	117	136	154	164
Eastern	44	34	24	22	28	34	25	29	48	30
Southern	57	50	50	52	76	88	71	81	67	83
Western	48	39	40	50	61	60	70	59	72	63

TABLE 13.—*Number of bankruptcy petitions filed, by State, fiscal years 1950–59*—Continued

	1950	1951	1952	1953	1954	1955	1956	1957	1958	1959
Utah	168	170	174	224	357	361	393	482	570	475
Vermont	90	76	70	86	101	120	124	118	127	147
Virginia	1,010	1,149	923	1,067	1,554	1,730	1,845	2,204	2,862	2,830
Eastern	632	668	499	627	903	1,093	1,203	1,415	1,809	1,759
Western	378	481	424	440	651	637	642	789	1,053	1,071
Washington	901	947	1,037	1,035	1,487	1,609	1,930	2,277	2,533	2,731
Eastern	211	262	250	276	398	438	559	654	741	785
Western	690	685	787	759	1,089	1,171	1,371	1,623	1,792	1,946
West Virginia	443	570	532	561	711	745	784	764	977	1,186
Northern	118	145	129	165	212	232	200	208	259	315
Southern	325	425	403	396	499	513	584	556	718	871
Wisconsin	796	841	788	942	1,103	1,451	1,453	1,602	2,029	2,355
Eastern	578	620	548	658	775	1,043	1,085	1,185	1,546	1,791
Western	218	221	240	284	328	408	368	417	483	564
Wyoming	55	55	47	27	61	63	82	113	114	140
District of Columbia	99	83	67	65	90	123	113	110	97	104
Guam	(1)	2			1	1	2	1		2
Puerto Rico	50	41	40	45	43	44	62	53	64	60
Virgin Islands									2	3
Total	33,392	35,193	34,873	40,087	53,136	59,404	62,086	73,760	91,668	100,672

[1] Not available.

Source: Administrative Office of the U.S. Courts.

LITTLE LEAGUE WORLD CHAMPIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. CURTIN] is recognized for 5 minutes.

Mr. CURTIN. Mr. Speaker, I spent last evening in Levittown, Pa., and it is a night I shall always remember. More than 30,000 residents of this Bucks County community turned out to welcome home the "Champs of the World." The Levittown Little League baseball team had just won the world championship at Williamsport, Pa., the day before.

In this day of space travel, missiles, rockets, and even worry about juvenile delinquency, it was heartwarming and encouraging to watch the people of this new community, just 8 years old, come out and show their admiration and affection for this wonderful group of boys. And, mind you, these boys who conducted themselves like big leaguers are 11 and 12 years old. I think our concerns and worries fall back into the shadows when our children can teach us good habits of competitiveness and good sportsmanship. This team, an all-star team, was formed just 6 weeks ago. They had little time to practice—and then went on to win 13 consecutive games, and then the title. After winning the Pennsylvania State championship, they defeated the State champs from New York, Massachusetts, Hawaii, California, and Texas. It was a team effort all the way through that won this contest. Fourteen young men welded together with a common purpose, directed by a group of dedicated coaches who gave all their free hours for this accomplishment. The miraculous nature of the winning by Levittown, Pa., can be gaged when I tell you that this tournament started with 5,568 all-star Little League teams across the Nation, and ended Saturday in Williamsport with Levittown defeating Fort Worth, Tex., for the championship.

Here are some of the pertinent facts concerning Little Leagues. There are over 2 million boys between the ages of 9 and 12 participating in over 10,000 leagues throughout the 50 States. The regular season schedule called for the playing of 20 games, not more than 2 a week. So that an especially fine pitcher may not be able to overwhelm the league, there is a ruling requiring 72 hours between pitching assignments. As important as anything which happened in this competition, was the attitude of Levittown's defeated opponents. In each case, and this applies right down to the final in Williamsport, the teams defeated by Levittown came out to root for them at the following game. Officials and managers marveled at the fine sportsmanship and conduct of these Levittowners, who could make friends with their opponents. I think we adults can take a good lesson from this performance.

In speaking of this wonderful group of boys, no one member of the team can be singled out, because of the tremendous teamwork shown by all of them. Every one of them is a champ in his own right. However, I would like to call the attention to Joe Mormello, the pitcher in the final game, who set a new strikeout record for the world series, in addition to pitching a no-hit, no-run game for the championship.

It is also interesting to note that this is the second Little League Baseball World Championship for lower Bucks County. Morrisville won the championship in 1955, and now Levittown wins the same title in 1960. This is a remarkable record for this section of the congressional district which I have the honor and privilege to represent.

OPERATION VERACITY

The SPEAKER pro tempore (Mr. WALTER). Under the previous order of the House the gentleman from Oklahoma [Mr. EDMONDSON] is recognized for 5 minutes.

Mr. EDMONDSON. Mr. Speaker, I will take just a minute or 2 of the 5.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Might I suggest that if the Members on the other side would use as much time on members of the Rules Committee as they did trying to push us around, perhaps they might get out a couple of bills that we could work on and use our time to some useful purpose.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. GROSS. Or we might get a farm bill out.

Mr. SMITH of Iowa. That would be a good idea.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. EDMONDSON. I yield.

Mr. McCORMACK. I just want to make an interesting observation. In a speech recently made by Vice President NIXON as the candidate of the Republican Party for the Presidency, he promised a solution of the farm situation during the next 4 years. The White House has been controlled by the Republicans for the last 8 years, and we have yet to see any effective solution to the farm program. The Democrats during that time have passed five farm bills, but the President has vetoed them. Is that correct?

Mr. EDMONDSON. That is my understanding.

Mr. McCORMACK. In addition to that, in the 83d Congress the Republicans had control of both the Presidency and the Congress, complete control of the Congress, yet they failed to put through a farm bill. Now all the Vice

President promises is 4 more years of the same thing they had when the Republicans were in control of the White House for 8 years.

Mr. EDMONDSON. Mr. Speaker, in our rebuttal of Operation Veracity I think it can be stated in all fairness that we have detected some pretty considerable loopholes in the armor of righteousness worn by our friends on Operation Veracity here this afternoon. I hope that in the future when the Operation Veracity squad takes the floor of the House there will be more of the spirit of yielding to give us a chance to show the loopholes so that the RECORD as it will be printed and sent out to the people of the country will contain all the facts.

Mr. THOMSON of Wyoming. Mr. Speaker, will the gentleman yield for a consent request?

Mr. EDMONDSON. I yield.

Mr. THOMSON of Wyoming. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes after the disposition of the special orders heretofore entered for today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

RULES COMMITTEE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. HALPERN] is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, above partisan politics is the interest of the American people in the functioning of their representative Government in accordance with the dictates of our democratic system. The processes of substantive committee consideration and study, and floor deliberation and debate are integral aspects of that system.

The orderly flow of business also requires that rules for proceeding with the consideration of bills by the House be promulgated by a committee established for that purpose. This assumes, however, that the bills reported from the substantive committees will be presented to the Members so that they might have the opportunity to pass on them. Such is the essence of the democratic system.

But, where bills are not permitted to come before the House because a rule will not be granted to them, it becomes difficult to jibe such a procedure with our democratic beliefs. I have the deepest respect for the members of the Rules Committee but I do not believe that it or any committee should possess a power to thwart consideration by the whole House of measures reported out by their committees.

A reasonable procedure to insure the adequate working of the system can be created by the readoption, for instance, of the 21-day rule which provides that after any bill has been referred to the Rules Committee for a total of 21 days, it may be brought to the floor of the House without the adoption of a rule by the Rules Committee. Such a system would neither create chaos in the handling of bills by the House nor would it unduly delay the opportunity of Members to vote on legislation. It would be in accord with our cherished democratic tradition.

Mr. Speaker, I fervently urge that it be adopted as the first order of business when Congress convenes in January.

SPECIAL ORDER

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent that the special order I have for tomorrow be extended for 2 hours so that there may be ample time for Operation Veracity to go on, so that gentlemen on the other side who desire to be here and to contest the various points which will be made will have the time to do so. I assure them I will be just as zealous in yielding to them as was the gentleman from Iowa [Mr. SMITH] today. I would have done so had I had the time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

OPERATION VERACITY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wyoming [Mr. THOMSON] is recognized for 10 minutes.

Mr. RHODES of Arizona. Mr. Speaker, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Mr. Speaker, the gentleman from Oklahoma [Mr. EDMONDSON], earlier took exception to the statement in one of the speeches that the Democratic Party had a 2-to-1 majority in this Congress. We figured it out, and in the House the Democratic Party has a majority of 1.83 to 1, or a majority of 127 seats. If we were inaccurate in making the statement there was a 2-to-1 majority, I certainly wish to apologize, and I hope the gentleman on that side will be as eager to apologize for the misstatements which we will prove which appear in their own platform. I still submit to the gentleman from Oklahoma that a 1.83 to 1 is a pretty good majority and that 127 seats majority should allow you to do most anything you want to do.

Mr. THOMSON of Wyoming. Mr. Speaker, I may reinforce that by saying that in the other body there is a 66 to 34 majority; 2 to 1 about as close as you can get with a simple ratio.

Mr. EDMONDSON. It just so happens that the rules under which we operate require us in overriding a veto to do so by a two-thirds majority. When you do not have that in either House, you have a very significant change in the situation from what you would if you had a 2-to-1 majority, and I hope in the future that you gentlemen conducting Operation Veracity will note that distinction between 1.83 to 1 and 2 to 1.

Mr. THOMSON of Wyoming. May I say to the gentleman that we certainly appreciate the cooperation of his party since we came back to this postconvention session. Apparently you cannot agree on anything in your platform to send down to the White House. I wish you could. I would like to have some of these things vetoed and set up as an issue. I would like to take the issue squarely to the country.

Mr. EDMONDSON. We sent the other day a bill affecting small producers of lead and zinc, in which the gentleman is interested, to the White House, and I have been waiting with rather a great deal of interest to see what the White House is going to do with that particular bill. I hope the gentleman will use his good offices with the White House on that bill.

Mr. THOMSON of Wyoming. Before the gentleman goes too much further, I voted against that bill because I think we ought to have tariffs instead of subsidies at this time. So, I do not know that I can help the gentleman a lot.

Before I yield further, I would just like to say that no matter how much smokescreen is thrown up around here, certain statements have been quoted from the platform, and I say if you have got anything to prove them, let us have it. There has not been any proof. There has not been any proof by quotes from General Taylor or General Gavin or Mr. Gardner. They were military men. There have been no statements made to prove that the statements in the Democratic platform are true. But, the majority leader throws up many smokescreens, and among those—I cannot follow them all—is the statement that we would have to agree that we were behind in propulsion power of the Soviets, as far as missiles and space is concerned.

Mr. McCORMACK. Does the gentleman disagree with my statement?

Mr. THOMSON of Wyoming. I do not agree that we are 3 or 4 years behind; that they are 3 or 4 years ahead of us. We are not second best to anyone.

Mr. McCORMACK. I said 4 or 5 years.

Mr. THOMSON of Wyoming. All right. Four or five. But, for the purpose of argument if I were to accept your statement, I would point out to the gentleman and refer him to the table put in in this year's military appropriation hearings in response to a question of mine which shows the facts. Among these facts is simply this: During the time Tom Lanphier was Assistant Secretary of the Air Force, and so forth, the total amount requested for missile research, development, and procurement—the whole works—from 1946 to 1952, was $6.6 million. That was during the Democratic Truman administration. We did not have a program until the Eisenhower administration came in and got it off the ground.

Mr. McCORMACK. The gentleman ought to know, if he does not know, that the nuclear breakthrough did not come until the latter part of 1952. That is when the nuclear breakthrough came out.

Mr. THOMSON of Wyoming. The gentleman is talking about a Democratic excuse now. The Democratic administration said that we had to have a breakthrough to get a lighter bomb, but the Russians did not accept that defeatism. The Russians went to work on propulsion and therefore they have bigger motors. The fact is that today we have all the propulsion we need and all the warheads

we need to deliver all the destruction we want to deliver any place in the world.

Mr. McCORMACK. Does the gentleman deny the fact that the Russians, in connection with propulsion in outer space, are 4 or 5 years ahead of us?

Mr. THOMSON of Wyoming. I do not agree with that statement.

Mr. McCORMACK. You do not? That is what the officials of NASA testified to. They testified we are 5 years behind. And Dr. von Braun said it had been reduced, in his opinion, to 4 years.

Mr. THOMSON of Wyoming. For the purpose of argument, I will accept the gentleman's opinion, but I still have to call attention to the fact that we can never buy back 8 years of research that we lost between 1946 and 1952 when we had a Democratic administration.

Mr. McCORMACK. Oh, that is no argument to blame the Democrats for the misdeeds of the Republican Party. Who was in control?

Mr. THOMSON of Wyoming. I refuse to yield further.

Mr. McCORMACK. Who has been in control for 8 years?

Mr. THOMSON of Wyoming. In the last years I take pride neither as a Democrat or a Republican, but I take pride as an American in the free American enterprise system, scientific knowledge and know-how and the fact that we have been able to develop in such a short period of time a completely operational and workable intercontinental ballistic missile, and we are going ahead and soon, if not now, will exceed their record in space. But this, I repeat, is a smokescreen. You have not proved a single one of these challenged statements to be true.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. THOMSON of Wyoming. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Will the gentleman stand or fall on whether or not General Taylor and Trev Gardner have made the statements that we have stated they have made?

Mr. THOMSON of Wyoming. No. If I may explain to the gentleman, I sat through long hearings day after day on the Defense Appropriation Subcommittee and I heard General Taylor and others testify. I cross-examined them and I heard their testimony, but neither he nor others speak for the Republican Party. And, that is what this statement says.

Mr. EDMONDSON. Will the gentleman stand or fall on whether Trev Gardner made such statements?

Mr. THOMSON of Wyoming. My proposition is simply this, if you want to quote Trev Gardner, I will certainly be glad to examine it to hear out this statement, but the fact is—I will just leave it that way—no statement of his has been quoted to substantiate the allegation of the Democrat platform.

Now let us jump over to one other statement that the gentleman from Kansas seemed to take issue with it in his colloquy with the gentleman from Ohio [Mr. AYRES]:

> The quality of medical care furnished disabled veterans has deteriorated under the Republican administration. We shall work for increased availability of facilities for all veterans.

Now, may I just say that I served on the Committee on Veterans' Affairs in my first 2 years in Congress, from 1955 to 1957.

I served with the distinguished gentleman from Oklahoma [Mr. EDMONDSON]. We tried to work for improved facilities jointly and with the administration. We got a program going satisfactorily. The administration cannot take all the credit for it. The chairman of the Veterans' Committee, the gentleman from Texas [Mr. TEAGUE], cooperated as did other Members, and we moved forward. At the Cheyenne, Wyo., hospital which serves not only Wyoming but part of Nebraska and Colorado, we just dedicated a beautiful new addition to the veterans' hospital, with many new beds and women's facilities. We have gone forward. Although I left the committee, I think the committee has continued in that direction. I feel quite certain of that. May I say to the gentleman from Kansas, who I think is on that committee, that what is said in the Democrat platform of 1960 would not only be an indictment of any Republican, but would be an indictment of every Democrat member of that Committee on Veterans' Affairs if they were to let such a situation as that develop and not stand up on the floor of the House and do something about it. And not one of them has.

The SPEAKER pro tempore. The time of the gentleman from Wyoming [Mr THOMSON] has expired.

COPYRIGHT RESTRICTIONS AND PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. McCORMACK. Mr. Speaker, I desire to announce to the House, having stated the other day that I would do so, in connection with any resolutions coming out of the Committee on House Administration tomorrow, that the only eligible bill that can be brought up tomorrow is House Joint Resolution 704, having to do with a pledge of allegiance to the flag in connection with copyright restrictions.

FPC AND MIDWESTERN GAS TRANSMISSION CO.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] 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 Massachusetts?

There was no objection.

Mr. DINGELL. Mr. Speaker, the consumers of Michigan and other areas of the Midwest will save millions of dollars in the price of natural gas through the diligence of a Washington newspaper reporter and an investigation by the House Legislative Oversight Subcommittee.

The Federal Power Commission has just rejected a tariff submitted by Midwestern Gas Transmission Co. of Houston, Tex., fixing rates for gas to be imported from Canada to the midwestern United States. The rates as proposed by the company were designed to give a 7 percent rate of return to Midwestern. The Commisson, however, decided:

> It is the Commission's opinion that the proper rate of return for the Northern system is 6.5 percent per year.

Economists state that the difference between 6.5 percent and 7 percent is more than $10 million over a 20-year period for gas consumers. This, then, is the outcome of a dramatic instance of ex parte influence brought to the attention of the Congress and the Nation.

As recently as last spring, the company said in a Securities and Exchange Commission filing that it "presently expects" the rate of return to be "approximately 7 percent in the third year of operation."

The Midwestern case was brought to light in a series of news stories by Joseph B. Huttlinger of Washington, D.C., writing in Oildom, a daily trade paper of the petroleum industry and in his column to newspapers throughout the southwestern United States as far back as October, 1959.

Mr. Huttlinger disclosed that officials of Midwestern had contacted four members of the FPC on the eve of the Commission's decision which awarded a certificate to Midwestern. These news stories reported that at the time of the visits, the Commission had prepared a tentative decision allowing a return of 6.25 percent and that after the visits, the Commission gave an open end rate of return, with the exact amount to be set later.

The back door visits and the change that followed them were brought to the attention of President Eisenhower at a press conference in December and the President indicated he would look into it. If he did, we have no knowledge of it.

Later, however, I brought the matter to the attention of the House Interstate and Foreign Commerce Committee. After that, the House Legislative Oversight Subcommittee conducted full scale hearings over a period of weeks.

Those hearings turned up evidence that backed up Mr. Huttlinger's stories in each and every particular. By throwing the spotlight on this matter, Mr. Huttlinger and the Legislative Oversight Subcommittee performed a vital service in the interests of good government and of the gas consumers of the Nation.

Mr. Huttlinger's reporting is as striking an example as I know of a reporter digging up facts the public should know about. This was a case of original reporting, for he obtained the facts all by himself. It was a case of reporting in depth on an issue of major importance. It was a case of getting results in the form of national attention to an evil, a revision of gas rates to consumers, and a mighty push to the effort to clean up practices in Government agencies. It was a case of years of experience in reporting being put to good use in the public interest.

The Congress cannot rest at this juncture. It must take steps to reform

practices in Government agencies, as shown in this instance, and to close the back door to ex parte contacts tightly now and in the future.

I insert here the release of the Federal Power Commission dated August 19, 1960, on this subject:

FEDERAL POWER COMMISSION RELEASE

FPC REJECTS TARIFF FILED BY MIDWESTERN GAS TRANSMISSION CO.

WASHINGTON, D.C., August 19, 1960.—The Federal Power Commission rejected today a tariff submitted by Midwestern Gas Transmission Co., of Houston, Tex., containing rates for the service it proposes to commence this fall in the North Central United States with natural gas to be imported from Canada.

In a letter to the company, the FPC said that the proposed rates reflect a 7-percent rate of return for the northern system. The letter said that "It is the Commission's opinion that the proper rate of return for the northern system is 6½ percent per year."

The 6½-percent rate and the 6¼ percent previously allowed on Midwestern's southern system will permit an average rate of return of about 6.38 percent on the undepreciated cost of plant for both systems as estimated in the respective certificate proceedings, the FPC said.

The Commission also objected to Midwestern's inclusion of four rate schedules for the southern system covering services not yet authorized, and the reservation of tariff sheets for future use. The FPC said that both of these proposals are contrary to its regulations.

The letter said that the rejection of the tariff "is without prejudice" to its being refiled containing rates for the northern system reflecting a rate of return no greater than 6½ percent; containing only rate schedules for services authorized by the FPC; and eliminating the tariff sheets reserved for future use.

The Commission last October 31 authorized Midwestern to construct its northern system, extending from the United States-Canadian border near Emerson, Manitoba, to Marshfield, Wis. The Canadian gas will be purchased from Trans-Canada Pipe Lines, Ltd. The Commission previously in May of 1959, authorized Midwestern to construct its separate southern system, extending from Portland, Tenn., to Joliet, Ill., for service to the Chicago-Gary metropolitan area. That system already is in operation.

The FPC's October 31 order contained several conditions, including a requirement that Midwestern had to file rates satisfactory to the Commission at least 60 days prior to commencing service. Midwestern's tariff, which has now been rejected was submitted July 1. The Commission's October 31 order did not set a rate of return for Midwestern's northern system, because the company did not plan to commence construction for about 6 months. The FPC said it did "not think it wise" to look that far into the future and undertake to fix a rate of return. Midwestern at that time proposed a 7-percent rate of return.

RECAPITULATION OF FEDERAL REVENUES TO DATE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a very interesting and informative letter dated June 14, 1960, that was sent by the gentleman from Louisiana [Mr. PASSMAN] to myself and a number of other colleagues, showing the total tax receipts for 157 years from George Washington to Harry Truman, for the years of the Truman administration and the years of the Eisenhower administration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The letter referred to follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 14, 1960.

To Whom It May Concern:

The following verified recapitulation of Federal revenues, from the beginning of our Government as we know it, is submitted in the belief that it will be of interest to you:

Total tax receipts

157 YEARS (WASHINGTON TO TRUMAN)	
Apr. 30, 1789–Jan. 1, 1946, total	$233, 124, 696, 392
7-PLUS YEARS (TRUMAN)	
Jan. 1, 1946–Jan. 20, 1953:	
1946	42, 867, 772, 454
1947	42, 911, 827, 900
1948	43, 098, 474, 025
1949	39, 833, 226, 896
1950	40, 510, 854, 464
1951	56, 842, 879, 512
1952	69, 336, 974, 951
1953 (to Jan. 20)	2, 259, 855, 220
Total	337, 661, 865, 422
Total revenues received, George Washington-Harry Truman (inclusive), 164 years	570, 786, 561, 814
7 YEARS, 4 MONTHS, AND 11 DAYS (EISENHOWER)	
Jan. 20, 1953–June 1, 1960:	
1953 (from Jan. 20)	65, 811, 590, 850
1954	66, 894, 388, 427
1955	69, 613, 680, 692
1956	78, 233, 911, 713
1957	82, 091, 696, 351
1958	79, 285, 472, 618
1959	84, 515, 760, 844
1960 (to June 1)	45, 811, 318, 170
Total revenues received, Eisenhower (7 years, 4 months, 11 days)	572, 258, 819, 664
Eisenhower revenues over all other Presidents	1, 472, 257, 850

Sincerely yours,

OTTO E. PASSMAN,
Member of Congress.

THE DIVIDEND CREDIT ENCOURAGES EQUITY INVESTMENT

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include certain tables.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, one of America's most pressing needs is to secure added equity capital, particularly for small- and medium-sized businesses and to continue to increase the number of Americans who have a stake in our private enterprises. Expansion cannot be financed permanently through the assumption of additional debt. Our system of free competitive enterprise is based on competition and venture capital in a profit-and-loss economy. Unless incentives for investors are preserved, the entire system will collapse.

For this reason I have opposed any amendments to the Revenue Code that would reduce or eliminate the dividend credit. Experience shows that this provision has successfully furthered equity investment and thereby assisted our economy in attaining a more balanced financial structure, encouraged more people to participate in the free enterprise process, and gained more revenue for the Federal Government. Indeed, we need to extend the principle of the dividend credit as we originally planned so that equity investment displaces even more debt financing and retained earning financing than it presently has.

It is too often forgotten that a portion of the public debt is represented by loans made by the Federal Government to private business enterprises. While such expenditures may be amply justified under today's tax structure, it would be far better if, instead of burdening new corporate enterprises with debt obligation, there were even greater incentives for the formation of equity capital to finance their growth. Basically this was the purpose of the dividend credit when it was first proposed during the 83d Congress, and it is the only justification for its continuance.

The Committee for Economic Development made a study some years ago entitled "Production, Jobs, and Taxes." The author of this document was Harold M. Groves, professor of economics at the University of Wisconsin. He was assisted by Henry C. Simons, who prepared a memorandum on bond versus stock financing. This study stresses the need for equity investment as well as the dangers to our economic stability of an unwieldy debt structure. Mr. Simons' statement contained the following pertinent observations, which are applicable today as they were in 1944:

> Heavy fixed (or floating) debt is obviously undesirable for the single enterprise in an unstable economy or industry. Any temporary adversity is likely to produce insolvency, with grave losses, not only for the stockholders but also for senior securities and the enterprise as a whole, through the great costs of reorganization and the inevitable disturbances of operations and business relations which insolvency involves. Moreover, even if technical insolvency and reorganization are avoided, the enterprise and the whole economy may gravely be damaged by the practices necessary in avoiding it. Thus, physical properties may be abused merely to prolong technical, legal solvency, to avoid definitive squeezing out of shareholders, management, or control in bankruptcy or reorganization, and thus to gamble (with nothing to lose) on remotely favorable contingencies. The physical plant may thus be "bled white" to meet current obligations, especially interest payment and bond maturities, in the pursuit of mere liquidity.
>
> These things are doubtless widely understood. What is less clearly apprehended is the aggravated instability of the whole economy, and the obstacle to deliberate monetary stablization, which corporate debt structures produce in their aggregate. It should be obvious what desperate and frantic struggles for corporate liquidity mean in total where the economy has slipped into general recession which, debt structures apart, might prove innocuous and short-lived. They may well mean the difference

between a mild recession and a precipitous, catastrophic deflation.

At the end of 1957, based on Treasury statistics, the invested capital of all corporations was $328 billion. Debt obligations, both long and short term, were $143 billion. Incentives which will direct more equity investment into new and growing enterprises can best be met by continuing and enlarging the present dividend credit. It serves to direct funds toward venture-capital channels rather than to encourage investors to purchase debt obligations because of the special Federal tax benefits corporations and their stockholders derive from debt financing.

Mr. Speaker, as I have already indicated, a disproportionate amount of debt in our corporate capital structure tends to unstabilize our economy. Because of the fact that interest is an expense to a corporation it can be deducted as an expense and so escape the Federal corporate income tax. This tax benefit has undoubtedly produced an increasing tendency to finance additional corporate plant or other corporate growths in this manner.

In order to illustrate the magnitude of the problem, I have had prepared two tables. They contrast in dollars as well as in percentages of the total new financing in corporate securities offered for cash, the sources of funds as between common stocks, and preferred stocks and bonds. Mr. Speaker, I insert these tables in my remarks at this point:

TABLE I–A.—*Corporate securities offered for cash sale*

[Millions of dollars]

	Gross proceeds total	Common stock	Preferred stocks	Bonds and notes
1946	6,900	891	1,127	4,882
1947	6,577	779	762	5,036
1948	7,078	614	492	5,973
1949	6,052	736	425	4,890
1950	6,361	811	631	4,920
1951	7,741	1,212	838	5,691
1952	9,534	1,369	564	7,601
1953	8,898	1,326	489	7,083
1954	9,516	1,213	816	7,488
1955	10,240	2,185	635	7,420
1956	10,939	2,301	636	8,002
1957	12,884	2,516	411	9,957
1958	11,558	1,334	571	9,653
1959 [1]	9,579	2,003	510	7,066

[1] Preliminary estimates.

Source: "Economic Report of the President, January 1960," table D–62, p. 226.

TABLE I–B.—*Corporate securities offered for cash sale*

	Gross proceeds total	Common stock as percent of total	Preferred stock as percent of total	Bonds as percent of total
1946	100.0	12.9	16.3	70.8
1947	100.0	11.8	11.6	76.6
1948	100.0	8.7	6.9	84.4
1949	100.0	12.2	7.0	80.8
1950	100.0	12.7	9.9	77.4
1951	100.0	15.7	10.8	73.5
1952	100.0	14.4	5.9	79.7
1953	100.0	14.9	5.5	79.6
1954	100.0	12.7	8.6	78.7
1955	100.0	21.3	6.2	72.5
1956	100.0	21.0	5.8	73.2
1957	100.0	19.5	3.2	77.3
1958	100.0	11.6	4.9	83.5
1959	100.0	20.9	5.3	73.8

Mr. Speaker, I suggest that my colleagues carefully examine the percentage distribution of new funds which clearly shows that the sale of debt obligations have exceeded new common stock issues by a ratio of almost 4 to 1 over most of this period and even with the noticeable increase of common stock percentage after the 1954 stock dividend credit reform became effective—from 13 percent average from 1946 to 1954 to 19 percent average after 1954—the ratio is still an unhealthy one. If this course is to continue indefinitely, it will badly damage our free enterprise economy. It is quite apparent that the combination of both corporate and personal taxes, the double taxation of equity investment, have discouraged individuals of moderate means from becoming stockholders and discouraged corporations from trying to sell new common stock to the public to finance their growth.

Most of today's larger corporate enterprises which have played a vital role in providing jobs, desirable goods and services, and the weapons for our defense were created in an era when it was possible for an individual to accumulate substantial savings. In such a climate an enterprising person could secure financial assistance from his friends who would buy stock in an untried enterprise. Under the present tax laws, this is a difficult task for those with similar abilities.

Mr. Speaker, the Under Secretary of the Treasury, the Honorable Fred C. Scribner, Jr., in a letter to a member of the Senate Finance Committee with reference to the dividend credit, said:

> A dividend credit is desirable not only for reasons of fairness and equity but also because it encourages more widespread stock ownership. Further, it tends to encourage equity financing in lieu of borrowing.
>
> It is encouraging to note that in the last 5 years the number of individuals owning shares of stock has increased by more than 4 million. Most of these own very few shares of stock and are truly small taxpayers. We believe that enactment of the 4-percent dividend credit was a step in the right direction. We know of no developments which have occurred since the adoption of the 1954 code which lead us to believe that a change in our position on this particular credit is desirable.

There is another reason why it is wrong to discourage equity investment. Such a step will reduce Federal revenues rather than increase them. I say this advisedly. If corporations issue bonds or borrow money from the banking system to finance their growth, the interest costs are a business expense and are not subject to the 52-percent corporate income tax. On the other hand, the Federal Government receives more than half of the earnings of the corporation in excess of $25,000 from any equity investment, whether it is paid out as dividends or not. Certainly the Congress should take every possible step to encourage equity financing as preferable to debt financing, as it did in instituting the stock dividend credit. The application of the Federal personal income tax to dividends paid out even after deducting the 4-percent dividend credit makes the Federal Government the principal beneficiary from every equity investment because the Federal Government gets the 52-percent corporate tax on the earnings plus the individual's personal income tax on that portion of the same earnings that are declared as dividends which may run as high as 87 percent even with the 4-percent dividend credit.

Mr. Speaker, I have prepared a table which compares the returns to the Government and the equity investor, the one who assumes all the financial risks of an enterprise under existing laws. I insert this table in my remarks at this point:

TABLE II.—*Comparison of return to Federal Government and to a stockholder from investments by an unmarried individual*

Taxable income derived entirely from common-stock dividends; no allowance for deductions or personal exemptions [1]	Corporate earnings before taxes necessary to pay dividend shown in 1st column with no retained earnings	Corporate income tax [2]	Personal income tax without regard to dividend credit	4-percent dividend credit	Total personal income tax adjusted for dividend credit	Total Federal revenue from stockholder's investment	Earnings retained by individual on his investment
$2,000	$4,167	$2,167	$400	$80	$320	$2,487	$1,680
$4,000	8,333	4,333	840	160	680	5,013	3,320
$6,000	12,500	6,500	1,360	240	1,120	7,620	4,880
$8,000	16,666	8,666	1,960	320	1,640	10,306	6,360
$10,000	20,833	10,833	2,640	400	2,240	13,073	7,760
$12,000	25,000	13,000	3,400	480	2,920	15,920	9,080
$14,000	29,166	15,166	4,260	560	3,700	18,866	10,300
$16,000	33,333	17,333	5,200	640	4,560	21,893	11,440
$18,000	37,500	19,500	6,200	720	5,480	24,980	12,520
$20,000	41,666	21,666	7,260	800	6,460	28,126	13,540
$22,000	45,833	23,833	8,380	880	7,500	31,333	14,500
$26,000	54,166	28,166	10,740	1,040	9,700	37,866	16,300
$32,000	66,666	34,666	14,460	1,280	13,180	47,846	18,820
$38,000	79,165	41,166	18,360	1,520	16,840	58,006	21,160
$44,000	91,665	47,666	22,500	1,760	20,740	68,406	23,260
$50,000	104,165	54,166	26,820	2,000	24,820	78,986	25,180
$60,000	124,998	64,999	34,320	2,400	31,920	96,919	28,080
$70,000	145,831	75,832	42,120	2,800	39,320	115,152	30,680
$80,000	166,664	86,665	50,220	3,200	47,020	133,685	32,980
$90,000	187,497	97,498	58,620	3,600	55,020	152,518	34,980
$100,000	208,330	108,332	67,320	4,000	63,320	171,652	36,680
$150,000	312,495	162,497	111,820	6,000	105,820	268,317	44,180
$200,000	416,660	216,663	156,820	8,000	148,820	365,483	51,180

[1] It is assumed that such deductions and exemptions equal the amount of income other than dividends.
[2] Corporate marginal rate of 52 percent in these computations.

Mr. Speaker, the arithmetic behind this table provides an adequate answer to those who feel that this provision of the Revenue Code is designed to or does favor a few individuals. It will be noted that before an unmarried individual may receive dividends of $2,000, the corporation must earn $4,167 before taxes.

Assuming that this individual has no other taxable income, from the $4,167 which the corporation earned the Government receives $2,487, and the investor who made these earnings possible retains $1,680. However, if the same investor were a bondholder the corporation would have to earn only $2,000 to pay him, and the Federal Government would receive only the $320 which the bondholder paid in personal income tax.

At the other end of the scale, if an unmarried individual is to receive $200,000 of taxable income through dividends, a corporation must first earn $416,660. Again, assuming that the $200,000 received in dividends represents his entire taxable income, the Government receipts from the investment which made these earnings possible totals $365,483, and the individual retains only $51,180. If the same investor were a bondholder the Federal Government would receive $216,663 less in taxes and the bondholder would still receive his $51,180 from $200,000 paid to him in interest. At this level of income, the 4-percent dividend credit, which is the subject of so much consternation, represents $8,000. Mr. Speaker, this seems a very low price for the Government to pay in order to secure the $216,663 additional revenue which it receives from this equity type investment.

This leads us to consider another way the investor-taxpayer gets around or minimizes the impact of the double Federal tax on equity investment which leads to corporations not broadening their common stock investors group to include more of the public and the more moderate investors.

Because of our steeply graduated personal income taxes, there are strong incentives for investors in the high-income tax brackets to purchase securities without any regard for immediate income and to encourage corporations to retain earnings rather than to declare dividends. Instead they are motivated by the fact that if growth occurs through reinvestment or earnings by the corporation itself, they can ultimately dispose of their holdings at a maximum tax of 25 percent as a capital gains instead of the maximum they might be subjected to of 91-percent tax. This fact discriminates grossly between wealthier stockholders and those with more modest means who look to their stock dividends to supplement their personal budget. The smaller stockholders who should be the bulwark of a free enterprise economy obviously are anxious to see dividends declared. Therefore, the modest dividend credit is one of the more substantial means to promote a greater participation by individual citizens in our capitalist economy. It removes some of the incentive for corporations to finance their growth through retained earnings.

I am not merely discussing a theoretical situation. An examination of the sources of corporate funds from 1948 through 1959 clearly shows that internal sources are assuming a major proportion of the total while external sources, particularly the sale of new common stock issues, are becoming a minor factor, although the average dollar figure of new stock issues per year has gone from the $6 billion figure preceding the 1954 dividend credit to $8.6 billion per year since 1954 still the percentage of financing from retained earnings is dangerously high.

Mr. Speaker, I insert at this point in my remarks two tables derived from the President's 1960 economic report. One shows the sources of corporate funds in dollars, and the other the percentage of new capital obtained from internal and external sources:

TABLE III-A.—*Sources of corporate funds*

[Billions of dollars]

	Total sources	Internal sources	External sources	Net new issues
1948	27.8	18.8	9.0	5.9
1949	15.8	14.9	.9	4.9
1950	35.4	20.8	14.6	3.7
1951	36.9	19.0	17.9	6.3
1952	28.1	17.8	10.3	7.9
1953	30.0	19.7	10.3	7.1
1954	22.4	19.8	2.6	5.9
1955	44.8	26.6	18.2	6.9
1956	42.4	27.8	14.6	7.9
1957	40.2	27.7	12.5	10.5
1958	31.6	25.6	6.0	9.5
1959 [1]	47.0	30.5	16.5	8.0

[1] Preliminary estimates.

Source: "Economic Report of the President, January 1960," table D-60, p. 224.

TABLE III-B.—*Sources of corporate funds*

	Total sources	Internal sources as percent of total	External sources as percent of total	Net new issues as percent of total
1948	100.0	67.6	32.4	21.2
1949	100.0	94.3	5.7	31.0
1950	100.0	58.8	41.2	10.5
1951	100.0	51.5	48.5	17.1
1952	100.0	63.3	36.7	28.1
1953	100.0	65.7	34.3	23.7
1954	100.0	88.4	11.6	26.3
1955	100.0	59.4	40.6	15.4
1956	100.0	65.6	34.4	18.6
1957	100.0	68.9	31.1	26.1
1958	100.0	81.0	19.0	30.1
1959	100.0	64.9	35.1	17.0

Mr. Speaker, under unanimous consent, I include two additional tables which show both dividends and reinvested earnings as a percent of total corporate profits from the period 1946 through 1959 as well as their dollar amounts. These were also taken from basic data published in the President's economic report. These tables show a reversal of dividend payments as a percentage of corporate profits from 45 percent for the years preceding the 1954 dividend tax credit to 54 percent for the years following this reform:

TABLE IV-A.—*Corporate profits and finance*

[Billions of dollars]

	Corporate profits after taxes	Dividend payments	Undistributed profits
1946	13.4	5.8	7.7
1947	18.2	6.5	11.7
1948	20.5	7.2	13.3
1949	16.0	7.5	8.5
1950	22.8	9.2	13.6
1951	19.7	9.0	10.7
1952	17.2	9.0	8.3
1953	18.1	9.2	8.9
1954	16.8	9.8	7.0
1955	23.0	11.2	11.8
1956	23.5	12.1	11.3

TABLE IV-A.—*Corporate profits and finance*—Continued

[Billions of dollars]

	Corporate profits after taxes	Dividend payments	Undistributed profits
1957	22.2	12.5	9.7
1958	18.9	12.4	6.5
1959	[1] 24.6	[1] 13.2	[1] 11.4

[1] Preliminary estimates.

Source: "Economic Report of the President, January 1960," table D-57, p. 220.

TABLE IV-B..—*Corporate profits and finance*

	Dividend payments as percent of corporate profits	Undistributed profits as percent of corporate profits
1946	43.3	56.7
1947	35.7	64.3
1948	35.1	64.9
1949	46.9	53.1
1950	40.4	59.6
1951	45.7	54.3
1952	52.3	47.7
1953	50.8	49.2
1954	58.3	41.7
1955	48.7	51.3
1956	51.5	48.5
1957	56.3	43.7
1958	65.6	34.4
1959	53.7	46.3
14-year average	48.9	51.1

Mr. Speaker, if an individual stockholder had the corporation retain his $200,000 for financing future growth instead of paying him dividends the Federal Government would lose $148,820 which it would realize through his personal income tax. The $8,000 the Federal Government loses through the stock dividend credit is a small price to pay for removing this incentive on the part of the corporations and its richer stockholders not to pay its earnings out in dividends. Added to this is the incentive which the corporation receives through the stock dividend credit to increase the number of its stockholders through floating new issues of common stock to finance its growth instead of through retained earnings. Furthermore, once the corporation has broadened its stockholding group to include the smaller investor the pressure of the needs of the smaller investor for dividends is a healthy restraint on the corporation relying too heavily on retained earnings for future financing.

Nor can it be argued that the wealthy stockholder gives up his position of getting cash out of the retained earnings of $200,000. Theoretically, and actually, the stock he owns increases in value to the extent of these retained earnings. He can sell $200,000 of his stock and pay only a 25-percent personal income tax on the capital gain and so gain $160,000 in cash and retain the same amount of dollar investment in the corporation. Under this operation the Federal Government still loses $108,820 in revenue it would have had if the $200,000 had been paid in dividends.

Mr. Speaker, I have prepared an additional table which dramatically shows the respective interest of the Federal Government and the investor who has assumed the risk in the earnings of America's corporations. I insert this table in my remarks at this point.

TABLE V.—*Percent of earnings paid in corporate and personal income taxes by an unmarried individual*

Taxable income derived entirely from common dividends; no allowance for deductions or personal exemptions [1]	Corporate earnings before taxes necessary to pay dividend with no retained earnings	Amount of earnings retained by investor	Percent of earnings retained by investor	Percent of earnings paid in corporate and personal income taxes to the Federal Government	Taxable income derived entirely from common dividends; no allowance for deductions or personal exemptions [1]	Corporate earnings before taxes necessary to pay dividend with no retained earnings	Amount of earnings retained by investor	Percent of earnings retained by investor	Percent of earnings paid in corporate and personal income taxes to the Federal Government
$2,000	$4,167	$1,680	40.3	59.7	$32,000	$66,666	$18,820	28.2	71.8
$4,000	8,333	3,320	39.8	60.2	$38,000	79,165	21,160	26.7	73.3
$6,000	12,500	4,880	39.0	61.0	$44,000	91,665	23,260	25.4	74.6
$8,000	16,666	6,360	38.2	61.8	$50,000	104,165	25,180	24.2	75.8
$10,000	20,833	7,760	37.2	62.8	$60,000	124,998	28,080	22.5	77.5
$12,000	25,000	9,080	36.3	63.7	$70,000	145,831	30,680	21.0	79.0
$14,000	29,166	10,300	35.3	64.7	$80,000	166,664	32,980	19.8	80.2
$16,000	33,333	11,440	34.3	65.7	$90,000	187,497	34,980	18.7	81.3
$18,000	37,500	12,520	33.4	66.6	$100,000	208,330	36,680	17.6	82.4
$20,000	41,666	13,540	32.5	67.5	$150,000	312,495	44,180	14.1	85.9
$22,000	45,833	14,500	31.6	68.4	$200,000	416,660	51,180	12.3	87.7
$26,000	54,166	16,300	30.1	69.9					

[1] It is assumed that such deductions and exemptions equal the amount of income other than dividends.

Mr. Speaker, there are many who regard these figures as an academic matter since they assume that individuals will buy corporate stocks regardless of the tax consequences. Again, it is important to set the record straight and note that in developing our tax laws the Congress has actually placed a premium not only on financing private investment through debt financing and retained earnings it has also placed a premium on Government-operated enterprises and penalizes those who are willing to invest their funds in our free enterprise system.

During the forthcoming campaign, I am sure that no candidate of either major political party will espouse socialism. Every individual seeking office will give lip service to the free enterprise system. Yet the tax structure the Congress has created encourages individuals with substantial means to place their funds in tax-exempt securities and thereby avoid the entire burden of the progressive income tax.

Mr. Speaker, I have prepared a further table which shows the required earnings before taxes from an equity investment to be equivalent to the returns that are readily available by the purchase of tax-exempt bonds in today's bond market where AAA municipal bonds will yield 3.30 percent. I insert this table in my remarks at this point:

TABLE VI.—*Required earnings from a private investment before corporate and personal taxes to yield 3.30 percent to an unmarried individual after taxes* [1]

Taxable income derived entirely from common stock dividends, no allowance for deductions or personal exemptions: [2]

[Percent of return on investment]

$2,000	8.6
$4,000	8.8
$6,000	9.3
$8,000	9.8
$10,000	10.4
$12,000	11.1
$14,000	12.1
$16,000	13.0
$18,000	13.8
$20,000	14.6
$22,000	15.6
$26,000	16.8

[1] 3.30 percent is the prevailing yield on AAA municipal bonds and is free from personal income taxes.

[2] It is assumed that such deductions and exemptions equal the amount of income other than dividends.

TABLE VI.—*Required earnings from a private investment before corporate and personal taxes to yield 3.30 percent to an unmarried individual after taxes*—Continued

$32,000	18.1
$38,000	19.6
$44,000	22.2
$50,000	24.6
$60,000	27.5
$70,000	31.3
$80,000	36.2
$90,000	43.0
$100,000	52.9
$150,000	62.5
$200,000	68.8
$200,000 and over	76.4

Mr. Speaker, because of the combined effect of the corporate and personal income tax, a return on investment of at least 8.6 percent must be earned by a corporation if an individual in the lowest bracket is to have an equivalent return on his investment. If an individual is in the $200,000 bracket or above, a corporate investment must produce a return of 76.4 percent if it is to be equivalent to a tax-exempt bond. Such a rate of return exceeds any that can be found in a competitive market.

Before the era of highly progressive taxes, it was the expected practice in America for individuals with modest incomes to invest in Government bonds or place their funds in a savings bank. Individuals with substantial means were looked to by inventors and small businessmen to provide equity financing. If a risky venture turned out well, the investor could look forward to a return that would compensate him for some of the expected failures in backing new, untried enterprises.

Apparently, however, we are attempting to reverse this normal method of financing our private enterprise system inasmuch as the expected yield on a new investment has to rise to astronomical levels to be attractive to those in the higher tax brackets. They can secure the same net income without risk through the purchase of tax-exempt securities. The individual in the lower brackets has more incentive if there is a prospect of a reasonable return, but even in this instance it is necessary for an investment to be more than 2½ times as attractive in its prospective earnings over a riskless investment backed with the taxing powers of governmental bodies.

We can take still another approach, namely to compare the yield required in terms of market price in purchasing a common stock to be equivalent to a tax-exempt bond of the category I have already described. Mr. Speaker, under unanimous consent, I insert this table in my remarks at this point:

TABLE VII.—*Dividend yield required in purchasing equity securities to give net return of 3.30 percent to an unmarried individual after taxes*

Taxable income derived entirely from common stock dividends, no allowance for deductions or personal exemptions: [1]

[Percent of yield]

$2,000	4.1
$4,000	4.2
$6,000	4.5
$8,000	4.7
$10,000	5.0
$12,000	5.3
$14,000	5.8
$16,000	6.2
$18,000	6.6
$20,000	7.0
$22,000	7.5
$26,000	8.1
$32,000	8.7
$38,000	9.4
$44,000	10.6
$50,000	11.8
$60,000	13.2
$70,000	15.0
$80,000	17.4
$90,000	20.6
$100,000	25.4
$150,000	30.0
$200,000	33.0
$200,000 and over	36.7

[1] It is assumed that such deductions and exemptions equal the amount of income other than dividends.

Mr. Speaker, any fairminded citizen who wishes to see free enterprise preserved in America will oppose the demagogic efforts which have been made to eliminate this small incentive for equity investment embodied in the dividend credit.

Free enterprise means different things to different people, but once again it is worth defining this concept. To me it signifies a system of production and distribution which is responsive to the wishes of consumers in a competitive market rather than to the dictates of an all-powerful state. It is a system which uses the marketplace as the laboratory to test economic ideas instead of a system of scholasticism where appointed

bureaucrats make economic decisions without the benefit of knowledge which can only be gained if there are laboratories at hand from which to gain the knowledge. It also means a system in which every individual is free to select the occupation which will best use his talents. No permission from any authority is required to leave a job or to accept a more promising one. It is also a system in which investors have a true opportunity to decide which ventures are worthy of their support and which are likely to fail.

Our task as responsible members of a legislative body is to maintain a climate in which prudent investors and prudent consumers will be able to exercise their individual and collective judgment of what is valuable, and what is good, what is happiness, and what is necessary to insure this freedom for their posterity.

NEW WHEAT LEGISLATION IS NEEDED NOW

Mr. LATTA. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LATTA. Mr. Speaker, on June 3, 1959, I introduced H.R. 7530, which would authorize the Secretary of Agriculture to remove marketing quotas and controls from the production of any class of wheat whenever, prior to June 1 of any year, he determines that the production of such class will not exceed the estimated normal supply by less than a given percentage fixed by Congress. It is now evident that this bill will not be enacted into law during this session. However, had this 86th Congress enacted this bill into law during this holdover session, it could have taken credit for the passage of at least one piece of farm legislation designed not only to help a great number of the wheat producers of the Nation but the taxpayers as well.

At the time the existing legislation was enacted there were undoubtedly two basic considerations in the minds of the Members for voting for its passage. First, they believed the law would assist the farmer in securing his fair share of our national income, and secondly, that wheat surpluses would be avoided. Certainly everyone will agree that the farmer has not been securing his fair share of our national income. It is also agreed by everyone that our overall wheat surpluses have not been controlled or avoided. Even though the present program has completely failed to meet the basic reasons for its original enactment, it remains on the books. Why? Certainly Congress should amend or repeal laws it has enacted whenever it appears they are doing the very opposite of what was intended. A partial answer to this question may lie in the fact that this program has been beneficial to a few of the larger producers in the Nation and they want to see it continue without regard to its costs, the tremendous surpluses, or its effect on the great majority of smaller wheat producers living in other farming regions of America. To continue this program under these circumstances seems incredible and unthinkable. However, if such a program must be continued, and I hope it will not be, it seems to me that the principles embodied in H.R. 7530 should be adopted.

May I ask, Mr. Speaker, does it make sense to impose marketing quotas and controls on the producers of Soft Red Winter wheat, for example, when we have actually had shortages of this class of wheat and it is not adding to our surpluses? The February 1960 issue of the Department of Agriculture bulletin, entitled "The Wheat Situation," reveals the following quotation by the Department:

> Production of Soft Red Winter wheat was not large enough to maintain our level of exports and still maintain a normal carryover.

The carryover of Soft Red Winter wheat on July 1, 1960, was only 11 million bushels—8 million bushels less than the normal supply and 10 million bushels less than the 1959 carryover. With the supply of Soft Red Winter wheat less than the normal and necessary carryover, I ask why should practically all of the wheat producers east of the Mississippi-Missouri Rivers, to say nothing of the taxpayers, have to pay the price for being a part of the present costly and disastrous overall wheat program?

I take this opportunity to insert in the RECORD the carryovers of all classes of wheat in order that all members may have a clear wheat surplus picture. By comparison with the subnormal carryover of Soft Red Winter wheat, the July 1, 1960, carryover of Hard Red Winter wheat was 1,001 million bushels for an increase of 60 million bushels over just 1 year ago. In passing, it is well to note the fact that this one particular class of wheat is accounting for 75 percent of our total wheat surpluses. The carryover on July 1, 1960, of Hard Red Spring wheat was 225 million bushels as compared with 251 million bushels on July 1, 1959. The carryover of Durum wheat this year was 13 million bushels as compared with 18 million bushels 1 year earlier. The carryover of White wheat on July 1, 1960, was 63 million bushels as compared with 64 million bushels on July 1, 1959. In other words, Mr. Speaker, the carryover of every class of wheat grown in the United States was down on July 1, 1960, with the exception of the one which is causing three-fourths of our wheat surpluses. How much longer, Mr. Speaker, will the vast majority of the wheat producers of the Nation permit the Congress to ignore the real source of our trouble and fail to do anything about it? How much longer can we expect the taxpayers of the Nation to pay in excess of $1 million per day for storage charges on these wheat surpluses? Yes; and how much longer can we expect to sweep these facts under Mr. Benson's rug before the consumer and producer find out that he inherited this calamitous wheat program when he took office and that his own program never has been enacted into law?

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. SMITH of Iowa, for 30 minutes, today.

Mr. PORTER, for 60 minutes, tomorrow.

Mr. PASSMAN, for 80 minutes, tomorrow.

Mr. PATMAN, for 30 minutes, today and tomorrow, and to revise and extend his remarks and to include extraneous matter and tables.

Mr. BAILEY, for 20 minutes, on Tuesday.

Mr. CURTIN, for 5 minutes, today.

The following Members (at the request of Mr. SCHERER):

Mr. GRAY, for 15 minutes, on August 31.

Mr. BROWN of Ohio, for 1 hour, on August 30.

Mr. HALPERN (at the request of Mr. SCHERER), for 5 minutes, today.

Mr. CONTE (at the request of Mr. SCHERER), for 30 minutes, on August 31.

Mr. SANTANGELO (at the request of Mr. MCCORMACK), for 20 minutes, on tomorrow.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. MORRIS of Oklahoma and to include extraneous matter.

Mr. JENSEN.

The following Members (at the request of Mr. SCHERER), and to include extraneous matter:

Mr. KEARNS.

Mr. ALGER.

Mr. DAGUE.

Mr. AYRES.

Mr. VAN ZANDT.

At the request of Mr. SCHERER, the following Members were granted permission to extend their remarks in the RECORD:

Mr. UTT in one instance.

Mr. LINDSAY in two instances.

Mr. FORD, the remarks he made in the House today.

Mr. CURTIS of Missouri, the remarks he made in the House today, and all other Members who participated in the colloquy.

Mrs. BOLTON (at the request of Mr. SCHERER) and to include extraneous matter.

Mr. WEAVER (at the request of Mr. SCHERER) and to include extraneous matter.

(At the request of Mr. MCCORMACK, and to include extraneous matter, the following:)

Mr. SHELLEY.

Mr. GILBERT.

Mr. DONOHUE in two instances.

Mr. PUCINSKI and to include an article.

SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3299. An act to provide for the conveyance to the State of Maine of certain lands located in such State; to the Committee on Armed Services.

S. 3830. An act to provide for the establishment of the Roger Williams National Monument; to the Committee on Interior and Insular Affairs.

S. Con. Res. 116. Concurrent resolution favoring further exploration for the establishment of an international food program for relief purposes; to the Committee on Foreign Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 900. An act to validate certain overpayments inadvertently made by the United States to several of the States and to relieve certifying and disbursing officers from liability therefrom;

H.R. 2069. An act for the relief of James H. Presley;

H.R. 2178. An act to authorize the Secretary of the Army to make certain changes in the road at White Branch, Grapevine Reservoir, Tex.;

H.R. 4059. An act to amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States;

H.R. 6084. An act for the relief of J. Butler Hyde;

H.R. 6767. An act for the relief of Raymond Baurkot;

H.R. 7124. An act 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;

H.R. 7792. An act for the relief of Martin A. Mastandrea;

H.R. 8054. An act for the relief of William Edgar Weaver;

H.R. 8989. An act for the relief of Ralph W. Anderson;

H.R. 9377. An act to provide for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and Chief of Engineers;

H.R. 9406. An act for the relief of William J. Huntsman;

H.R. 9417. An act for the relief of Henry Kaloian;

H.R. 9432. An act for the relief of Major Edmund T. Coppinger;

H.R. 9958. An act for the relief of Brooklyn Steel Warehouse Co.;

H.R. 10431. An act for the relief of Isami Nozuka (also known as Isami Notsuka);

H.R. 10598. An act to clarify certain provisions of the Criminal Code relating to the importation or shipment of injurious mammals, birds, amphibians, fish, and reptiles (18 U.S.C. 42(a), 42(b)); and relating to the transportation or receipt of wild mammals or birds taken in violation of State, national, or foreign laws (18 U.S.C. 43), and for other purposes;

H.R. 11165. An act for the relief of Robert J. Reeves;

H.R. 11813. An act to amend the Menominee Termination Act;

H.R. 11188. An act for the relief of Edward S. Anderson;

H.R. 11327. An act for the relief of Chauncey A. Ahalt;

H.R. 11390. An act 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;

H.R. 11420. An act for the relief of Ferdinand Hofacker;

H.R. 11460. An act for the relief of Edouard E. Perret;

H.R. 11486. An act for the relief of Richard J. Power;

H.R. 12350. An act for the relief of Marion John Nagurski;

H.R. 12471. An act for the relief of Capt. Lucien B. Clark O2051623, MSC, U.S. Army;

H.R. 12475. An act for the relief of Claude L. Wimberly;

H.R. 12476. An act for the relief of John H. Esterline;

H.R. 12530. An act 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.-N.C.;

H.R. 12533. An act to amend the Migratory Bird Treaty Act to increase penalties for violations of that act, and for other purposes;

H.R. 12563. An act 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; and

H.J. Res. 658. Joint resolution 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.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1806. An act to revise title 18, chapter 39, of the United States Code, entitled "Explosives and Combustibles";

S. 2306. An act to exempt from taxation certain property of the National Woman's Party, Inc., in the District of Columbia;

S. 3415. An act to exempt from taxation certain property of the American Association of University Women, Educational Foundation, Inc., in the District of Columbia;

S. 3727. An act to authorize the bonding of persons engaging in the home improvement business, and for other purposes; and

S. 3834. An act 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.

BILLS 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, bills of the House of the following titles:

H.R. 5747. An act to amend section 152, title 18, United States Code, with respect to the concealment of assets in contemplation of bankruptcy;

H.R. 7242. An act to amend sections 1, 57j, 64a(5), 67b, 67c, and 70c of the Bankruptcy Act, and for other purposes;

H.R. 8289. An act to accelerate the commencing date of civil service retirement annuities, and for other purposes; and

H.R. 10455. An act to amend the Mineral Leasing Act of February 25, 1920.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 46 minutes p.m.) the House adjourned until tomorrow, Tuesday, August 30, 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:

2428. A letter from the Under Secretary of the Navy, transmitting an annual report relating to all tort claims paid by the Department of the Navy during the fiscal year 1960, pursuant to section 2672 of title 28, United States Code; to the Committee on the Judiciary.

2429. A letter from the Postmaster General, transmitting a draft of proposed legislation entitled "a bill to repeal the limitation on the number of postal employees who can be placed in salary levels PFS-17 through PFS-20, and for other purposes"; to the Committee on Post Office and Civil Service.

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. McMILLAN: Committee on the District of Columbia. Supplemental report. H.R. 12775. A bill to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children; without amendment (Rept. No. 2151, pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. S. 2917. An act to establish a price support level for milk and butterfat; without amendment (Rept. No. 2182). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 633. Resolution for consideration of H.R. 8093, a bill to amend the Merchant Marine Act, 1936, in order to eliminate the 6-percent differential applying to certain bids of Pacific coast shipbuilders; without amendment (Rept. 2183). Referred to the House Calendar.

Mr. McMILLAN: Committee on the District of Columbia. S. 3835. An act 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; without amendment (Rept. No. 2184). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. S. 743. An act to amend the Federal Coal Mine Safety Act in order to remove the exemption with respect to certain mines employing no more than 14 individuals; without amendment (Rept. No. 2186). Referred to the Committee of the Whole House on the State of the Union.

Mr. BARDEN: Committee on Education and Labor. H.R. 12574. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, so as to provide that an injured employee shall have the right to select his own physician, and for other purposes; without amendment (Rept. No. 2187). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON of New Jersey: Joint Committee on the Disposition of Executive Papers. House Report No. 2188. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BARDEN: Committee on Education and Labor. H.R. 12777. A bill to amend the Longshoremen's and Harbor Workers' Compensation Act, as amended, to provide increased benefits in case of disabling injuries, and for other purposes; with amendment (Rept. No. 2189). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1105. An act to improve the land tenure patterns on the Fort Belknap Reservation; without amendment (Rept. No. 2190). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 1663. An act directing the Secretary of the Interior to convey certain property in the State of North Dakota to the city of Bismarck, N. Dak.; without amendment (Rept. No. 2191). Referred to the Committee of the Whole House on the State of the Union.

Mr. ASPINALL: Committee on Interior and Insular Affairs. S. 1670. An act to provide for the granting of mineral rights in certain homestead lands in the State of Alaska; with amendment (Rept. No. 2192). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. S. 1889. An act to authorize the transfer of three units of the Fort Belknap Indian irrigation project to the landowners within the project; without amendment (Rept. No. 2193). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 2757. An act to supplement the act of June 14, 1926, as amended, to permit any State to acquire certain public lands for recreational use; with amendment (Rept. No. 2194). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 2914. An act to authorize the purchase and exchange of land and interests therein on the Blue Ridge and Natchez Trace Parkways; without amendment (Rept. No. 2195). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 3267. An act to amend the act of October 17, 1940, relating to the disposition of certain public lands in Alaska; with amendment (Rept. No. 2196). Referred to the Committee of the Whole House on the State of the Union.

Mrs. PFOST: Committee on Interior and Insular Affairs. S. 3399. An act to authorize the exchange of certain property within Shenandoah National Park, in the State of Virginia, and for other purposes; without amendment (Rept. No. 2197). Referred to the Committee of the Whole House on the State of the Union.

Mr. HALEY: Committee on Interior and Insular Affairs. H.R. 8712. A bill to amend the act of August 9, 1955, to authorize longer term leases of Indian lands on the Agua Caliente (Palm Springs) Reservation and the Seminole Reservations in Florida; with amendment (Rept. No. 2198). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee of conference. H.R. 10087. A bill to amend the Internal Revenue Code of 1954 to permit taxpayers to elect an overall limitation on the foreign tax credit (Rept. No. 2199). Ordered to be printed.

Mr. COOLEY: Committee on Agriculture. H.R. 13062. A bill to extend the Sugar Act of 1948, as amended; with amendment (Rept. No. 2200). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McMILLAN: Committee on the District of Columbia. S. 3867. An act to exempt from taxation certain property of the National Guard Association of the United States in the District of Columbia; without amendment (Rept. No. 2185). 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. BRADEMAS:

H.R. 13198. A bill to establish a Federal Recreation Service in the Department of Health, Education, and Welfare, and for other purposes; to the Committee on Education and Labor.

By Mr. BROOKS of Louisiana:

H.R. 13199. A bill to amend the Submerged Lands Act to establish and confirm the seaward boundaries of the coastal States, as a line three marine leagues distant from the coastline; to the Committee on the Judiciary.

By Mr. LOSER:

H.R. 13200. A bill to amend chapter 35 of title 38, United States Code, relating to war orphans' educational assistance, in order to permit eligible persons thereunder to attend foreign educational institutions under certain circumstances; to the Committee on Veterans' Affairs.

By Mr. McFALL:

H.R. 13201. A bill to strengthen and make clear the authority of the States relating to the control, appropriation, use, or distribution of water within their boundaries, to promote harmony between the United States and the States with the administration of water, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. O'KONSKI:

H.R. 13202. A bill to provide that amounts equal to amounts paid by a veteran for expenses of the last illness and burial of a wife or child shall not be included in the computation of his annual income for pension purposes; to the Committee on Veterans' Affairs.

H.R. 13203. A bill to amend title 38 of the United States Code to provide that in determining eligibility of a veteran to disability pension the income of a spouse shall not be counted in computing the veteran's annual income; to the Committee on Veterans' Affairs.

H.R. 13204. A bill to provide a basis for payment of death pension by the Veterans' Administration to a widow or child of a person who served in World War I, World War II, or the Korean conflict, and who died while on active duty under circumstances which are held not to be a basis for an award of death compensation or dependency and indemnity compensation; to the Committee on Veterans' Affairs.

H.R. 13205. A bill to provide that where the entitlement of a veteran, widow, or child to a pension from the Veterans' Administration is based upon the veteran's having served in World War I, the beneficiary shall if otherwise eligible have the right to elect payment of pension under either the provisions of title 38 as in effect on June 30, 1960, or as amended by the Veterans' Pension Act of 1959, whichever provides the greater benefit; to the Committee on Veterans' Affairs.

By Mr. PORTER:

H.R. 13206. A bill to modernize the laws relating to contracts for the transportation of mail, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DORN of New York:

H.R. 13207. A bill to amend title III of the act of March 3, 1933, commonly referred to as the Buy American Act, so as to provide that, in the case of certain articles, materials, and supplies required for public use, the procurement of such articles, materials, and supplies by the Federal Government shall be limited to the holders of patents issued by the United States; to the Committee on Public Works.

By Mr. FISHER:

H.R. 13208. A bill to amend paragraph 702 of the Tariff Act of 1930 to establish quotas for live sheep and lambs and for fresh, chilled, or frozen lamb and mutton, and to provide for additional duties on imports in excess of such quotas; to the Committee on Ways and Means.

By Mr. BALDWIN:

H.R. 13209. A bill to provide that members of the Philippine Scouts who served during World War II shall be paid the difference between the pay they received for their service during World War II and the pay which they would have received if their rates of pay had been the same as other members of the Army of the United States; to the Committee on Armed Services.

By Mr. SAUND:

H.R. 13210. A bill to provide for preference to existing applicants in the leasing of oil and gas resources of public lands on San Nicolas Island, in the State of California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WOLF:

H. Con. Res. 729. Concurrent resolution favoring further exploration for the establishment of an international food program for relief purposes; to the Committee on Foreign Affairs.

By Mr. PHILBIN:

H. Con. Res. 730. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry, to the Committee on Ways and Means.

By Mr. DONOHUE:

H. Con. Res. 731. Concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARING:

H.R. 13211. A bill for the relief of Yick T. Jew; to the Committee on the Judiciary.

By Mr. BENTLEY:

H.R. 13212. A bill for the relief of Polyxeni K. Mina; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 13213. A bill for the relief of Margarita Jericevic; to the Committee on the Judiciary.

By Mr. JOHANSEN:

H.R. 13214. A bill for the relief of Kwong Ja Lee; to the Committee on the Judiciary.

By Mr. MURPHY:

H.R. 13215. A bill for the relief of Cesare Nannizzi; to the Committee on the Judiciary.

By Mr. RABAUT:

H.R. 13216. A bill for the relief of Eva Nowik; to the Committee on the Judiciary.

By Mr. WAINWRIGHT:

H.R. 13217. A bill for the relief of Loukas A. Saravanos; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Help From Hoffa

EXTENSION OF REMARKS
OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. KEARNS. Mr. Speaker, I am pleased to report that in the current issue of Jimmy Hoffa's new political publication, the Drive Reporter, I have been signally honored with a long and emotional denunciation as a horrible example of what a Congressman should be.

This being an election year and campaign expenses being what they are, I consider myself fortunate indeed to have been given such attention.

I say this, Mr. Speaker, because most of us know what is a horrible congressional example to Mr. Hoffa more often than not is considered the epitome of legislative virtue elsewhere. Modesty prevents my placing this exact interpretation upon the Hoffa remarks and their effect, but I believe most of my colleagues will agree that being inscribed on Jimmy Hoffa's personal political purge list considerably enhances a political candidate's chances.

Without going into detail concerning the Hoffa analysis of my voting record and character, I can say that Mr. Hoffa expresses grave fears as to what would happen in the event the Republican Party were to take control of this body in November.

If the Republicans elect a congressional majority—

The article states—

KEARNS will chairman the Committee on Education and Labor. This they should not inflict on the rest of the Nation.

I can understand that this would worry Mr. Hoffa, for he knows that in the past I consistently have voted to protect the rights of the rank-and-file workingman against abuses by union bosses.

The working men and women of my district—many of them members of the Teamsters Union—are aware of this and are familiar with my work in their behalf. I do not think that they who so recently have been freed of the coercive burdens of labor bossism, will forget.

They will remember that I pushed through for them the first school lunch bill in the history of Pennsylvania. They will remember, too, that I was instrumental in this body, in obtaining the first $1 minimum wage bill.

A responsible union leadership—that of the International Association of Machinists—said at the time that the minimum was raised to a dollar in a miracle of the 84th Congress.

The official publication of the Machinists' Union stated that Representative CARROLL KEARNS, Republican of Pennsylvania, was one of the principal miracle makers.

Mr. Speaker, I believe Jimmy Hoffa is peeved with those of us who have attempted to guarantee the workingman his God-given rights, because among these rights are freedom of speech and action.

These, of course, are two things Hoffa would rather not have in his organization.

I believe he is unhappy, too, because most of the Members of this body banded together in the past year to free the workingman from labor totalitarianism and give him, instead, representative unionism.

He is particularly angry at me, I feel, because I was active in this legislative battle and because I am, as he has noted, the senior Republican member of the committee which drafted the labor reform bill.

He is unhappy because that bill gives equal rights to all union members in the conduct of their union affairs.

He is displeased because that bill allows rank-and-file members to speak up at union meetings without fear of reprisals from union bosses such as himself.

He is irked because union members are protected against arbitrary dues increases under terms of that bill.

He is disconsolate because the labor reform law I helped write protects the union member's right to sue union bosses for abuses.

He is plagued with the reality that because of this legislation he cannot arbitrarily impose fines and penalties on his membership.

His ambitions have been thwarted noticeably by the provision making free and fair union elections mandatory.

He perhaps is spending many sleepless nights because the bill makes it possible for a union membership to purge itself of crooked officials.

He is irate because union funds now are protected and trusteeships are regulated.

He is indignant because I gladly helped in the outlawing of blackmail picketing.

And, most significant, he perhaps is downright enraged because the bill bans hot-cargo agreements in labor contracts, one of Jimmy's favorite weapons of destruction.

He is displeased with my voting record because I have voted in the public interest and against the selfish interest of a labor boss whose operations led to the expulsion of his union from the AFL-CIO.

He is wrathful because Civic Affairs Associates, a nonpartisan organization which analyzes voting records of Members of Congress, has given me a rather high performance rating, as noted in the Pittsburgh Press. On August 13, Douglas Smith, distinguished Washington correspondent for that newspaper, wrote of the Civic Affairs Associates' poll:

The western Pennsylvanian most pleasing to the scoring group was Representative CARROLL D. KEARNS, Farrell Republican, who scored 0.786.

Mr. Speaker, I believe it is obvious that what is a horrible example to Jimmy Hoffa fortunately is not that to more responsible persons.

In conclusion, I should advise my colleagues that boss Hoffa is very likely to single out others in the House for attacks of the type made against me. Nevertheless, I am sure that in a spirit of charity all Members of this body join me in wishing Mr. Hoffa a recovery—sometime after November 8—from the condition which produces such outbursts as his intemperate attack upon me.

Prior to that date, however, these outbursts can be a great asset to the cause of good government. They will show the American people that any vote is a vote in the public interest—provided it is a vote directly contrary to the interest of one James R. Hoffa.

Small Business Assistance Act of 1960

EXTENSION OF REMARKS
OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. DONOHUE. Mr. Speaker, it has been always an unquestioned American tradition that this Government shall aid, counsel, assist, and protect the interests of small business in order to preserve our democratic system of free competitive enterprise.

That is why I advocated and voted for the passage of the original legislation establishing a permanent, independent Small Business Administration agency. Recognizing the importance of our small businesses in defense production efforts and the national economy I have consistently urged every reasonable Federal assistance and guidance to them throughout my congressional service.

Over these past 2 years I regret to say the fate and the fare of American small business has discouragingly declined, while the Congress concentrated attention largely upon international issues and domestic security. In partial recognition of this neglect this body passed, last June, approved H.R. 11207, designed to increase the Small Business Administration's revolving fund for its regular loan program, to provide for a wider participation by small business concerns in the subcontracting phase of Government procurement and to authorize the agency to set up a small business subcontracting program.

While this bill does not offer the complete assistance a good many of us have advocated it does contain elements of material encouragement and aid desperately needed by small business to survive.

Mr. Speaker, the House-passed measure, together with a Senate-passed version is now in conference. I most earnestly hope the leadership on both sides, in both Chambers, will use their combined influence in having the conferees reach sensible agreement and report the bill back for congressional action before adjournment.

I consider it my conscientious duty to speak here today for the small business people of my own district and the Nation. The only voice they have in Federal legislation is ours and we will be neglecting our obligation if we fail to grant this limited assistance to this patriotic segment of our economy.

Medical Care for the Needy Aged

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. GILBERT. Mr. Speaker, until the Congress has the benefit of strong leadership, which would be shown by a Democratic President, there will be no comprehensive, adequate plan to meet the medical needs of our senior citizens. Medical and hospital care for the elderly must eventually be devised as part of the time-tested social security insurance system. I am grievously disappointed in the bill we have just passed.

The measure which first passed the House was meager and miserly; the compromise measure which finally passed has been termed a shabby joke. It would cover some 2.4 million persons over 65 now receiving old-age medical assistance under State assistance programs, plus an estimated million more persons a year classed as medically indigent. Federal assistance grants would be stepped up under the bill to encourage States to develop comprehensive medical care programs. Participation of the States would be completely optional however, with each State determining the extent and character of its own program.

This is a paupers oath type of medical care. We have to wait until 50 different States, with varying abilities to finance such medical care decide what help they will give the elderly. It is believed that many States will adopt the programs and, equally many will not. There is no guarantee that our elderly citizens will get any help at all in many instances. It means that those desperately in need of medical care might get some help if the States did their part and if the recipients proved themselves too poor to pay their own doctor bills. They will be subjected to investigation through the local departments of public assistance; they will be forced to answer embarrassing questions regarding income of members of the family; all dignity will be stripped from them at a time when they should have medical help free from harassment and worry.

Responsibility is placed on the States and this means that the entire program will be unwieldy and totally inadequate. A wise and efficient plan should have been made a part of our orderly, nationwide system of social security, to insure the medical aid which is sorely needed.

Several excellent plans were proposed, but defeated, and it is discouraging to have to accept a plan which, while it will do no harm, will not do much good, and falls far short of my expectations. The Forand bill would have provided insurance against the costs of hospital, nursing home, and surgical service for persons eligible for old-age and survivors insurance benefits. Such protection is vitally needed, and should be given our senior citizens who now cannot afford such care and cannot obtain or afford private insurance. Inasmuch as they would have helped pay the costs during their working years, under the social security insurance system, they would have been entitled to medical assistance during the years when they need it most, and they would have had such help as a matter of right, rather than to have to beg for it. I introduced a bill identical with the Forand bill, in the House, to indicate my strong support. The Anderson amendment, backed by KENNEDY would have met the medical needs of our senior citizens and would have been administered under a workable, adequate, nationwide system.

As matters now stand, our elderly citizens will continue to be without adequate medical care and will suffer illness and pain without the assistance they should have, and which has been promised them.

I shall continue to give of my best efforts to the end that the situation will be corrected and our senior citizens will be given adequate help, just as soon as it is possible to secure passage of a good, effective medical aid bill.

What's Happened? They Don't Hate Us—They Love Us

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. DAGUE. Mr. Speaker, the exclamation with which I have captioned these remarks was reportedly made by a woman spectator at the opening of the Olympic games in Rome this week.

At the opening ceremonies each delegation marched on the field behind their national colors and when the U.S. group moved out with Old Glory borne aloft by Rafer L. Johnson—the first Negro ever to carry the American flag in an Olympic parade—the crowd literally went wild. Cheers followed cheers and, as our reporter implied in his article, the collapse of the summit conference, the Powers trial, the cataract of Communist abuse all seemed to fade into insignificance. Literally, the people—the ordinary folks like you and me—are not mad at Uncle Sam and as DICK NIXON learned in Warsaw there is a wealth of good feeling for the United States. And this fact was further emphasized at the Olympic spectacle when the Russian athletes marched on the field and were given polite but a very minimum of applause.

It seems that the time is here when political candidates and partisan politicians should stop trying to downgrade the United States and refrain from trying to make it appear that we are hated everywhere overseas. That idea is exactly what Communists are trying to promote both here and abroad and it certainly does us no credit when in seeking political advantage some of our people brand our Nation as a second-rate power and minimize the influence that both President Eisenhower and Vice President NIXON have had in promoting good will around the world.

Hugh Bennett Has Passed to His Reward

EXTENSION OF REMARKS

OF

HON. BEN F. JENSEN

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. JENSEN. Mr. Speaker, I should like to pay tribute to the memory of one of our greatest Americans, Hugh Hammond Bennett, man of the soil.

Dr. Bennett, the first Chief of the Soil Conservation Service, died July 7 at the age of 79 and was buried in Arlington National Cemetery.

Our country, and the people of the world as well, owe him a great debt for his lifetime crusade against soil erosion and on behalf of an action program to conserve our soil resources.

More than any man, Dr. Bennett was responsible for our national soil and water conservation and small watershed protection and flood prevention programs that extend into nearly every corner of the Nation, and for the development of similar programs in some 48 other countries.

Dr. Bennett's great crusade began some 55 years ago when, as a young soil surveyor just 2 years out of college, he identified the process of sheet erosion. This is the gradual removal, with every heavy rain, of a thin sheet of topsoil. Gullies were common and accepted as a "natural" event, but Bennett's theory of sheet erosion—the forerunner of gullies—was a new concept.

The young scientist's concept did not impress anybody, least of all his superiors in the Department of Agriculture.

But young Hugh Bennett was undismayed. He kept at it. He gathered additional data as he continued his regular work—studying the soils of America across the length and breadth of the land. He talked about soil erosion. He wrote about it. He argued. But his road was a lonely one for more than two decades.

In 1928 he finally got his full story into a Department of Agriculture pamphlet, "Soil Erosion a National Menace." That

was the beginning. People began to listen. People who counted, such as a congressional committee that called on him to testify and then appropriated a small sum to start investigations into soil erosion.

Hugh Bennett, who almost single-handedly aroused the Nation to the dangers of soil wastage, was the man chosen to develop and direct a program of research and action in soil conservation.

He directed the early research starting in 1929. He headed the Soil Erosion Service, an emergency depression agency. He headed its successor, the Soil Conservation Service when it was established in 1935 by the Congress without a single dissenting vote. He established the principles and concepts that today guide our national programs. He retired from active service in 1952 after 18 years as Chief of the Soil Conservation Service, and after nearly a half century of magnificent service to his country and to the world.

But Hugh Bennett continued to be a messiah of the soil in the 8 years of his life after formal retirement. He accepted assignments to other nations, as health permitted. He continued to speak and to write.

His last public appearance, where he spoke briefly but with his usual eloquence and humor, was on May 5 at a banquet here in Washington sponsored by the National Association of Soil Conservation Districts in observance of the 25th anniversary of the Soil Conservation Service.

It was my privilege, along with others, to share the platform with him on that occasion.

I knew this man well, and there was no man I respected or admired more. He was simple and direct. He had no time for pompous or scientific posture, yet he was a scientist and a great one. Essentially, this man was an evangelist, who, by the force of his personality, his ability to speak and write simply but eloquently, and his ability to adapt himself to any group or occasion, gained widespread support for a noble ideal—to safeguard our land for present and future generations. He was of that rare breed of men who can translate knowledge into action and achieve results.

It was my sad privilege but I deemed it a great honor to represent the Congress as an honorary pallbearer at his burial rites in Arlington National Cemetery.

As I traveled slowly with the horse-drawn caisson bearing his body to its last resting place, I reflected on the greatness of this man who fought so long and so alone, but who lived, as few men do, to see his dream come true.

And it came to me then that the good works of this man to whom we owe so much should be perpetuated by a memorial for the benefit of generations unborn—the generations that will profit most from his lifetime of service to all mankind.

I understand many of the national agricultural and conservation organizations, soil conservation districts, and conservation farmers and ranchers everywhere want to erect a suitable memorial to the memory of this great and good man.

I hope that their efforts will come together and emerge as a single suitable memorial to the man of whom Louis Bromfield said, "Hugh Bennett deserves the greatest honor from the American people as one of the greatest benefactors since the beginning of their history." Our hearts go out to his wonderful wife and family.

God rest his soul and may the same God who took him to his heavenly home give Mrs. Bennett and family strength to bear the great loss they have suffered in the passing of their dearly loved one.

Our National Security

EXTENSION OF REMARKS

OF

HON. PHIL WEAVER

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. WEAVER. Mr. Speaker, much has been said and much more will be said—some of it in a partisan political vein—about the status of our Nation's defense posture. This is a subject of such vital importance to every American that I feel I must speak out on it. I also feel that my position as a member of the Appropriations Subcommittee on Defense requires my making this statement.

When all of the uproar dies down and the cold facts are brought into the light, I think the American people will find that they are by no means a second-rate power, and that our Nation is now and will remain the strongest on earth.

This massive strength which we have built up at tremendous cost and effort has been and is being used as an arm of our foreign policy. It permits us to deal with any potential aggressor with a strong hand and a winning suit. It has permitted us to stabilize the situation in many parts of the world and will enable us to force the issue and clear up the situation which is festering now in Cuba.

Were it not for this strength and the knowledge that the Kremlin has that we are as strong as we say we are, the world would today be in utter chaos or perhaps under the domination of the Soviet Union. Believe me, if the Soviet bosses for one moment thought they could launch an aggressive war without themselves being destroyed, they would do so. In fact, the Soviets would have acted long ago were it not for the fear that retaliation would mean destruction of their homeland.

President Eisenhower has steered a course which has kept this Nation out of war for the past 8 years and has ended the war which was raging when he took office. This has been a difficult task, an almost superhuman one because when he took office the world situation was such that communism was feeling its oats and was making overt moves in every possible direction. There was open warfare in Southeast Asia. There was the threat of invasion of Taiwan. In the Middle East the previous administration had allowed the situation to deteriorate to the point that Communists were moving ahead in Iran, Iraq, Syria, and Egypt. The explosion at the Suez was even then in the making and was inevitable. That we managed to steer clear of open warfare at that time and in that area is one of the real feats of statesmanship by the President.

The President was committed by the previous administration to the foreign-aid policy. It could not be ended, once begun, without the danger of chaos. However, Mr. Eisenhower has been able to shift the emphasis in this field and has made the money work better for the advantage of the United States as it never did before.

I personally feel that much of our foreign aid is a mistake and its continuance is a mistake. Therefore, I have voted consistently against it. I do recognize, though, that there is need in some areas of the world and I think it is our responsibility as Americans to help in these areas with bushels, not bucks. The best way I know of to accomplish this is by use of our vast stores of surplus grain, butter, and grain oils for shipment to these have-not countries. This would not only be another step toward an enduring peace but would be of great assistance in cutting down the costs of storing our surplus commodities.

Mr. Speaker, during the past 2 years we of the House Appropriations Subcommittee on Defense have worked consistently under the able leadership of the gentleman from Texas [Mr. MAHON] and the gentleman from Michigan [Mr. FORD] to develop a flexible, balanced, attack force.

This force is a mixture of manpower, bombers, ships, and missiles. It is a potent fighting force and one which can go into action at a moment's notice. We have provided funds to start work on an airborne alert for the Strategic Air Command in the event of crisis.

In the past 2 years we have seen Atlas come into operation. Testing of Titan is proceeding and this powerful weapon is moving toward the operational stage. We have had a remarkable breakthrough on Minuteman and that program is well ahead of schedule. Minuteman is so mobile that it will make it extremely difficult for an enemy attack to knock it out.

Polaris, the submarine-launched missile, will within a short time become the backbone of our sea attack force. The submarine will be able to hide offshore and hit many of the major targets in the Communist empire. It will be very nearly immune to enemy action.

During the past 2 years we have speeded up our antisubmarine warfare work and are making some progress in this area. However, it is my feeling that we must find a new Rickover to coordinate this effort and to give it the kind of drive essential to getting the job done.

Altogether, Mr. Speaker, this presents a mighty array of weapons in the arsenal of democracy. With this kind of strength the United States is capable of striking so hard that no enemy would dare launch a military venture.

This strength we have built for the United States carries with it also a grave responsibility. We cannot afford to make an unwise move. We must have men in command who have the wisdom and restraint that only experience can provide.

In closing, I would like to emphasize once again that the United States has been thrust into the position of leadership in the free world—and that we have the strength, both military and diplomatic, to handle the assignment and keep the peace.

Radio Free Cuba

EXTENSION OF REMARKS

OF

HON. ROMAN C. PUCINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. PUCINSKI. Mr. Speaker, a Chicago newspaper recently asked how much longer the United States can afford to let a tinpot dictator in Cuba get away with wholesale robbery crowned with insults.

The action of the Foreign Ministers of the Organization of American States yesterday in condemning Moscow interference in the Western Hemisphere clearly indicates that people throughout the Americas indeed agree with the question asked by the Chicago newspaper. But the action taken yesterday by the OAS in condemning the Communists will have little meaning unless this information is given to the people of Cuba.

I am proposing today that the American people help organize a privately financed agency to be known as Free Cuba, Inc., and whose principal function will be to immediately set up powerful radio transmitters to be known as Radio Free Cuba and beam the truth about Castro and his Communist advisers to the people of this island Republic.

There is no question in my mind that the Cubans are now being brainwashed with the most bitter hate-America campaign ever staged anywhere in the world by Castro and his Communist conspirators through his tightly controlled press and radio in Cuba.

We must immediately provide a counterforce which will tell our traditional allies and friends in Cuba the truth about Castro.

My suggestion is not without precedent, even though we still maintain flimsy diplomatic relations with the Cuban dictator. The United States maintains diplomatic relations with the Communist regime in Poland and other nations behind the Iron Curtain, but we also maintain our anti-Communist broadcasts into these countries through Radio Free Europe and the Voice of America. I feel that this proposal in no way violates the sovereignty of Cuba or any other nation.

I believe there is a sense of urgency in my proposal. I have been informed by leaders of the anti-Communist underground movement in Cuba that Castro and his Communist advisers are plotting now to carry out the final blow of his anti-America drive, and that is, the seizure of our naval base in Guantanamo. I have it on what I believe reasonable authority that Castro very shortly is going to organize a large group of Cubans to stage a march on the American naval base in Cuba. These will not be Castro's soldiers, but innocent Cuban citizens, while ire will be fanned by Communist agitators. The plot is to make sure that several of these Cuban citizens will be killed during the melee not by Americans, but by the Communists themselves. This incident is designed to give Castro the springboard from which he will brand America as an aggressor in an attempt to drive Americans out of the base.

It is extremely important for us to set up a facility now which will forewarn the Cubans of Castro's plot and will tell them of his true intentions. It is also essential now to tell the Cuban people that some of the outstanding Cubans who helped Castro in his July 26 movement have now turned into counterrevolutionaries who are fighting him because he has sold out lock, stock, and barrel to Kremlin rule.

Mr. Speaker, I am sure the American people will support this program as a voluntary citizens movement. I do not believe it should become an official Government function because then Castro would single out our State Department as his target for intensifying anti-America hate propaganda. Instead, this should be a wireless people-to-people program starting at the American grassroots level in our effort to tell our friends in Cuba the truth about their leader. I am confident American industry, the American labor movement, and the American people will help make this a successful venture.

The powerful radio transmitters could be built on one of the offshore islands between Cuba and Miami. I have been assured by the Cuban anti-Communist underground that the people of Cuba not only can but will listen intensely to these broadcasts. One of the things that puzzles the Cuban people more than anything else today is the complete lack of a possible counteroffensive by the American people. We can cure this lack with the Radio Free Cuba project, which I am proposing today.

Mr. Speaker, I am enclosing an editorial from the Chicago Daily News, which I think quite accurately reflects the temper of the American people regarding Castro and his Communist legions in Cuba:

CUBA CROWNS THEFT WITH INSULTS—PATIENCE MAY BE DANGEROUS, TOO

How much longer can the United States afford to let a tinpot dictator in Cuba get away with wholesale robbery crowned with insults?

Up to now, patience has been the watchword in U.S. dealings with Cuba. With one exception—the cut in the sugar quota—our Government has limited itself to ineffectual protests while Fidel Castro and his Communist cohorts have systematically destroyed the fruits of more than 50 years of economic collaboration.

A weekend decree read by the ailing dictator completes the seizure of American-owned property in Cuba valued at nearly $1 billion. There is almost no hope that any of it will be paid for; it is robbery pure and simple.

The fact that the Castro gang believes it can do its dirty work with impunity may in the long run be more damaging than the financial loss. If the Cubans can get away with it, who is next in line to try? The United States has a good many billions invested around the world, and the lineup of greedy politicians willing to grab the loot could get pretty long.

Castro is confident that the United States will do nothing. He derides us as a "second-rate military power." His pal, Nikita Khrushchev, whose hands are still bloody from the butchery in Hungary, has the gall to threaten a rain of rockets on America if we dare to lay a hand on the Cuban hijackers.

It is not fear of Russia, and much less of Cuba, that has restrained the United States from administering a spanking to the Cuban upstart. The one thing we want to avoid is to give substance to the false charge of Yankee imperialism.

But in this case it seems the facts don't matter anyway. Not only the Cubans, but millions elsewhere in the world, are willing to believe the worst of the United States on any crackpot's say-so. At the same time, they disregard the flagrant imperialist aggression practiced by the Soviet Union and swallow the line about peace-loving Communist states.

In leaning over backward to be fair, we run the risk of becoming a pushover. While we seek to gain respect by forbearance, we lose respect by failing to stand up for our rights.

We would gain no points for good behavior if we adopted a tougher line toward Cuba, but if the reward for good behavior is a punch in the nose for Uncle Sam, maybe it is time Uncle Sam took a different tack.

There was a time when an American symbol was a rattler with the words "Don't tread on me." The world has changed some since then, but it surely cannot have changed so much that we have to offer ourselves as a doormat.

American Athletes at the Olympics

EXTENSION OF REMARKS

OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. LINDSAY. Mr. Speaker, I think we should stop for a moment to reflect on the marvelous achievements of our American athletes at the Olympic games in Rome. Daily reports of the excellent performances of these young men and women pay tribute to them for the years of arduous training and effort they have put in to achieve the very highest level in athletic prowess.

But amidst these marvelous feats of athletic accomplishments the greatest tribute we can pay to these youngsters is to focus attention on them as representatives of American youth. It was with a great sense of warmth and pride that I read the accounts of the tremendous welcome that was given to our standard bearers when the team entered the Olympic Stadium. The accounts clearly dispel some of the reports we sometimes hear about the regard in which Americans are held abroad. The tumult of 100,000 unrestrained cheers of

persons from all nations when the bearers of the Stars and Stripes entered the stadium justifies our confidence and support of these outstanding young Americans. They represent the finest in American traditions and more so they are among our best missionaries for good will. I salute them and I ask my colleague to join with me in wishing them well.

Philipsburg, Pa., Hails Dr. Walter Roy Heaton, Prominent Centre County Physician, as "The Country Doctor of Today" on the 80th Anniversary of His Birth

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. VAN ZANDT. Mr. Speaker, a large throng of residents of Philipsburg, Centre County, Pa., aided by many persons from the surrounding area and from adjoining Clearfield County, gathered at Memorial Stadium in Philipsburg on Sunday afternoon, August 28, to pay a well-deserved tribute to Dr. Walter R. Heaton on the occasion of the celebration of his 80th birthday.

Various clubs and civic organizations were represented at the testimonial to one of Pennsylvania's best-loved physicians who during his active medical career has found time to serve as coroner of Centre County for 20 years. The chairman of the program committee, Rev. Harrison Price, pastor of the Woodland (Pa.) Evangelical Church, is among the 4,000 babies delivered by Dr. Heaton during his dedicated service to humanity. The fine program had a dual purpose in honoring Dr. Heaton and the medical profession in general.

During the interesting and enjoyable program, greetings to the popular Centre County physician were voiced by Mr. S. Z. Miller, burgess of Philipsburg, and by over a dozen representatives of business, civic, and service clubs present for the happy occasion. The medical profession was represented by Dr. Lester Luxenberg, of Philipsburg, while music was performed by the Centre County Hymn-Sing Association and the Sandy Ridge Methodist Bible Class.

It was my privilege and honor to deliver the principal address in tribute to Dr. and Mrs. Heaton and the medical profession which he has so nobly represented during his many years of service to Centre County residents.

The address follows:

ADDRESS BY JAMES E. VAN ZANDT, MEMBER OF CONGRESS, 20TH DISTRICT OF PENNSYLVANIA, AT THE 80TH BIRTHDAY CELEBRATION FOR WALTER ROY HEATON, M.D., AT THE PHILIPSBURG STADIUM, PHILIPSBURG, PA., AUGUST 28

It gives me the greatest pleasure to be among my friends in Philipsburg today and to join with you in the celebration of the 80th birthday of one of the most exceptional members of this community—Dr. Walter Roy Heaton.

I want to give my thanks to those who took part in arranging this event—for I can think of no more fitting way to show Dr. Heaton our gratitude and esteem.

He has served this community as few men have served it.

For nearly 50 years he has been "on call" in Philipsburg and you have all had the opportunity to observe his devotion to the task of relieving pain and suffering.

He has brought a unique spirit of confidenec into your homes.

I am certain that everyone here today shares my feeling of deep humility before the productive way in which Dr. Heaton has spent these 80 years.

How many of us approach our chosen professions with so rich a background of experience as did Walter Roy Heaton the practice of medicine?

How many of us continue to take an active interest in civic affairs not having a direct bearing on our more narrow circle of interests?

Dr. Heaton's growing years were undoubtedly instrumental in giving him the broad and vital approach to life which delights us all.

He helped his father dig a farm and dwelling out of timber and brush.

He taught school at an early age and was led to seek out still more knowledge and education.

He studied law, graduated from law school, was admitted to the bar and practiced before the supreme court of the State of Indiana and the circuit court of the United States.

But the call of the medical profession had for Dr. Heaton an appeal which could not be postponed indefinitely—and he left the practice of law to attend Valparaiso Medical School from which he graduated in 1911.

He has practiced medicine in Philipsburg for more than 45 years.

These years have been marked by changes in medicine which are no less dramatic than the other scientific advances which have revolutionized our whole view of the world.

Dr. Heaton has had the opportunity not only to witness the product of these changes but to see their evolution.

I think this gives us all great confidence in the kind of medicine he practices.

Perhaps today we can all consider the transformation of medical science over the period in which Dr. Heaton has practiced in Philipsburg and ponder the advances likely to occur within the next few years.

I think even a hurried glimpse of the developments in medicine can help us to appreciate the enormity of the challenge facing Dr. Heaton and other physicians throughout the country in keeping up with the rapidly changing methods of diagnosis and treatment.

That he has performed his task so admirably is a tribute to his greatness as a human being and as a physician.

I would like to read to you what I consider to be an excellent description of these advances and of others we are likely to experience.

The following is a statement by the chairman of the section on pediatrics of the American Medical Association, Dr. Wyman C. Cole.

He states:

"Any doctor starting in practice 40 years ago might have found it hard to believe there would come a day when such diseases as rickets and scurvy would be textbook ones rarely if ever to be seen in practice, when he would treat pneumonia right in his office and essentially cure it in 24 hours, when he wouldn't see a case of diphtheria or tetanus in 25 years, when suitable formulas for 99 out of 100 babies would be available at any drugstore or supermarket.

"Looking ahead, well within the next 40 years cancer may have become relegated to medical history and the common cold forgotten, a single injection or tablet may immunize against all communicable diseases, many congenital defects will be avoided, and arthritis and other metabolic diseases will be easily controlled.

"I am sure this is only a small fragment of what will actually transpire."

Since the turn of the century and Dr. Heaton's years of early practice—we have seen the lifespan of a child at birth extended by a full 20 years.

We have seen near mastery of medicine over the dangers of communicable diseases.

Sulfa drugs and antibiotics—greater understanding of the importance of nutrition—improved sanitation—immunizations—these weapons have helped conquer diphtheria, scarlet fever, whooping cough, typhoid, infectious diarrhea, tetanus, gonorrhea, and syphilis.

Probably no advance is more dramatic than the change in the methods of controlling and caring for tuberculosis.

We have so increased our diagnostic tools and so improved the treatment through various drugs that tuberculosis is no longer termed the "great white plague."

But if we have made great strides against infectious diseases since the turn of the century—the threat from chronic and degenerative diseases seems to increase each year.

Recently we have shown a growing awareness that this problem must be met with the same courage and strength as were the disease threats of the past.

We have constantly expanded our medical research programs; we have attempted to spread widely existing information on preventive measures which can be taken by the public; and we have tried to adapt our health services to changing needs.

I would like to single out some of the major disease threats which Dr. Heaton and his colleagues face today and consider with you both the remarkable progress of recent years and the great areas of hope for future progress.

Of course our vigilance against diseases of the past must be constant and we must not ignore or lessen our use of all methods of prevention and control now at our disposal, but I think that medical advances have freed us to spend more of our Nation's time and resources on the major hazards to our health today.

As you know, various forms of heart disease still account for more than half of all deaths each year.

At the same time we can be encouraged to note that many heart attack victims of a few years ago can be saved today.

Some of the advances against heart damage are familiar to you.

We have been warned of the necessity of preventing rheumatic fever through careful control of strep throats.

Penicillin has been invaluable not only in the treatment of strep infections but also in the prevention of recurrent attacks for those people with rheumatic hearts.

Dr. Heaton has watched quantities of new information pour out each year on ways to prevent hardening of the arteries.

Heredity, stress, high-fat diets, smoking, and lack of exercise have all been singled out as important factors in causing coronary attacks.

To the physicians' weapons in this field have been added drugs which have the effect to thinning the blood and preventing the formation of clots.

These anticoagulants have already been effective in preventing heart disease in many who might otherwise have been attacked.

Other drugs have been instrumental in controlling high blood pressure.

The development of heart surgery has been characterized by the Director of the National Heart Institute, Dr. James Watt, as the "one field that you can specifically say is resulting in the saving of life today."

Most of us are scarcely able to imagine the heart operations being performed today.

Who can consider the possibility of the heart's being deliberately stopped so that the surgeon can work on it while the rest of the body is being run by a machine?

Add to this the fact that spare parts such as heart valves and arteries are now available and it seems that medicine has broken nearly every barrier.

We still have a lot to learn.

I understand that the hardening of arteries is a process still not completely understood although it is subject to a limited amount of control.

We can still make advances in isolating the factors which cause various heard ailments and in this way hope to forestall more effectively the toll of heart disease in our population.

Unfortunately, our progress against cancer has not brought us to a determination of cause in this disease enemy either.

But we are all glad to know that instead of only one in seven persons with cancer who could be saved 20 years ago, today we believe that only one in three persons who contact cancer must die.

Surgery and radiation are no longer a physician's only hope.

Drugs have delayed the course of leukemia; seem to have checked Hodgkin's disease; and occasionally have suppressed a rare type of uterine tumor.

The National Cancer Institute in combination with other governmental and private groups has been carrying on one of the most massive research projects ever attempted in order to screen thousands of compounds with the hope of finding a possible cure for cancer.

Air pollution, radiation, tobacco tars, and other substances are being carefully studied as suspected irritants which may cause cancer.

Some research workers are confident that viruses cause cancer and this leads us to hope that anticancer vaccine is not an idle dream.

In addition to encouraging signs in the search for a cancer cure—progress in the development of diagnostic techniques for the early detection of cancer has meant that control of this enemy through existing weapons has improved greatly.

The remarks of a member of the Committee of Consultants on Medical Research chosen to advise the Senate Committee on Labor and Public Welfare on the level of Government research spending are particularly encouraging with respect to our progress against cancer.

Dr. DeBakey stated at hearings before the Senate committee:

"I think there are two very important areas of progress in this field. One lies in providing a more concentrated attack of the many problems of cancer which will lead to an increase in our fundamental understanding of its causation.

"The other is that in the practical approach to treatment, we have combined several kinds of therapy to be used more effectively in the individual cancer cases."

Dr. Heaton has had opportunity to view developments in still another area, that of mental illness.

The occupancy of more than half of the hospital beds in this country by those afflicted with mental disorders in testimony to the importance of this disease problem.

But in recent years the number of persons discharged from mental institutions to resume normal lives has continued to rise.

This has been made possible in part by the various forms of tranquilizing drugs.

Experimentation with various hospital procedures especially suited to the treatment of mental disorders has also helped return the mental patient to his family with great speed.

We now have "open" mental hospitals with unlocked doors and no bars on the windows.

Night and day hospitals—so-called halfway houses and—in general a more understanding public have helped to bring about these changes.

The more than 10 million sufferers from some sort of rheumatic complaint in this country have watched the medical advances of past years with great interest.

There has been a rapid output of synthetic hormones and steroid drugs and these have provided some relief from the discomforts of arthritis.

We know, however, that these drugs do sometimes have unpleasant side effects, and sure relief for the arthritic is still not in sight.

Diabetics, too, have had good reason to be encouraged by medical advances.

Today one out of five diabetics is able to take a pill instead of an insulin injection.

The oral diabetic drugs are unfortunately not useful for all diabetics, and here again future discoveries may further improve methods of controlling this disorder.

Dr. Heaton's years of medical practice have been marked by other breakthroughs.

Today 80 percent of all epileptics can be kept free of seizures with drugs, and surgical treatment has proven valuable for others.

Drugs and surgery are providing relief for Parkinson's disease; cortisonelike hormones are making the treatment of kidney ailments more effective; radioactive isotopes can be used to scan the brain for tumors before surgery; new relievers of pain and itching; scrutiny of possible vaccines for colds and viruses. I think I could go on endlessly simply naming encouraging advances in the field of medicine.

The drama of these medical gains is similar to the drama of other changes in Dr. Heaton's own life.

The frontier village of Philipsburg has given way to the modern community of today.

The railroads, lumber and coal industry, and countless other forces have altered this community.

I feel certain that as I have discussed these dramatic changes in medical practice there comes to the mind of Dr. Heaton and others in the audience another area of change no less pronounced and no less vital.

This is the change which has taken place in the practice of medicine.

Whereas in 1928, 75 percent of practicing doctors were general practitioners, today only about 40 percent are in general practice.

The increase in the demands of the public for specialized medical care, the increasingly technical nature of medical treatment—these and other factors have changed the character of medical practice throughout the country.

Many have raised their voices to plead for a return to emphasis on the art as well as the science of medicine.

This is a subject Dr. Heaton knows well for I am certain that he has never for a moment lost this art.

The importance of this factor was recently given recognition by the past president of the American Medical Association, Dr. Louis M. Orr, who stated:

"The G.P. (or general practitioner) is still the backbone of American medicine and is best able to preserve personal relationships in healing—85 percent of all illnesses are within the skills of the well-trained G.P.

"Consultants are available for the rest."

The personal relationship which Dr. Heaton has established with this community is a unique one.

We can never for a moment forget the lives he has saved, the babies he has delivered, or the suffering he has relieved.

He organized the local Lions Club; served as coroner of Centre County for 20 years; and has for 28 years been a director and vice president of the State Sabbath School Association.

Philipsburg area children have attended his Sunday school classes for well over 50 years.

We can never show our gratitude adequately, but I trust that as his friends gather about him today to celebrate his 80th birthday, Dr. Heaton senses a part of the deep respect and thankfulness they feel for his dedicated service.

I think that another past president of the American Medical Association, Dr. Gunner Gundersen, summed up the unique contribution of Dr. Heaton and others like him in a speech he made 2 years ago.

Dr. Gundersen said:

"In recent years the individual physician has had an increasingly difficult time in trying to keep up with the accelerated scientific advances in medicine.

"Now with man probing into outer space, it appears that our scientific future will be further complicated by the development of still another specialty—space medicine.

"Nevertheless, right here on terra firma it is more than ever true that medicine is a lifelong study, one which actually is just beginning when the doctor receives his doctor of medicine degree or completes his graduate training.

"Meanwhile, we are also reemphasizing the emotional, personal, and spiritual factors in medical care.

"The age-old art of medicine—that intangible element made up of compassion and warmth—is regaining its proper place.

"In medicine, as in all other phases of life, we are rediscovering that philosophy is just as important as technology, that the human personality cannot be subordinated to crisp efficiency."

As I conclude my tribute to Dr. Heaton I wish to join the thousands of his fellow citizens and admirers in not only saluting him as a great American and a credit to the medical profession but a humanitarian who by his consideration of his fellow man has enshrined himself in the hearts of those fortunate to have known him.

Happy birthday, Dr. Heaton, and many more of them.

Committee on Un-American Activities

EXTENSION OF REMARKS

OF

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. UTT. Mr. Speaker, a patriotic group in San Diego, Calif., has just concluded a 4-day seminar on the dangers of internal subversion by the international Communist conspiracy. The final speaker was Adm. Richard Arens, former counsel to the House Un-American Activities Committee. I have received many wires from those in attendance saying his address was received by a standing ovation of the 1,200 people in attendance.

This is further indication that the general public is in full support of the House Un-American Activities Committee and the Senate Internal Security Committee, as opposed to the numerous Communist fronts which are constantly trying to destroy the efficacy of these committees.

Washington Report

EXTENSION OF REMARKS

OF

HON. BRUCE ALGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. ALGER. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following newsletter of August 27, 1960:

WASHINGTON REPORT

(By Congressman BRUCE ALGER, Fifth District, Texas)

In Congress, the Democrat leadership is caught in a snare of its own making; namely, the reconvening of Congress after the political conventions. It is a fact that Congress could indeed have finished the year's work earlier. Congress' program of work is solely under the jurisdiction of the Democrat leaders and their preponderant majorities in both Houses. Little that is constructive can be accomplished now in an atmosphere so politically supercharged that objectivity of judgment and statesmanship is much less possible. The House virtually marks time while the other body, the Senate, engages in a showy political power struggle before hordes of sightseers. The consensus of feeling here is that the sooner Congress adjourns, the better off the political parties and the country will be.

The suspension of section 315 of the Communications Act of 1934 by amendment passed overwhelmingly and clears the way for political debates by the presidential nominees. Originally, Congress required that political opponents be granted equal time on television. Now the presidential and vice presidential nominees are to be granted time voluntarily by television stations and networks for the 1960 campaign only. Thus the original danger (which the law sought to correct) of favoritism to a particular candidate or party is reinstated, although the intent of the amendment is to entitle each candidate to 1 hour per week for the 8-week period beginning September 1.

Amending the Subversive Activities Control Act of 1950 (passed 395 to 3) brought to our attention the fact that millions of pieces of Communist propaganda are being mailed into our country and circulated through U.S. mails to individuals, schools, legislators, and organizations to influence and warp individuals' minds. The amendment therefore was to close the loopholes in the original act to require the registration of agents disseminating such political propaganda and the labeling of it as such on entrance into this country.

The extension of the Library Services Act for another 5 years (beyond the original 4 years) presented another typical congressional action of making permanent in effect the originally alleged temporary subsidy of rural library facilities. Here's the reasoning: Rural communities need libraries; Congress recognizes this need; the Federal Government extends funds (and Federal terms), available if matched by the States. Then it follows that any acceptance by States of this money and program demonstrates the recognition of need and the States endorsement of the program. This, of course, precludes any argument that States endorse a Federal program in order to get money back. Sometimes I wonder if Federal legislators give the States and localities credit for any self-motivation. And so the Federal bureaucracy grows. Debate forcefully demonstrated that the need is already being met, the States can handle the situation alone, the program can be tapered off, and that men must seek the books, not books the men.

House Joint Resolution 615 requiring the consent of Congress for future amendments to the Port of New York Authority Compact brought a sharp conflict between Federal versus States rights in a unique way. A majority of the Judiciary Committee, headed by Chairman CELLER, brought contempt of Congress citations against three members of the port authority for refusal to submit all data concerning port operation at the committee's request. So the constitutional question was raised whether Congress had the authority to demand the records. New York and New Jersey had made a bi-State compact. The Constitution clearly permits Congress to grant or repeal a compact between States, but Congress does not have the power to supervise or regulate activities between the States. Yet the House voted to cite the port members of contempt and to force the two States to submit to Federal regulation. The 270 to 124 recorded vote shows how easily the Constitution can be reinterpreted by a majority. It is noteworthy that in the 2-hour debate only 20 minutes was allocated to those holding the States rights position. Strongly worded communications were received during debate from Governors Harriman, Rockefeller, Meyner, Lehman, and Dewey against this instance of the violation of States rights and centralization of government at the Federal level. As one Congressman put it, thinking of the past liberal activities of these men, "It is so gratifying to see the chickens come home to roost."

Senate Joint Resolution 170 passed 349 to 39 (ALGER against) and becomes more alarming as I think of it. This resolution, apparently innocuous, is to authorize the designation of a Commission of 20 U.S. citizens to meet with other citizens of the NATO countries "for the purpose of developing paths toward greater political and economic cooperation within the alliance" for "nonmilitary collaboration in the political and economic areas." This sounds great but there are no guidelines or goals set out. If it means economic aid, we have already empowered 72 other countries to think up ways to give away U.S. money. If it's political, then we remember that "One-World do-goodism" ends up with loss of U.S. sovereignty. As one Member said, "I can't be for organizations which end up in the United States alone paying the lion's share of the cost, getting only one vote, and giving up sovereignty." True, my suspicions may be groundless, but the Hoover Commission, to which this was compared, had ground rules and goals. It seems to me that this is too dangerous an area for us to take lightly or without proper direction and specific goals.

Construction Contractors' Difficulty in Obtaining Loans

EXTENSION OF REMARKS

OF

HON. WILLIAM H. AYRES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. AYRES. Mr. Speaker, the recent article appearing in the magazine Construction Equipment, a Conover-Mast publication, is a most interesting article regarding the construction industry outlining the difficulty contractors themselves often have in borrowing money.

Having worked very closely with the GI housing program I can appreciate how reluctant some bankers are to loan money at current interest rates.

One quote from the Conover-Mast publication says:

> If the bankers would take the trouble to learn more about this dynamic industry, they would find that contractors are good risks.

Our GI's have proved to be good risks also. I hope the entire construction industry can be helped.

I direct your attention to the May issue of Construction Equipment magazine and the article on "How To Get Money." A copy of this can be obtained from Conover-Mast.

A Report to the People

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. DONOHUE. Mr. Speaker, as has been my custom, throughout my public life, I desire to include at this time a summary account of my activities and speeches during this 86th Congress.

NEW REGULATIONS

In accord with your direction on speech limitation, and the current regulations of the Joint Committee on Printing on "retrenchment in extensions," I shall necessarily be restricted in my objective. I will observe the rules of the House, which I always have, while doing my best to comply with the duty I have.

A MORAL OBLIGATION

In my conscientious conviction, the Biblical mandate "to render an account of thy stewardship" imposes upon every responsible public officeholder a moral obligation. It is an obligation that I have always and consistently attempted to fulfill.

Realizing the thousands of bills that were introduced in this Congress, and the several hundred public laws enacted, it is obviously impossible to completely cover the whole record, especially in view of the new space and time regulations. However, I shall, herein, try to present and reveal my personal pronouncements and actions upon some of the more important and more widely publicized legislative issues of this 86th Congress.

AN EXPLANATORY WORD

Mr. Speaker, in the past "stewardship accounts" which I have given here, it was my custom to accompany the inclusion of my remarks upon particular measures and issues with an outline of what I felt to be the background and significance of each bill. Today I am confronted with a restriction on that custom and the task I am attempting here is a little more difficult on that account; however, I shall probably have opportunities to enlarge upon my report here after the adjournment of the Congress.

Meanwhile, I think I can best carry out my duty, under the circumstances,

through revealing my stand on some of the prominent legislative issues by reviewing the speeches and remarks I made on the particular occasions. The listing will be made not so much in any chronological order, since the report summarizes a 2-year period, but more in an effort to present problems in accord with the importance the general public appears to attach to them. Any necessary accompanying remarks will be kept as brief as possible. Of course, the great majority of our people are aware that most of our important legislative actions these days are for the continuation and amendment of laws that are already in effect and which are expanded or modified, by our determinations here, through the succeeding years.

MILITARY SECURITY AND COMMUNIST CONTAINMENT

GUARANTEED DEFENSE APPROPRIATIONS, YES; EXTRAVAGANCE AND WASTE, NO

(Thursday, June 9, 1960)

Mr. DONOHUE. Mr. Speaker, in the wake of the unhappy collapse of the Paris summit meeting, and the apparent cancellation of the U-2 intelligence information flights, there is much talk about the necessity for increasing the proposed military budget of $39.3 billion.

Indeed, there is no question about the imperative necessity, in the light of the belligerent attitude of the Kremlin, of our military forces being fully prepared to protect the security of the United States against any surprise move by the Soviets. It would seem logical in the consideration of our recent experiences with Russia that the proposal to maintain an airborne alert at all times be reexamined, and that our research and development activities in the space field be accelerated.

If these, and other proposed military security provisions, require additional appropriations, over and above what the House has appropriated, then, of course, such additions must be seriously entertained. It is evident from the recent actions of the Senate Defense Appropriations Subcommittee that the Members of that body feel that the Nation's military power should be increased.

When the House returns to the consideration of this grave subject, in the near future, I most earnestly hope we will not be of a spirit to disregard the necessity for including every reasonable safeguard against and restriction upon wasteful and extravagant military spending that we can. Thirty-nine and a third billion dollars is an awful lot of money and its very enormity provides an avenue for careless and negligent expenditures.

As you all realize, this House levied a 3-percent cut in the $13 billion military procurement fund in the bill in an attempt to force the Defense Department to adopt more economical and frugal procurement practices.

On this score the Comptroller General, in his recent report, pointed out the existence of waste and inefficiency, by the Defense Department, in its management of electronic supplies of the military services.

He revealed that a recent review disclosed that electronic equipment valued at $2.5 million was being unnecessarily repaired at a cost of $680,000 when usable items were available in large quantities in the other services.

He indicated that unnecessary administrative costs were being incurred because there are six independent organizations performing the same or similar stock management functions.

In past reports multitudinous examples of extravagance and waste by the Defense Department have been disclosed through the use of negotiated contracts instead of competitive bidding and confused and antiquated bookkeeping methods.

Mr. Speaker, it is the duty of the Congress, and of the administration itself, to insure that the purse strings operated by the various departments of the Defense Department are kept sensibly and economically tight. Closer supervision of negotiated contracts to prevent exorbitant profits and a wider use of competitive bidding practices would do much to save the taxpayers' money.

A more strict adherence to the provisions of the Budget and Accounting Procedures Act of 1950, and a better organized central procurement unit would go far toward preventing duplication and waste.

Adequate national defense is indeed vital but the people of this country are seriously disturbed by the continuing revelations of wasteful and extravagant spending by the military without regard to the fact that each and every penny spent comes out of the hard earned, and highly taxed, pay of the average American workingman and business. The duty of the Defense Department to guarantee our security does not carry with it any license to indulge in loose and careless financial practices.

With past experience in mind, and with due respect to whatever action the Senate may take, I hope that this House will continue to impress upon the Defense Department that economic frugality and wise spending can be a mark of efficiency in the military field as well as it is of an enterprising business.

If and when an emergency hour should come immediate authorization can always and readily be given to place the military on an actual war spending scale.

MUTUAL SECURITY

(Tuesday, July 28, 1959)

Mr. DONOHUE. Mr. Chairman, as I see it, this debate on the reduced and reasonable continuation of our mutual security aid program should begin with a concrete demonstration of our deepest concern for our overburdened American taxpayers.

That legislative concern should be even more concentrated and emphasized because of the factual evidence in the record, by the Draper Committee, the Comptroller General, himself, and our congressional committees, "of waste and extravagance—a pattern of loose, lax administration through the entire complex of foreign aid—and refusal of the ICA to provide information."

I earnestly hope that in the phases of the program where this extravagance and waste has been displayed the recommended reductions will be approved.

The divisions of this program which appear to have been operated and projected in the best interests of ourselves and the advancement of our foreign allies are the technical assistance and Development Loan Fund extensions. I hope that these features will be adequately supported as their worth has been substantially proven.

Let us strive today to conscientiously enact a measure that will provide reasonable assistance to our allies, in the fields where such help is most needed, while we insure elimination of those parts of the program which have been proved wasteful and worthless.

(Friday, August 26, 1960)

Mr. DONOHUE. Mr. Speaker, over the past few years, when we have been debating this mutual security appropriations bill, I have emphasized my belief that the parts of the program which have proved of substantial worth by experience, such as technical assistance to underdeveloped countries and Development Loan Fund operations, should be adequately supported, and the most careful examination, in the interests of the American taxpayers, should be concentrated upon those phases of the program in which impressive evidence has been demonstrated in revelation of great waste and extravagance.

I very greatly fear that, particularly these days, we too often overlook the fact that without the existence of a high morale among our own citizens neither this program, nor any other, will ever accomplish their full objectives. The only legislative way in which we can encourage the morale of our own people is by proving to them that we intend to fulfill our responsibility of protecting this foreign investment for them, and by showing them that we are not neglecting their domestic needs because of loose and extravagant spending abroad.

THE COMMUNIST CAPTIVE NATIONS MUST NEVER BE ABANDONED

(Monday, May 2, 1960)

Mr. DONOHUE. Mr. Speaker, as a cosponsor of this resolution, designed to influence the restoration of the fundamental freedoms and God-given rights of the subjugated peoples now existing in Communist captive nations, I most earnestly hope this House will promptly and unanimously approve it.

As we all know, in numerous and repetitive documents and agreements, the great powers of the world, including Soviet Russia, have pledged and promised the persecuted peoples of these nations the return of their national freedom and personal liberties. The United States has consistently attempted to have these promises carried out but Russia still denies these countries the right of free elections and independent sovereignty.

To my mind the adoption of this resolution will add substantial strength to the position of the President when he meets with the Soviet leaders at the approaching summit conference. The Communist rulers, by our action, will be emphatically reminded that it is the sense of this Congress that no firm and lasting agreements for peace can be made while the world remains practically half free and half slave. By our action the rest of the free world can be concretely convinced this Nation will not abandon her traditional principles of free government for all peoples and the captive nations themselves will be further inspired to remain adamant in their determination to reject any Communist entreaties for cooperative existence under the Soviet system.

The fact and the truth is that the Russian Kremlin is solely responsible for the inhuman slavery being imposed upon the brave peoples of Poland, Czechoslovakia, Lithuania, Estonia, Latvia, Bulgaria, Hungary, Rumania, and all the other captive countries. It is also unfortunately true that we have suffered many disastrous propaganda defeats at the hands of the Russians.

Not the least of the purposes of this resolution is an attempt to meet the Russians in their own most effective field. Unlike their multitudinous and skillful distortions for propaganda purposes, we are telling the truth. If the Kremlin leaders want to prove their sincerity in seeking peace in the world then let them simply declare freedom for the captive nations. That is the first and fundamental step that must be taken before there can be any reasonable hope for the achievement of a peaceful world.

Let us then promptly approve this resolution to encourage the Soviet rulers to take this first just action and then proceed, at the summit, to the adoption of agreements for all of us to live, in good will and good faith, in a world at peace.

DOMESTIC PROGRESS AND AMERICAN MORALE

Mr. Speaker, it has been my growing fear over the last several years, and I have repeatedly expressed it here, that in our concentration upon foreign affairs and Communist containment measures, we are tempted to entirely neglect or unwisely retrench domestic programs primarily designed to keep American progress on the march and retain the morale of the American people at a high level.

Many times I have here emphasized my deep conviction that it would be ironical, indeed, to overexert ourselves in retaining the friendship of foreign allies, while at the same time we encourage the decline of morale among our own people by neglecting their essential needs.

I have felt it my duty to continuously point out to this body that at a time when we are telling the world of our better way of life, as opposed to Communist regimentation, it could be dangerously impractical to eliminate or cripple any of those public services and programs whose contribution to the progress of the country have been nationally recognized and which sustain the vitally important high morale of our people to determinedly endure the sacrifices required to win the cold war.

This is the basic thought contained in my remarks upon such recognized legislative programs of domestic progress as social security expansion, medical aid for the elderly, appropriations for health, education, and welfare, aid to economically distressed areas, adequate American housing, fair labor standards amendments, and a host of other measures fundamentally intended for the good of all Americans.

Extracts from my speeches in the House on these various subjects follow:

SOCIAL SECURITY AMENDMENTS

(Wednesday, June 22, 1960)

Mr. DONOHUE. Mr. Chairman, unfortunately it is quite evident there is much fear and distressing doubt in the minds of a goodly number of Members here that this proposal, H.R. 12580, the Social Security Amendments of 1960, is as reasonable and realistically responsive as it could and should be to the needs and the desires of the great majority of American citizens. Under such circumstances we are, unhappily, because of the closed rule under which we are operating, permitted to vote only for or against the whole bill, without modifications.

Being restricted, then, to these two choices, I intend to support the bill because it does provide an extension and expansion of a limited number of benefits to those people whose needs are most urgent.

For instance, the bill removes the age 50 eligibility requirement for disability benefits; it liberalizes the eligibility requirements of old age, survivors, and disability benefits; it makes certain improvements in the social security benefit protection for children and extends benefit eligibility to more widows; it effectuates certain improvements in the administrative financing and solvency provisions of the unemployment compensation system, as well as extending its coverage; it extends coverage to groups that were not before included. All these improvements are good and they have already been carefully and thoroughly explained by the distinguished chairman of the House Ways and Means Committee.

Unfortunately, the committee has not seen fit to recommend other advances and improvements which a great many of us have been advocating with the earnest hope that they would be included in this measure. Chief among these would be provisions to reduce the retirement age, especially for women, and particularly for widows; to increase the minimum benefits in accord with rising living costs; and realistically raise the outmoded and outdated basic income limitations.

TITLE XVI

Of course, the major fears and doubts about the substantial worth of this measure are concentrated on the most controversial new title XVI, which would initiate a new Federal-State grants-in-aid program to help the States assist low-income aged individuals who need help to meet their medical expenses. In my own opinion this title, and its provisions, fall far short of adequately and equitably assisting our older citizens in the desperate financial distress they tragically encounter from the ills and the sicknesses so common in the later stages of life.

It is my earnest hope that after this measure is considered, and probably changed, in the Senate, we may yet have the opportunity to repair and strengthen this title so that a far more equitable and effective program of medical service and hospitalization treatment assistance may be granted to the millions of aged Americans so desperately and despairingly in need of it.

MEDICAL AID FOR THE AGED

(Thursday, June 9, 1960)

Mr. DONOHUE. Mr. Speaker, despite our vaunted boast of high living standards and Christian concern for the well-being of all our people it remains a fact that the United States is the only major industrial country in the world without some form of national medical insurance for its elderly and retired citizens.

From the overwhelming evidence in the record, contained in economic statistics and the testimony of experts, it is painfully obvious that our aged people are in imperative need of some type of Federal medical aid.

According to Dr. Porterfield, Deputy Surgeon General of the U.S. Public Health Service, out of the 10 million persons in the Nation who have heart disease, 4 million are 65 or older. At any given time, some 750,000 persons have cancer and most of these are persons over 65. Almost 3 million individuals have diabetes and the aged account for the majority. This is also true of the 5 million suffering from arthritis and the 6 million who are affected by related rheumatic disorders. Each of these diseases brings with it the high costs of medical and hospitalization treatment as well as the need for expensive drugs. In considering these dramatic and disturbing figures let us not forget that medical costs have increased 46 percent in the last 10 years.

The economic distress caused by these advanced medical costs is even more impressive when we realize that 74 percent of the aged have income of nothing to $1,000; 11 percent have incomes from $1,000 to $2,000; and only 15 percent have incomes of $2,000 and more. These statistics make us consciously appreciate that illness among the elderly is truly a staggering and discouraging financial burden.

There is no common sense in any attempt to deny or gloss over this obvious national problem, and the urgent necessity of promptly dealing with it. The administration itself has openly admitted its existence. There remains only the legislative task and duty of designing a measure acceptable to the Congress and the President, which will extend the fullest and most equitable Federal insurance possible to the desperate aged in their gallant fight against the economic distress and discouragement of costly sickness in their declining years.

Mr. Speaker, I earnestly hope this session of the Congress will not conclude until those of us, in the Congress and the administration who have the responsibility, have fully discharged our duty and obligation to the elderly citizens of this blessed and bountiful country.

DEPARTMENTS OF LABOR AND HEALTH, EDUCATION, AND WELFARE, AND RELATED AGENCIES APPROPRIATION BILL

(Tuesday, March 29, 1960)

Mr. DONOHUE. Mr. Chairman, it was the unanimous judgment of our Original Thirteen States, as expressed in their Independence Declaration, that all men are endowed by their Creator with certain unalienable rights, among which are life, liberty, and the pursuit of happiness.

In my opinion there is no measure coming before this body more fully designed to promote the enjoyment of these rights to American citizens than the appropriations bill, now under consideration, for the Departments of Labor and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1961. The basic units and activities of these executive departments are more closely connected with the lives of our citizens than any other agency of our Government "for the people."

That is why I would feel remiss in my duty if I did not urge you all to approve and accept the appropriation here unanimously reported and recommended to us by the distinguished Subcommittee on Appropriations directed by our esteemed colleague, the Honorable JOHN E. FOGARTY, of Rhode Island. The recommendations of the subcommittee are unanimous and represent the best compromise decision of reasonable and capable men.

Mr. Chairman, to attempt to either regulate or improve the health and happiness of human beings in terms of dollars and cents is a most difficult, if not impossible, task. We are all, I am certain, agreed on the necessity for practicing economy in Government expenditures and to preserve our financial stability and world position. However, I think we are further agreed that gestures of doubtful economy at the expense of lowering national standards of working conditions, health protection, and educational advancement is most unwise and impractical, more especially in these days of communistic competition.

For that fundamental reason, I most earnestly hope that no crippling reductions will be attempted during our action on this bill; indeed, it is my deepest hope that the moderate increases recommended by the subcommittee and the chairman, principally in the fields of hospital construction, vocational education, assistance to the schools in federally impacted areas, grants to States to build waste-treatment plants, and research at the National Institutes of Health will be unanimously accepted.

I would like to emphasize that the subcommittee has not advocated general increases in all the areas covered by this bill. The subcommittee adopted the very sensible approach that there are certain selective and essential areas of public need that can and must be met in the national interest. It would be most difficult to justify any wide disagreement on these specific activities the subcommittee has chosen for their special attention.

The fundamental objective of the subcommittee, so obviously and patriotically revealed in their report, was to keep all of the many and varied activities of these two major public service departments of Government in operation at their highest economically efficient level while encouraging a selected few activities to moderately advance their scope of service in response to particular and proven expanding public needs.

Mr. Chairman, the appropriations we grant under this measure are designed to continuously improve the Christian, civilized working conditions of our people and to protect and advance the health of all our citizens, particularly children, women, and the aged. It is obvious, therefore, that this

appropriations bill is of the greatest importance to the progress of our national welfare and that is why each of us have the highest obligation to devote the most conscientious attention to it.

At a time when we are generously granting billions of dollars to aid our foreign allies, let us not be neglectful of our own citizens. At a time when we are telling the world of our better way of life, as opposed to Communist barbarism, let us not dangerously reduce any of these public services whose contributions to national progress have been universally acknowledged. At a time when we are engaged in a life-and-death struggle with the curse of communism, let us take no unwise chances of disrupting the high morale of our own good people. In conscience, let us vote in support of the continuing and full functioning of these units and agencies whose services are, indeed, in the national interest and emphatically good for all Americans.

FEDERAL AID TO DISTRESSED AREAS IS URGENT

(Thursday, June 9, 1960)

Mr. DONOHUE. Mr. Speaker, as you are well aware, the whole matter of depressed areas was thoroughly explored and debated during our recent House approval of the aid-to-depressed-areas bill, and I am not going to, at this hour, unnecessarily belabor the subject.

The Department of Labor officially testified to the existence of multitudinous pockets of economic distress and decline throughout the country, and we have our unhappy share of them in the New England region and within my own home State of Massachusetts. It has been demonstrated that the economic distress in these areas cannot be alleviated by the resources of area industries and municipal authority alone.

Unfortunately, the President saw fit to veto the bill to extend these areas Federal aid and the Congress did not override the veto. However, the President did express his hope "that suitable legislation would be enacted at this session of the Congress."

Mr. Speaker, on that hope, and in that spirit, I most earnestly urge that the leadership, together with administration representatives, will work out compromise legislation that can be presented and acted upon by the Congress before adjournment.

ADEQUATE HOUSING FOR THE AMERICAN PEOPLE

(Thursday, August 27, 1959)

Mr. DONOHUE. Mr. Chairman, this is, we might say, the "second time around" on housing legislation, so there is no need to inflict any repetitive recital of statistical information upon you.

In my own opinion the evidence and information provided to us in proof of housing deficiencies in this great country and the essentiality of an adequate continuing program has been overwhelming. The distinguished chairman of the committee, and his diligent associates, have worked tirelessly to bring a sound measure before us, and both he and they deserve our deepest thanks and congratulations. They have made a substantial effort, in good faith, and in accord with high principles, to present a revised bill to reasonably meet Presidential objections.

As you are all aware, the measure still contains, and I earnestly hope they will be retained, provisions for loans and grants for slum elimination, college dormitories and classrooms, housing for the elderly, nursing homes, and an additional $8 billion of authority for FHA to continue its mortgage loan insurance program. If these features, yet more limited than many of us think wise, are not in the best national interest, then I confess I do not know what is.

As you all further realize, this new measure represents a reduction in Federal housing grants of 27 percent below the amount in the previously vetoed bill and a cut of 17 percent in loans.

Mr. Chairman, I want to remind my colleagues that we have been urged in the past and we will be called upon again in the future, ironically by many of the same people who desire to cripple this housing bill, to approve the granting and the loaning of billions of the American taxpayer's money for the rehabilitation of foreign nations and assistance to underdeveloped countries. If we can afford to continue and expand that gigantic program, then certainly we can afford to carry on a moderate housing program to alleviate the desperate needs of our own citizens for decent housing, slum clearance, and college facilities.

I hope you will all give your most conscientious consideration to the compromise merits of this bill and pass it without stifling amendments.

FAIR LABOR STANDARDS ACT

(Thursday, June 30, 1960)

Mr. DONOHUE. Mr. Chairman, I rise to urge unanimous approval of this bill to amend the Fair Labor Standards Act by increasing the minimum wage and otherwise providing progressive changes in the present act.

Primarily I urge approval of this bill because it is clearly another advance toward fulfillment of the declared policy of the original Fair Labor Standards Act, "to correct, and as rapidly as practicable, to eliminate labor conditions detrimental to the maintenance of the minimum standard of living necessary for health, efficiency, and general well-being of workers."

According to a study made by the Bureau of Labor Statistics among 34 cities in the country, the basic budget required for a minimum standard of living, for a family of 4, varied from $3,812 to $4,454. Even with these admittedly low budget figures and estimates it would require a minimum wage of $1.91 per hour to earn enough to meet the barest needs for a decent standard of living as defined by this study.

In dwelling upon this problem let us not forget the most impressive lesson of the unfortunate depression of the early 1930's, that lack of purchasing power in the hands of our lowest income families, who necessarily spend the most, brings about widespread unemployment, hardships, and economic stagnation. It profits us nothing to possess the greatest industrial production potential in the world if low wages and low consumer income prevent millions of Americans from buying these products.

Mr. Chairman, we are here obligated to enact laws designed to assist, not hinder, all those who are patriotically and conscientiously trying to be fair, honest, and decent in their employment obligations and industrial operations. We are here obligated to enact laws primarily designed to advance the general welfare. In compliance with and in the spirit of that high duty I urge you all to approve this minimum wage raise legislation now, while we, at the same time, pledge ourselves to be continuously and conscientiously concerned with the further advancement of American living standards and national economic progress.

LEGISLATION FOR THE GOOD OF ALL AMERICANS

Mr. Speaker, over the past 4 years, as international tensions mounted, our country and the Congress have increasingly recognize that we cannot hope to retain our boasted leadership in advocating freedom and liberty for all peoples everywhere if we continue to deny certain rights and privileges to some of our own citizens, including the right to vote in our State and National elections without harassment.

It became clearly apparent that we were losing much prestige among many peoples, particularly in Asia and Africa, because of this obvious contradiction and being subjected to embarrassing criticism and ridicule by the skillful propaganda organs of Communist Russia.

It was my privilege on May 21, 1956, to favorably report, on behalf of the House Judiciary Committee, of which I am a member, H.R. 627, of the 84th Congress, a bill which was known as the Civil Rights Act of 1956. With some amendments, this measure passed the House in 1956, but was not reached by the Senate before that Congress concluded.

At the beginning of the 85th Congress in 1957, this measure, under a new number, H.R. 6127, passed both the House and Senate and was signed by the President. It is identified as Public Law 315, of the 85th Congress, and was called the Civil Rights Act of 1957.

I am modestly proud of the cooperative part I played in providing the background that resulted in the passage of this law, which was characterized by authorities as the first real step forward in the field of civil rights in almost a century. This law, I am pleased to say, was improved and expanded in this 86th Congress.

Extracts from my remarks on this important legislation when it was presented to the House, and on other measures affecting the progress and welfare of all Americans follow:

CIVIL RIGHTS ACT OF 1960

(Monday, March 14, 1960)

Mr. DONOHUE. Mr. Chairman, as we are about to begin the day of decisive action on civil rights, reflecting that the Senate is entering its fifth week of deliberation on this subject, it may be pertinent to remind ourselves that the fundamental business of the Congress is to legislate.

Let us emphasize, further, to ourselves that our primary obligation is fulfilling this business is to protect and expand the basic rights and freedoms guaranteed to our American citizens under the Constitution; paramount among such is the right to vote.

Our primary purpose here today is, then, to enact the best legislative measure that reasonable men can devise to insure every qualified individual in this Nation can exercise the right to vote in the fullest freedom.

We all realize that the legislative action along these lines that occurred in 1957 was the first real step forward in this field in almost a century.

In my own opinion, our exhaustive efforts should be exercised to have included in the final bill we approve provisions to effectively protect the right to vote through a system of either Federal registrars or referees; to eliminate the vicious and un-American hate bombings; to erect requirements for the preservation of voting records; to provide Federal education for children of service personnel in areas where public schools are closed; and to effectively prevent unwarranted and illegal obstruction, in any form, of duly issued Federal court orders in school-desegregation cases.

The encouraging eyes of all American citizens are directed upon the Congress today; the questioning eyes of allied and hesitating peoples abroad are centered upon us during this debate; the cynical eyes of the Kremlin leaders are fastened on the legislative capital of the world, waiting, with propaganda fangs exposed, to see if we can and

will grant to each of our own citizens the rights and privileges we claim to espouse for all peoples everywhere. This is a fateful hour in the destiny of our blessed country, and the Congress is faced with one of the greatest legislative challenges of our history.

There is vital need for us to exercise restrained emotion, subdued prejudice, heightened conscience, and supreme patriotism for the welfare and preservation of America and the free world.

Let us be patient with each other, let us be tolerant of one another's deepest convictions, and let us resolutely unite in devotion to duty.

Above all, let us legislate. Let us decide that when our work is done we shall have enacted another milestone, for all the world to see, in advancement of the traditions upon which this great Nation was founded and upon which, the Creator willing, it will endure as the free world's leader against every provocation and every challenge of the Communist government of atheistic Russia.

SCHOOL CONSTRUCTION ASSISTANCE ACT

(Thursday, May 26, 1960)

Mr. DONOHUE. Mr. Chairman, because of the overwhelming evidence on record showing the urgent need of improving school facilities throughout the Nation, I rise in support of this bill granting reasonable Federal assistance to the States for such purpose.

There is no need for me to reiterate the testimony of the multitudinous officials of States and municipalities demonstrating that their various States are wholly unable to provide, from their own drained resources, the urgently required improvements in school facilities.

The two basic factors involved are the need for school improvements and the inability of the States to construct them. Since these two factors have been proved beyond question, it appears to me that there should be no reasonable doubt that this measure should be approved.

With full realization of the consequences that may follow from the collapse of the Paris summit meeting, there ought to be no uncertainty about the imperative necessity of accelerating our preparations to meet the Russian Communists on every front, including the educational front. Realistically admitting our past mistakes and factually facing the import of a long, continuing cold war atmosphere, let us wisely now take the steps to guarantee that our youth will be adequately trained to meet and beat the Communist challenges in the future.

There can be no better or wiser economic planning for the future security of America than a reasonable investment for the superior schooling of the country's children. Let us endorse and approve that practical investment today.

LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT

(Wednesday, August 12, 1959)

Mr. DONOHUE. Mr. Chairman, for the better part of 2 days we have been dutifully listening to the sponsors and proponents of these several labor-management reform proposals explain the substance of their different intents and designs, down to their last technical meaning and application. I think they should all be commended for their earnestness, sincerity, and painstaking efforts, even though we may not fully agree with each of them.

The fundamental that we should scrupulously recall is the basic axiom that punitive, extreme legislation, emanating from emotion, prejudice and misguided fervor is the worst sin that any legislative body can commit. All the pages of legislative history disclose that axiom and on it all legislative authorities agree.

Let us forcefully remind ourselves that the original intent and patriotic objective in dealing with this problem was to enact legislation that would rid labor-management operations of "crooks and gangsters," eliminate certain corrupt practices, while at the same time insuring that the rank and file American workingman and women is not deprived of the rights and benefits developed for themselves and their families through the legitimate activities of labor and management within our economic society. There are no irreconcilable provisions within the Senate passed measure and the proposals before us that cannot be sensibly fused and compromised by reasonable men.

Let us then look into our hearts, our minds, and our consciences in patriotic devotion to our duty of enacting a Labor-Management Reporting and Disclosure Act that will effectively cure the evils that we all decry while it preserves and strengthens the stability of our economic household, which, divided against itself, in adamant controversy, will surely fall an easy prey to the Communist enslavement design, almost on the eve of the visit of the chief Communist dictator to this Nation which proudly proclaims itself the cradle of justice.

SMALL BUSINESS ASSISTANCE ACT

(Monday, August 29, 1960)

Mr. DONOHUE. Mr. Speaker, it has been always an unquestioned American tradition that this Government shall aid, counsel, assist, and protect the interests of small business in order to preserve our democratic system of free competitive enterprise.

That is why I advocated and voted for the passage of the original legislation establishing a permanent, independent Small Business Administration agency. Recognizing the importance of our small businesses in defense production efforts and the national economy I have consistently urged every reasonable Federal assistance and guidance to them throughout my congressional service.

Last June this body approved H.R. 11207, designed to increase the Small Business Administration's revolving fund for its regular loan program, to provide for a wider participation by small business concerns in the subcontracting phase of Government procurement and to authorize the agency to set up a small business subcontracting program.

While this bill does not offer the complete assistance a good many of us have advocated it does contain elements of material encouragement and aid desperately needed by small business to survive.

Mr. Speaker, the House-passed measure, together with a Senate-passed version is now in conference. I most earnestly hope the leadership on both sides, in both Chambers, will use their combined influence in having the conferees reach sensible agreement and report the bill back for congressional action before adjournment.

VETERANS LEGISLATIVE MEASURES

(Monday, August 29, 1960)

Mr. DONOHUE. Mr. Speaker, as you and the Members are aware, it was my privilege, upon entering this House, to serve for 4 years on the Veterans' Affairs Committee. My activities, here and on that committee, on behalf of our veterans, their families, and dependents, are well-known and have been publicly recognized. Personal commendations, for these efforts, have been conferred upon me by the Disabled American Veterans, the Order of the Purple Heart, the Veterans of Foreign Wars, and the American Legion, as well as several other veterans organizations.

This Congress devoted considerable time to measures affecting our veterans and the record shows that more than 30 such measures were enacted into law. Prominent among them, which I supported, were measures to extend for 2 years the VA direct loan and loan guarantee program; to increase the presumptive period to 3 years for service connection for the disease of multiple sclerosis; to expand the program of assistance for severely disabled veterans in acquiring suitable homes; to reimburse State veterans facilities to a maximum of $912.50 a year per veteran for care of veterans who would be eligible for treatment in VA hospital or domiciliary centers; to modify the educational training regulations to permit veterans to change their program under certain conditions to attain high educational degrees; and to authorize payment of service-connected death compensation to certain eligible widows of veterans.

WATER POLLUTION CONTROL ACT

(Tuesday, February 9, 1960)

Mr. DONOHUE. Mr. Speaker, I earnestly hope that this House will accept and approve this conference report without undue delay and extended debate.

The very title of the bill, the Federal Water Pollution Control Act, is indicative of its whole purpose to protect the lives and safety of American citizens and assist our various American communities in constructing the necessary sewage treatment projects. Certainly any program that has to do with the prevention of wholesale dangers to the lives of our citizens is of substantial economic worth.

The amount of money this bill would annually provide for the objectives that are outlined is within reason, and the objectives are of vital importance to the communities concerned.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EMPLOYMENT FOR OLDER WORKERS

(Thursday, June 9, 1960)

Mr. DONOHUE. Mr. Speaker, there is still time and I most earnestly hope we will be granted the opportunity to act before adjournment on one of the many bills, including my own, H.R. 12106, which have been introduced and are designed to eliminate discriminatory employment practices on account of age by contractors and subcontractors in the performance of contracts with the United States and the District of Columbia.

The reluctance or refusal of employers to engage older workers is a national handicap. The report by the U.S. Department of Labor, conducted in 1956, disclosed that 58 percent of job openings had some upper age restriction; 52 percent barred workers 55 and over; 41 percent barred those 45 and over; and 20 percent barred those 35 and over.

There is then, Mr. Speaker, the obvious need for the establishment, now, of this public policy, and approval of this legislation ought not to be further delayed.

All of the measures proposed are in full accord with our basic American tradition; they are all economically feasible, and they are all in the best national interest. The impact of this proposed legislation is entirely reasonable and includes provision for formal hearings, judicial appeal, and the exercise of Presidential discretion.

In patriotic consideration of the national welfare and in Christian concern for our older workers, I sincerely hope that this proposed legislation will soon be placed before the Congress for action.

EXCISE TAX REDUCTIONS

(Wednesday, June 8, 1960)

Mr. DONOHUE. Mr. Chairman, I would like to make it plain that I have no objection against title I of this bill, providing for a

temporary increase in the statutory debt limit, as requested by the administration. If that was the sole title and provision of this measure I would vote in favor of it as I have done in the past.

However, and unfortunately, title II of the bill, providing for the continuation of certain existing excise taxes presents a conscientious challenge to me and many other members of this body. It involves a matter of keeping faith with ourselves and the general public, as well as affording some little relief to persons and industries suffering severe economic distress. As you all know, when this subject was being acted upon just about a year ago the promise was made that certain excise taxes, particularly in the field of telephone service and passenger transportation, would be reduced and repealed.

These taxes, and others, were imposed during the World War II period, as emergency measures, and it was even then intimated they would endure only through the war duration; that time has long since passed. Today most of these taxed articles and services cannot be considered luxuries; they are closer to the nature of necessities. In many areas they create unusual and severe economic hardships upon persons and industries and there is real doubt about their overall economic soundness and wisdom.

Under these circumstances, together with the word that was made and the promise that is on the record, I am constrained to vote against this bill with the hope title I may be hereafter presented for separate consideration.

WORCESTER FLOOD DIVERSIONARY TUNNEL

(Monday, August 29, 1960)

Mr. DONOHUE. Mr. Speaker, it was a matter of very great, but humble, personal satisfaction to me, to attend recently, on July 8, last, the dedication exercises marking the operational opening and completion of the Worcester flood diversionary tunnel.

This flood diversionary project, primarily designed for the preservation of the lives and property of my fellow area citizens, is one of the most important things accomplished during my service in the Congress and I can assure you there was nothing upon which more concentrated work was expended.

In the pursuit of approval for the enabling and continuing appropriations legislative action necessary, covering nearly 5 years, I appeared three times before the House Public Works Committee, four times before the House Appropriations Public Works Subcommittee, and spoke several times in the House Chamber in support of this tunnel.

Its completion may well be considered a monument to those who lost their lives and family fortunes in the frightening flood waters and an inspiration to continue our united and persevering efforts to prevent the recurrence of such natural disaster tragedy from ever being visited again upon American citizens in this area, this State, or this blessed Nation.

I am pleased to include a statistical account of the yearly appropriations that were approved for the tunnel completion.

Yearly appropriations for Worcester flood diversion tunnel

Fiscal year	Amount	Purpose
1956	$60,000	Surveying and planning.
1957	840,000	Begin construction.
1958	1,766,000	Continue construction.
1959	2,534,000	Complete construction.

BILLS INTRODUCED

Mr. Speaker, limited as this summary necessarily is, it would be even more inadequate if a partial list of some of the measures I introduced in this Congress were not included; they follow:

House Resolution 109, a resolution calling upon Congress to take effective action against the spread of inflation and the high cost of living.

House Concurrent Resolution 36, a concurrent resolution favoring universal disarmament.

House Concurrent Resolution 677, a concurrent resolution expressing the sense of Congress that the United States should not grant further tariff reductions in the forthcoming tariff negotiations under the provisions of the Trade Agreements Extension Act of 1958, and for other purposes.

House Concurrent Resolution 731, a concurrent resolution expressing the sense of Congress in favor of granting relief to the domestic carpet industry.

House Joint Resolution 429, a joint resolution to authorize the issuance of a gold medal in honor of the late Prof. Robert H. Goddard.

H.R. 2395, a bill to provide for the establishment of a U.S. Foreign Service Academy.

H.R. 2471, a bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes.

H.R. 2472, a bill to protect the right of the blind to self-expression through organizations of the blind.

H.R. 2473, a bill to amend the Internal Revenue Code of 1954 to provide a 30-percent credit against the individual income tax for amounts paid as tuition or fees to certain public and private institutions of higher education.

H.R. 2474, a bill to provide for unemployment reinsurance grants to States to revise, extend, and improve the unemployment insurance program, and for other purposes.

H.R. 2475, a bill to provide assistance to communities, industries, business enterprises, and individuals to facilitate adjustments made necessary by the trade policy of the United States.

H.R. 2527, a bill to provide for programs of public facilities construction which will stimulate employment in areas having a substantial surplus of labor, and for other purposes.

H.R. 2529, a bill to amend section 201 of the Immigration and Nationality Act, so as to provide that all quota numbers not used in any year shall be made available to immigrants in oversubscribed areas in the following year, and for other purposes.

H.R. 2868, a bill to reaffirm the national public policy and the purposes of Congress in enacting the Robinson-Patman Antiprice Discrimination Act entitled "An act to amend section 2 of the act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended (U.S.C., title 15, sec. 13), and for other purposes," and to clarify the intent and meaning of the aforesaid law by providing for the mandatory nature of functional discounts under certain circumstances.

H.R. 3161, a bill to incorporate the Paralyzed Veterans of America.

H.R. 8905, a bill to provide a health benefits program for certain retired employees of the Government.

H.R. 11113, a bill to amend title 38, United States Code, to provide for the payment of pensions to veterans of World War I.

H.R. 12038, a bill to provide for adjusting conditions of competition between certain domestic industries and foreign industries with respect to the level of wages and the working conditions in the production of articles imported into the United States.

H.R. 12106, a bill to eliminate discriminatory employment practices on account of age by contractors and subcontractors in the performance of contracts with the United States and the District of Columbia.

H.R. 12872, a bill to create and prescribe the functions of a National Peace Agency.

CONCLUSION—TIMELY COUNSEL FROM A GREAT AMERICAN

Mr. Speaker, the words of wise authority remain forever as comforting beacons of guidance in troubled, distressing hours. A counseling message to all Americans is contained in the following extract from a speech given at Harvard University graduation exercises on June 30, 1910, by the late great Chief Justice Charles Evans Hughes:

"The most important agencies of democracy are, after all, not the organs of government, but the influences that shape public opinion. * * * Democracy must prize its public life. It has stripped it almost altogether of ceremonial and of meaningless and absurd forms. It has placed the public officer in a position of power, to be used for service. * * * Having surrounded him with none of the pomp which makes appeal to the thoughtless and ignorant, it must invest him with the higher honor which should be the reward of fidelity. Those who cultivate the true democratic spirit will be as earnest in their support of faithful officers as they are unsparing in their condemnation of the faithless."

Colloquy Between Former Congressman Murdock of Arizona and Congressman Toby Morris

EXTENSION OF REMARKS

OF

HON. TOBY MORRIS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. MORRIS of Oklahoma. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to insert a recent colloquy between former Congressman Murdock of Arizona and me.

Mr. John R. Murdock is truly a gentleman and a scholar. He holds an AB and a master's degree, and the Arizona State University recently in 1960 conferred upon him the honorary degree of doctor of law. He is eminently worthy of these honors.

Mr. Murdock served 16 years as an outstanding member of the U.S. House of Representatives and was chairman of the Interior and Insular Affairs Committee in the 82d Congress, during the years 1951 and 1952. He was a great chairman, respected and beloved by all his colleagues.

He has studied, worked, and effectively pushed forward many important bills and programs for the benefit of his beloved State of Arizona and for our entire Nation. For over 40 years he has given intense study and consideration to many matters of public interest and importance, and particularly to Colorado River water problems. He has become and remains one of the greatest authorities in regard to water problems, in the West, and is an outstanding specialist on the great Colorado River and its tributaries.

I am honored and my life has been enlightened and enriched in associating

with and in having served on that great committee with him. I herewith set out our colloquy relative to some of the matters with which we dealt:

Congressman MORRIS. In the closing session of the 86th Congress I'd like to get a few statements from you, Mr. Murdock, of mutual interest for the record. What do you think, would you answer some questions?

Chairman MURDOCK. Yes, Judge; gladly if I may ask you some. I agree with you that we should briefly summarize some high points of our long cooperation in Congress, our many joint activities. What comes to your mind as most significant?

Congressman MORRIS. Well, that was my question. I notice you call me Judge. I am proud of that title as a former district judge.

Chairman MURDOCK. Yes, Judge; our many activities together in Congress have been varied. Sometimes they have been regarded as of minor importance, little noticed by the public press. Sometimes they have been strenuously hectic and were spread all over the country by a section of the press, as, for instance, Arizona's struggle with California over water from the Colorado River.

Congressman MORRIS. I well remember parts of that struggle and am proud of the part we played in it, but that is a long story and I fear we could not brief it. What are those apparently "minor" things you mentioned? Perhaps they were not so "minor"?

Chairman MURDOCK. By that I was thinking of the "seed" we placed in the fertile soil of American social and industrial life from which we hoped for great future growth. I like to think of those bills we introduced and hearings we held as "little acorns from which mighty oaks may grow," perhaps long after we are gone. To name a few bills and hearings and only a few: (1) Your bill for rehabilitation of the Navajo and Hopi Indians; (2) my bill and hearings on Dr. Percy Thomas' power proposal; (3) my hearings on several so-called salt-water bills.

Congressman MORRIS. During the 81st and 82d Congresses you and I worked together on several matters of legislation pertaining to the great West. Since then I have gone to other House committees and have not kept full track of the results of our former united efforts. Will you bring me up to date on the most important results of our legislative measures?

Chairman MURDOCK. Yes, Judge, you and I did work as a team, and I believe effectively—during the 4 years 1949, 1950, 1951, and 1952—I as chairman of the House Public Lands Committee and later of the House Interior Committee, and you as a member of that committee and as chairman of the Indian Affairs Subcommittee on numerous bills and proposals. I shall never cease to be grateful for your energetic leadership, especially on Indian bills. So far as action in the House is concerned I am giving you full credit for the enactment of the Navajo-Hopi rehabilitation bill which authorized a $90 million project for those two tribes of Indians in northern Arizona over a 10-year period. Of course there were other measures, too, on which we cooperated. Naturally I was greatly concerned about Indian water problems—on which you helped very much. Water for the vast Navajo Reservation was one of a dozen pressing problems for those Indians which you handled admirably. That $90 million authorization for a 10-year period has come nearer being fully implemented by later appropriations than an optimistic prophet might have prophesied—probably thanks to Senator CARL HAYDEN—and it is a delight to see what improvement has resulted on that big reservation for present and unborn generations.

Congressman MORRIS. It is pleasant to hear you say that, even if exaggerated. I do remember the subcommittee trips to the West and hearings held at Window Rock and farther West, and especially our hearing at Phoenix and our trip to the Papago and the Pima Reservations. I shall never forget Phoenix and its fine Indian school.

THE NAVAJO SHOULD HAVE A FUTURE

Chairman MURDOCK. Before leaving the Navajo, you will remember that we crossed the reservations from Window Rock to Tuba City, and then turned south to cross the Little Colorado River at Cameron. We stopped to get our evening meal at that trading post and I told you then that the suspension bridge at that place was not the only unique thing about that typical western stream—that the canyon river itself, especially the stream's physical possibilities from Cameron 50-odd miles toward the west to the main Colorado River could be an important theme for a whole book of facts, and also another whole book of plausible prophesies. I have given many years of close study to that unique stream—the Little Colorado River in northern Arizona—and you have helped me.

Congressman MORRIS. I remember the suspension bridge way out on the Navajo Desert, but cannot recall much mention of the Little Colorado in our hearings. Oh yes, you wanted a silt control dam, called the Coconino Dam, on the Little Colorado River, which was about the only thing the Californians didn't object to. Is that significant?

Chairman MURDOCK. Yes, as I see it that is very significant, but the Coconino Dam on the Little Colorado is only a starter on that tributary. Turning from the larger question of water in a thirsty land, with all its intricate and agonizing phases of infighting of States and communities to divide a limited supply, as you have suggested, I want to tell you how you helped me without knowing it on an important development that hasn't happened yet, but must happen in some form in the future. Do you remember in 1952 two hearings—one a small subcommittee hearing at which you were present, and the other a full-fledged hearing September 19, 1951—recorded and printed—at which Dr. Percy Thomas and three other high authorities from the Interior Department and the Federal Power Commission stated the proposal of Dr. Percy Thomas to make a highly modern use of windpower? This was especially for conserving water for hydroelectric power production throughout the West.

Congressman MORRIS. Yes, I remember Dr. Percy Thomas and his model powerplants. I was enlightened and amazed at what those men said about possible power that can be obtained from variable and changing winds, as they contrasted their proposals with our well-known small windmills on the farms. How did that help you? Has anything been done with it?

Chairman MURDOCK. No. Not yet. Dr. Thomas at that time was an elderly man, retired after many fruitful years in a department in Government service. He is now deceased. You helped me—in spite of your first doubts about the usefulness of fluctuating and changing winds—by giving me sympathetic support at that first hearing so that I called a full hearing September 19, 1951, in spite of the ridicule which I expected from some committee members. But even the three California members of the committee, who always strained themselves to take a dim view of any proposals of mine touching water, sat up and took notice. The one member most connected with power said: "Sounds good if it works." Well, I am more and more convinced that on the Little Colorado watershed it would work. That is a great prospect for the future, requiring a book to picture it.

Congressman MORRIS. John, I once heard you say that if you could have your way you would lift the face of northern Arizona. What did you mean by that? From what I've seen nature has already done that.

Chairman MURDOCK. It was a brief way of my saying that I thought man could work with nature in changing the topography of Eastern Coconino County, Ariz., containing the lower 50 miles of the Little Colorado River. It has taken millions of years of running water to carve the canyons of that tributary. I would stop that running water and let nature reverse the process of cutting those deep wrinkles on the face of the land and smooth them out instead. That would be the effect if that part of the Little Colorado Basin could be made into what the geologists call a "closed basin."

Congressman MORRIS. Just what do you mean by "closed basin"? I should think that only nature could do that.

Chairman MURDOCK. Yes, we have numerous "closed basins" in the West which have no drainage or outlets of their waters to the sea. If those great volcanoes north of Flagstaff thousands of years ago had spit out a few more millions of tons of molten lava into the mouth of the Little Colorado it would have accomplished in short order what, I think, man should accomplish through many future years. That would mean sealing off the Little Colorado tributary from the main Colorado River, and that would make its lower basin in effect a "closed basin."

Congressman MORRIS. Would not that destroy the scenic canyons in that part of Coconino County?

Chairman MURDOCK. Well, yes, eventually, but Coconino County has canyons to spare with several hundred miles of such within the Grand Canyon National Park of mile-deep canyons, which are greater by far than the canyons that I would let nature fill up during the next 1,000 years. This stopping of erosion and filling up the canyons on that tributary stream would make feasible one phase of Dr. Percy Thomas' power proposal and, in my judgment, is basic to the water conservation work needed on that watershed.

BEGINNINGS OF SALT-WATER BILLS

Congressman MORRIS. John, when you mentioned salt-water bills you were getting close to one of my greatest interests. What can you remind us that is both pertinent and interesting?

Chairman MURDOCK. One interesting fact to me is that California Congressmen took an early lead in introducing the so-called salt-water bills. Three Members from San Diego, alone, while I was in Congress, introduced such bills, and those Members were from both major political parties. It doesn't take much reasoning to figure out why that was so. On the other hand, some California Members shied away from such bills—and thereby hangs a tale which is too long to tell here.

Congressman MORRIS. Didn't you hold the first hearing on such a salt-water bill in the House about 10 years ago relative to "sweetening," taking the salinity out of salt water?

Congressman MURDOCK. To the best of my knowledge that is correct. It was on August 29, 1950, and you were present and participating. At that time I was chairman of the Subcommittee on Irrigation and Reclamation, but the next year I was chairman of the full Committee on Interior and Insular Affairs, and I as such, backed the legislation which was passed in 1952. I was officially responsible.

In fact, the very first of my efforts in Congress was to work for the meager appropriation to implement the salt-water bill we had just passed. After midnight of the last full day of the 82d Congress I remember saying to Congressman GEORGE MAHON and Congressman ALBERT THOMAS of Texas—what they already knew and had probably said to

me—"The man or set of men who can treat sea water, or saline waters, effectively, and cheaply, will have performed a greater service for mankind than the man or set of men who split the atom." On the following Tuesday, July 8, 1952 I was thanked by Secretary Oscar Chapman for my help on his pet saltwater bill.

Pardon me, Judge, for monopolizing the time on this topic, but I know your interest in it and activities on it and commend them. What a sturdy "oak" this "acorn" has become in 10 years under the fostering care of several western Senators—not now a meager $100,000 appropriation and no pilot plant, as 10 years ago, but now four big pilot plants—located on Atlantic coast, gulf coast, Pacific coast and one in the interior, with millions to finance them, as should be. While this "acorn" through 10 years has become a "sturdy oak," it is still only a sapling. What is it destined to become in the future of our Nation?

Congressman MORRIS. How well satisfied are you with our work together in the 81st and 82d Congresses on the matters we have here briefly discussed?

Chairman MURDOCK. On these three items I am more than satisfied. To change the figure of speech from the acorn and the oak, I truly feel that you and I have presided at the laying of legislative "corner stones" of three magnificent superstructures, the building of which will require years and generations to finish. The designs, though dim, are subject to change, and improvement with greater knowledge and wisdom than we posssessed. These superstructures are certain to be useful to the fast growing State of Arizona and the Nation through a long future.

Ukrainian Congress Committee of America

EXTENSION OF REMARKS

OF

HON. JOHN V. LINDSAY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. LINDSAY. Mr. Speaker, in the fall, the Ukrainian Congress Committee of America will mark the 20th anniversary of its founding. I ask my colleagues in the House of Representatives to join with me in extending greetings to the committee and to its chairman, Dr. Lev E. Dobriansky.

Many members of this organization reside in my district and I have had opportunity to observe their efforts. These Americans, knowledgeable in Soviet matters, have served our Nation by advancing the cause of the captive nations, by informing our fellow citizens about the struggles for independence of the dozen captive non-Russian nations in the U.S.S.R. by exposing the myths about Soviet unity and by proposing courses of action to counteract Soviet propaganda.

The people of the Ukraine have long suffered political and religious persecution. They have been deprived of the freedom for which they long fought.

The Ukrainian Congress Committee of America and the 2½ million Americans of Ukrainian ancestry, will not rest until freedom has been restored.

That spirit must be continually rekindled. Enlightened concern for human dignity is paramount with all of us.

I salute the committee for its 20 years of dedication and service.

San Francisco Baseball Giants To Make Centennial Good-Will Tour of Japan

EXTENSION OF REMARKS

OF

HON. JOHN F. SHELLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mr. SHELLEY. Mr. Speaker, may I invite the attention of my colleagues in the House and the Senate to the good-will baseball tour of Japan to be made this fall by the San Francisco Giants as the sports feature of the centennial celebration commemorating the signing of the first Treaty of Commerce and Friendship with Japan.

After stopping off in our newest and 50th State of Hawaii for a few exhibitions, the Giants will play 16 games in Tokyo, Sapporo, Sendai, Toyama, Osaka, Fukuoka, Shimonoseki, Hiroshima, Nagoya, and Shizuoka.

Most of us are aware of the tremendous interest that the Japanese have in our national pastime. But few of us, I am sure, have any idea of the influence that baseball has had on Japanese-American relations.

BASEBALL IN JAPAN 86 YEARS OLD

Japan is said to be the oldest nation outside of the United States to be playing baseball. Only 30 years after Abner Doubleday is supposed to have originated the game at historic Cooperstown, baseball was introduced to Japan. This was in 1874, so Japanese baseball is 86 years old this year.

Count Nobuaki Makino, one of Japan's most illustrious statesmen and father-in-law of former Prime Minister Shigeru Yoshida, who, probably more than any single individual, gave new Japan its pro-United States orientation, is generally remembered as Japan's first baseball player. Premier Yoshida, as most Americans recall, was the last Prime Minister during the period of the occupation and the first Prime Minister when Japan regained her sovereignty in 1952. He headed a special delegation to Washington this past May to participate in the centennial celebration here. He also headed the Japanese delegation that signed the peace treaty in San Francisco in 1951. Count Makino learned to play baseball when he visited Philadelphia in 1871 as a member of the Prince Iwakura mission. On his return he introduced baseball, with its special terminology, to a Japan just emerging from its feudalism.

Within 20 years it had become a popular and well-accepted game, largely because of the promotional writings of Shiki Masaoka, who, though known as the foremost "haiku" poet of the Meiji era, is better remembered as the father of Japanese baseball.

In 1878, Ki Hiraoka, who was bitten by the baseball bug while studying in New York City, organized the first team, representing the Shimbasi Athletic Club, built the first baseball diamond in what is now the famous Ginza district in Tokyo, introduced the wearing of team uniforms, and threw the first curve ball seen outside this country.

In its early developmental period, baseball teams represented various athletic clubs or industrial plants. In a few years, however, the schools and universities took up the game and made it the spectacular spectator sport that it is today, when crowds of 80,000 are not unusual for a college championship.

In 1905, Waseda University came to this country to play a number of our colleges and universities. This was the first oversea trip ever taken by any Japanese sports team and was the forerunner of the many exchange good-will tours by various athletic stars and teams in the past half century.

SAN FRANCISCO IDENTIFIED WITH JAPANESE GAME

Two San Franciscans, Herb Hunter and Lefty O'Doul are the legendary baseball idols of Japan. The former helped develop college baseball, while the latter helped to organize professional baseball there.

The first all-star team to visit Japan was in November 1931, which included such baseball immortals as Lefty O'Doul, Lefty Grove, Larry French, Mickey Cochrane, Muddy Ruel, Lou Gehrig, George Kelly, Frank Frisch, Willie Kamm, Rabbit Maranville, Al Simmons, and others. In 1934 Babe Ruth led one of the greatest aggregations ever assembled, every member of which has been enshrined in baseball's Hall of Fame in Cooperstown, N.Y., to Japan, where they played to crowds of over 100,000. Connie Mack, incidentally, was the manager of that dream team, and his assistant was Lefty O'Doul.

Herb Hunter of San Francisco is known as America's baseball ambassador because he remained to coach the game at Waseda and Keio universities after visiting Japan as a member of a group of Pacific coast players in 1920. When he returned to the United States, he persuaded then Baseball Commissioner Landis to authorize major leaguers to visit Japan to conduct clinics to instruct the Japanese in the finer points of the game. Casey Stengel, currently the revered manager of the New York Yankees, was a member of the first contingent, which also included Waite Hoyt, Herb Pennock, Guy Bush, and George Kelly.

Lefty O'Doul, a native San Franciscan, is synonymous with the spirit of American baseball in Japan. While visiting Japan in 1934 with the all-star team, he advised Matsutaro Shoriki, president of the Yomiuri Shimbun, one of the "Big Three" national newspapers of the country with a circulation over 3 millions, in organizing what has come to be known as the Yomiuri Giants, named in honor of the then New York National League entry who are the San

Francisco Giants of today. The Yomiuri Giants are known as the Yankees of Japan, however, for their perennial championships. The Yomiuri Giants were the first professional baseball club there, but others quickly followed and their version of a major league was established. Today, there are two major leagues, with the champions of each playing off for the Japanese title every autumn, much as is done in the United States.

As beloved as Lefty O'Doul is in his native city, where he managed the San Francisco Seals entry in the old Pacific Coast League for many years, he is probably better known in Japan, where his humanitarianism in helping orphan children is almost as legendary as his baseball contributions. The two-time batting champion of the National League enjoyed his greatest years in our national game as the star outfielder for the Brooklyn Dodgers and the New York Giants of the late twenties and early thirties.

During World War II, the militarists tried to "wipe out" baseball because of its American origin and its popularity among all segments of the population. After the surrender, baseball was among the first sports to regain its place in the minds and hearts of the people. Gen. Douglas MacArthur, as the Supreme Commander of the Allied Powers, recognized its potential as an invaluable instrument in building new Japan into a democratic, freedom-loving nation and issued a directive to assist in its revival.

BASEBALL'S FINEST HOUR

Probably baseball's finest hour, and its greatest contribution to international understanding and friendship, was in the fall of 1949, when Lefty O'Doul took his then San Francisco Seals over for a series of 13 games. That tour is credited with bringing the Japanese and the American people together in a spirit of mutual fellowship, for it was the first time since the end of the war that the defeated Japanese left their self-imposed shell to cheer Americans.

Just before Mrs. MacArthur threw out the first ball at Korakuen Park in Tokyo, for the first time after the war the Japanese Rising Sun flag was raised, and the band played their national anthem. Thereafter, the American flag was raised, and the Star-Spangled Banner was played. Also, for the first time, hot dogs and cokes were sold to the Japanese on that day.

Near the conclusion of their tour, Lefty O'Doul was invited to the Imperial Palace to meet the Emperor, who told him:

> It is by means of sports that our countries can be brought together. I am glad that I can personally thank you for it.

At a reception for the team at the American Embassy where General MacArthur had his residence at that time, prior to its departure for the States, the Supreme Commander told O'Doul:

> This trip is the greatest piece of diplomacy ever. All the diplomats put together would not have been able to do this.

Later, referring to the love and admiration in which he is held by the Japanese public at large, General MacArthur told him:

> You've finally arrived home, Lefty.

Two years later, in 1951, Lefty O'Doul returned to Japan with the first postwar major league all-stars, who included Joe DiMaggio, then of the New York Yankees. Since that time, several all-star aggregations and several major league teams, such as the New York Giants, the Brooklyn Dodgers, the New York Yankees, and the St. Louis Cardinals, have played in Japan.

APPROPRIATE TEAM, APPROPRIATE YEAR

In this Centennial Year of Japanese-American relations, it is appropriate that the San Francisco Giants, heirs of the immortal New York Giants' heritage, are visiting Japan.

The American baseball team will be led by Baseball Commissioner Ford Frick, who long ago appreciated the significant role that baseball could play in international good will. It was he, by the way, who in a statesmanlike decree several years ago ruled that major league teams could visit Japan only on alternate years in order that there would not be too much of a drain on Japan's hard earned dollar exchange.

Horace C. Stoneham, longtime owner and president of the Giants, will accompany his team, which is among the most colorful and representative in sports. His Willie Mays is considered by many to be the best player in our national pastime today.

And, of course, Lefty O'Doul will again be with the team, for the Japanese identify baseball with this distinguished native son of California.

Appropriately enough too, the invitation to visit Japan was extended by the Yomiuri Giants, whose president is still Matsutaro Shoriki, recently described by his U.S. biographers Edward Uhlan, Dana L. Thomas, and Bob Considine as the "Miracle Man of Japan." Among his accomplishments are that he is a ranking member of the Japanese Parliament, former cabinet minister, Japan's first atomic energy commissioner, and the individual responsible for making television available to the rank and file Japanese.

Tsuneo P. "Cappy" Harada, an American-born Californian of Japanese ancestry who as a lieutenant during the occupation period contributed much to the revival of baseball after the surrender, served as the liaison in arranging this goodwill tour as the sports feature of this 100th anniversary year of diplomatic relations between the United States and Japan.

As our Nation and Japan begin the second century of diplomatic relations, all of us are aware of the increasingly important role that Japan must play as our partner and ally in the Far East. There are forces in the world today which would destroy the good will that exists between the American and Japanese peoples. And so, in these critical times, I know that I speak the sentiments of the American people in paying tribute to the constructive character of baseball's contributions to Japanese-American friendship and understanding.

May the forthcoming visit of the San Francisco Giants, and their fellow citizens of the city by the Golden Gate who plan to accompany them as special individual good will ambassadors, be as successful in promoting good will as those in the past, for on the field of friendly competition, with friendly spectators, are sown the seeds of international comity and cooperation that are so essential to the peace and prosperity of the Pacific.

We Must Develop a Strategy for Victory—To Save Freedom—Freedom Everywhere

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, August 29, 1960

Mrs. BOLTON. Mr. Speaker, it was my very great privilege to introduce the keynote speaker of the Republican Convention held in Chicago the last week in July, our colleague, the distinguished Member from Minnesota, Dr. WALTER JUDD.

Tireless, effective, and fearless, a champion of independence and freedom, he is one of the very rare men in this House of Representatives. For 10 years a medical missionary in China, his penetrating vision recognized the menace of the Japanese aggression in China and the sinister quality of communism a decade before they exploded in our face. Upon his return home, he did his utmost to bring the realization to America.

I do not need to tell anyone here what his rare talents are nor with what consecration he works. His contribution is greatest in foreign affairs, for that is his major responsibility, but he has been the author of important and intelligent legislation aimed at full employment for America's working millions. Active in the field of medical aid for the aging and in measures dealing with vocational rehabilitation and education, he has been a leader in the successful battle of the administration of President Eisenhower to check inflation.

Beyond all else, WALTER JUDD is a man of deep religious faith, a man whose life is based upon the certainty that understanding and wisdom are given to those who ask for it.

I, therefore, under unanimous consent, Mr. Speaker, include with my remarks, the keynote address given in Chicago by our colleague, the distinguished gentleman from Minnesota, WALTER H. JUDD:

WE MUST DEVELOP A STRATEGY FOR VICTORY—TO SAVE FREEDOM—FREEDOM EVERYWHERE

(Keynote address to the 1960 Republican National Convention by Representative WALTER H. JUDD, of Minnesota, July 25, 1960, Chicago, Ill.)

Mr. Chairman, fellow Republicans, fellow Americans, as we meet tonight in this Republican National Convention of 1960 I do not believe you want me to indulge in the traditional keynote speech, blaming the

other party for everything that is bad, taking credit to ourselves for everything that is good, and promising that if you voters will just elect us to office this fall, we will solve every problem, increase every benefit, expand every existing program, start a whole flock of new ones, give everyone everything he wants—and reduce the national debt at the same time.

The times in which we meet are too serious for that.

The problems we face are too disturbing.

Our country's safety—your safety and mine—are too gravely endangered.

What the American people want to know as they watch us here tonight is: Which party has the greatest capacity to keep this country safe and sound?

Which party is the most alert to and best understands the powerful forces against us, abroad and at home?

Which party best understands the forces for us, abroad and at home?

Which party has the ablest, the most experienced, the best qualified, and the finest men to lead our country through the perilous months and years ahead?

We do not pretend that our party is always right and the Democratic Party is always wrong.

We know, as do you who are listening, that both Democrats and Republicans want a strong, free, and prosperous America in a peaceful and secure world. The difference between the two parties is not over those good objectives, but over the best way to achieve those good objectives—and keep them.

Some Democrats have regularly tried to make it appear that Republicans are opposed to various good ends—such as security for old age, adequate medical care, better education, better housing, protection of the rights of labor, aid to agriculture—just because we do not agree with the solutions they advocate, believing they are not the right way to get what we all want. But it is not because we are against the good ends; it is precisely because we are for them that we oppose measures we believe are unsound.

It is the obligation of the Republican Party and its members to show that loose fiscal policies, while temporarily gratifying, in the end inhibit growth rather than expand it.

Sometimes we are told that to win elections, we Republicans should make more grandiose promises, like those the opposition party made at its convention. Maybe that is a way to win elections; but we repudiate it, first because it would not be shooting square with you, the voters; and second, it would not succeed. For there is no chance of our outpromising the Democrats.

Overshadowing everything else as we meet is the hard fact that a powerful enemy threatens us on every front. It is the most dangerous assault upon us in our history, in part because it is so different from any previous threat.

And without victory in this struggle, there will be no survival of freedom for any of us—Democrats or Republicans.

I

The Republican Party was born in a time of crisis. It was brought into being by the strong free spirits of a century ago, to deal with the gravest issue of the 19th century—human slavery.

In 1860 in this city the Republican Party nominated as its candidate for the Presidency of the United States a man who had risen from the humblest beginnings to become a leader in the effort to end human slavery without destroying the Union.

He led the party to victory, the Nation to salvation, and the people to a rededication to the sound principles on which the country had been founded and had grown great.

We want, tonight, both to honor Abraham Lincoln and to learn from him.

Please God, we may do as well with our divided world as he did with his divided Nation.

For the gravest issue of our century also is human slavery—this time not men enslaved by other men; but, far more complex and dangerous, masses of men enslaved by governments.

More human beings are in bondage tonight than ever before in human history.

Nine hundred million abroad are denied by their government the right to worship, to speak, to assemble, to join, to own; the right of a man to choose or to change his work and to live his own life with his family and friends—in freedom.

In this total situation, the Republican Party stands today as it has from the beginning—for freedom and against slavery.

You will judge both parties not by promises but by performance. And it is on the basis of our record of solid performance that we proudly present to you in this convention, an honest accounting of our stewardship during these 8 years—and a look at the future.

How well we have done what we said we would do when you elected us?

How do we propose to deal with the challenges we face now, at home and abroad?

Why do we believe our principles and proposals offer greatest hope for accomplishing the greatest good and the greatest growth for America in the next 4 years?

II

Let us deal first with our international relations.

We said in 1952 we believed we could get and maintain peace with honor. We have done it.

We brought to an end the fighting in the Korean war which the Truman administration would not win and could not stop.

It did not make sense to continue to enlist American youth and exhort them to fight well in the noblest tradition of America's greatest heroes—but not to fight too well because then they might win, and that might provoke the enemy. They should give all they had, their lives—and over 33,000 did—but they must not win. It was the first war ever fought—so far as I am aware—in terms of trying to please the enemy. To continue that war was madness.

Then President Eisenhower took charge. It took time and patience and skill, but within 9 months, the fighting was brought to a close—without dishonor, without sacrificing the interests of an ally, or weakening our security position in the Pacific. We Republicans are proud of that accomplishment.

In addition, this administration has prevented a half dozen other threats from developing into war—Trieste, the Mossadegh uprising in Iran, Guatemala, Formosa, Suez, Lebanon, Quemoy, West Berlin.

How was it done? Not by sacrificing our principles in secret deals under the table; but by steady, patient firmness and strength in support of principles.

What principles? First, our own historic principles: human freedom; keeping our word; steadfast support of friends and allies. And, second, wholehearted support of the United Nations.

In short, our efforts everywhere have been to help build free nations up; the efforts of the Communists everywhere are to pull free governments down.

III

It does not avail, however, to be firm in support of principles unless we have the strength to back the firmness up. This administration has built up gigantic strength in our own Armed Forces and given vital assistance in building up the strength of other nations standing with us against the common threat.

Ours is a balanced power, not all our eggs in one basket, whether it be a bomber basket, a missile, a submarine, or any other basket.

President Eisenhower will perhaps have something to say on this subject tomorrow night. I hope those who have thought they know more about our armed strength than he and our Joint Chiefs of Staff, will listen in too.

But I am compelled to take notice here of certain charges made by the opposition party.

It is claimed that this administration allowed a missile gap to develop. No, it found a missile gap and has managed to get it almost closed.

When President Eisenhower took office in 1953, the preceding administration had actually retarded work in this field, even though it knew that the Soviet Union was making tremendous efforts.

The Truman administration in 8 years had spent 17 times more for price supports for peanuts than for long-range missiles.

The Eisenhower administration is today putting 40 times as much into such missiles each month as the previous administration did in 8 years.

It took the Soviet Union 12 years to develop its long-range missiles. It took this administration 6 years to get ours operational. Anything wrong with that?

Senator KENNEDY was reported by the press to have said on February 21 of this year, "We have the greatest deterrent force in history and thank God for that." He was right.

IV

But it is not enough to have such vast overall power. Our primary desire in building such striking force is not to fight a war, but to deter one.

It is not just the strength that we have, it is the strength that our enemies, our allies and our own people know that we have, which is our hope of deterring war.

What kind of reckless and irresponsible action is it for anyone to misrepresent the United States as a second-class power, as was done in the Democratic convention, and thereby encourage the very attacks which all Americans profoundly hope and pray can be prevented?

Did you see the movie shown at their convention 2 weeks ago, dredging up scenes of hunger, squalor, and misery in the United States as if they were typical of America? What kind of salesmanship for their country is that?

Can our Nation's prestige be raised by tearing it down?

It is devoutly to be hoped—because it offers our best chance of avoiding war—that Mr. Khrushchev, in making up his mind about our actual military, economic and moral strength, will depend a lot more on the reports of his own agents than on the shameful misstatements made in the heat of the Los Angeles convention.

It is claimed that this administration has not taken the initiative in the cold war, that we have allowed things to drift. Yet the orators condemn the Republican administration for brilliant examples of successful initiative. For example, the U-2 flights. If we had not developed U-2 and had not been using it to keep up to date on military preparations within the Soviet Union, we could properly have been charged with inviting another Pearl Harbor. The fact that our U-2 operations were so outstandingly successful for 4 years should be a source of intense pride to all Americans. The U-2's were not provoking war, they were helping to prevent war.

Again, it has been suggested that the President should have done something different or better about Mr. Khrushchev's breakup of the Paris conference. Will they please tell you what they think the American people wanted their President to do? Apologize, and hand over West Berlin? Blow up and start a war? Of course not.

The facts are that it has been the President himself and Secretaries of State Dulles and Herter who on innumerable occasions have warned the American people against optimism regarding any conference with Communists at the summit in the absence of any evidence of change in their objectives and methods.

Just as Prime Minister Macmillan said a year ago that he thought he ought to go to Moscow to find out if possible just what the Soviets had in mind, so the President invited Mr. Khrushchev to this country, and agreed to go to the Soviet Union; and the Big Three agreed to meet with Khrushchev in Paris—all in the hope of finding ways to get a settlement that might end the cold war without betrayal of our principles, our commitments, or our allies.

At the Paris conference, everybody hoped that the miracle might take place and Mr. Khrushchev would abandon his avowed purpose to bury us—one way or another. Tragically, there was no miracle. Mr. Khrushchev killed the hope.

But his ruthless torpedoing of the Paris meeting was evidence of the failure of his foreign policy, not ours. His strategy for at least 2 years had been the old one of trying to conquer the West by dividing it. He tried his best to set our allies against each other and against us. He came to our country and talked about peace and friendship, trying to whittle down our resolution and soothe us into relaxed slumber. He did not succeed.

When Mr. Khrushchev knew before the Paris conference convened that he had failed to divide, deceive or soften up the free powers, he had no choice but to break up the conference. Otherwise, he would either have had to back down on West Berlin, or actually start a war. Either would have been fatal to him. His scuttling of the Paris conference and his grotesque efforts to pin the blame on us were proof positive, not of our weakness, but of our strength.

With the bald deception of Khrushchev's fake peace posture exposed at Paris by himself, he had to change his tactics and make a different effort to divide and conquer. He is now moving heaven and earth to achieve by subversion among the newer or more vulnerable nations of the free world coalition what he could not achieve by division of the Western Powers. He is trying to upset free governments, one by one, by ordering into action the apparatus the Communists have been systematically building and training in other countries for decades, for the very purposes now revealed so plainly in Japan and Cuba.

Why did the Communists have to cancel President Eisenhower's visit to Russia and resort to such violent measures in Japan to prevent his visit there? Not because of the ineffectiveness of the President's visits abroad, but because of their demonstrated effectiveness. The Red leaders saw the vast difference between Eisenhower's reception in India, for example, and the receptions given Khrushchev and Chou En-lai. They didn't dare let Ike chalk up still another tremendous triumph with millions of people in Mother Russia itself, and in a key country like Japan.

V

It has been charged that no previous Presidents or Vice Presidents ever suffered such insults abroad—as if somehow that is their fault. There are two inescapable answers. One is that as long as two previous American Presidents were willing to give in to Soviet leaders, they got along famously with them. Why should the Communists insult them as long as they were getting what they wanted?

Naturally Khrushchev would prefer not to negotiate with a Republican President who he has learned will not be taken in or intimidated or tricked into any concessions, no matter how innocent looking, that would weaken the free world.

The second answer is that no previous President has faced a Communist conspiracy that was strong and arrogant enough to take such action as Mr. Khrushchev took.

And how did the Communist conspiracy get so strong and arrogant? That cannot be laid at the door of Republicans. Look again at the record.

I would rather not go over the mistakes of the past; there's more than enough to talk about regarding the future. But if Republicans are to be charged with inability to deal with the forces of aggression which those who make the charges helped to build up, then we owe it to the truth to set the record straight.

The trouble we are in with the Communists is exactly the trouble that Republicans warned for years before 1952 would develop if we followed the courses that were followed.

Was it Republicans who recognized the Soviet Union in 1933 and gave it acceptance into our country and world society as if it were a respectable and dependable member thereof?

Was it Republicans who, at Teheran, against the urgent advice of Mr. Churchill, agreed to give the Russians a free hand in the Balkans?

Was it Republicans who secretly divided Poland and gave half of it to the Soviet Union?

Was it Republicans who agreed to the Communist takeover of a hundred million people in Eastern Europe who are not Russian?

Was it a Republican administration which at Potsdam gave the Soviet Union East Germany and left West Berlin cut off from the rest of the free world?

Was it a Republican administration that publicly promised that Manchuria would go back to its rightful owners, the Chinese, and then secretly at Yalta gave control of Manchuria to the Russians?

Was it a Republican administration that divided Korea and gave control of North Korea to the Communists?

Was it a Republican administration that gave to the Soviet Union the Kurile Islands which had never been anybody's except Japan's, thereby endangering both Japan's and our security in the North Pacific?

Was it a Republican administration that rightly put its hand to the plow in Korea, and then when victory was in sight turned back, allowing the Reds to recover so they can make still more trouble for us in the future?

Was it a Republican administration that fell for the Communist offer of a truce in Korea without requiring that the North Korean aggressors lay down their arms and the Chinese Communists get out of Korea where they had no business to be? You know it wasn't.

In summary, it wasn't under Republicans that 600 million human beings disappeared behind the Iron Curtain in the first 5 years after World War II.

In fact, the record will show that Republicans opposed these steps every time they were taken.

VI

What our Republican administration has done in these 8 years is, with initiative and imagination, to stop the process of retreat before the Frankenstein monster that its predecessors did so much to build up.

We have resolutely opposed anything anywhere that would make Communist regimes stronger—and we shall continue to do so.

That is why, for example, we have opposed and must oppose official recognition of Communist China or its admission into the United Nations, unless or until it will give up in a dependable way its aggressive acts and threats against other countries; that is, give up communism. Recognition and admission would needlessly present it with smashing victories. Does it make sense to build up an avowed enemy?

But our refusal to give Red China the tremendous boost of official recognition does not mean—as has been asserted by people who ought to know better—that this administration has been hiding its head in the sand, or pretending Red China does not exist, or trying to ignore 600 million Chinese. The exact reverse is the truth. This administration is acutely aware of Red China's existence and the threat it constitutes to freedom, not only in Asia, but everywhere. It was not this administration which indulged in the illusion that Communists in China are democratic agrarian reformers.

We are not ignoring Red China. We have been negotiating with its official representatives for 5 years. The 99th such negotiation, unfortunately still fruitless, took place just last week.

VII

Surely it is now plain to all that since the Communist world conspiracy remains the same, and since America does not intend to surrender, and since nobody wants a hot war, there is only one alternative left. We must win this cold war.

To do this we must have leaders who understand this enemy and its tactics, and will mobilize all our resources for the struggle.

We must use more effectively our strongest weapons, the values and virtues of a system of government which has given freedom and dignity and better living standards to human beings than any other system ever has.

How many of us understand our own system well enough to sell it to others with contagious enthusiasm, as the Communists are so well trained to sell theirs?

We must let loose in the world the dynamic forces of freedom in our day as our forefathers did in theirs, causing people everywhere to look toward the American dream.

Men have always found ways to bring down tyrants in the past; men will find ways to bring down today's tyrants, if only we don't build up the tyrants.

In short, we have a good strategy for holding. But we cannot hope to win in the end just by holding. We must develop a strategy for victory.

A new chapter has now been opened by Khrushchev. The Soviet Union stands naked before the world today, self-exposed, its objectives and its unchanging methods of deception and trickery revealed by its own acts.

It is going to require stronger approaches, different strategies, new tactics by someone who has proved he understands communism.

America has the brains, she has the wealth, she has the weapons. Who can best harden into rocklife firmness her will?

I am confident that the nearer our people come to election day next November, the more they will become convinced that the course of wisdom and sureness for America is to continue to entrust the destiny of our Nation to steady, competent, experienced, principled Republican hands.

The man who will be nominated in this convention as our candidate will be incomparably the best qualified to deal with the relentless cold war which we have tried our best to avoid, but which we now have no choice except to win.

It has been said by Mr. KENNEDY that the most important issue in this campaign is foreign policy. We agree and welcome the test.

VIII

Now let us take a look at our record on the domestic front. Undeniably this has been overall the best 7-year period in the history of the United States.

What did we say in 1952 that we would do? First, we said we would be a middle-of-the-road government. We believe that middle-of-the-road government is, in the long run, the best kind of government for everyone. For when anybody or any group, whether at one extreme of the other, gets all it wants, it is at the expense of the people as a whole.

We promised we would clean out the corruption that was a scandal under the previous administration and led to more than 20 convictions of high officials. I am proud of the fact that there has not been a single conviction for malfeasance in office of any high official of this administration. That does not mean everything has been perfect. It does mean that whenever and wherever there was any slightest suspicion of impropriety, this Republican administration has not tried to cover up; it has cleaned up. That is what you wanted it to do.

We said we were convinced we could bring prosperity without war—something our predecessors had never been able to do in this century. We succeeded.

The first requirement was to stabilize our economy and slow down the inflation. It was stealing the people's substance—and was especially cruel in its eating away of the value of the pensions and social security benefits which millions of older persons were counting on for the security and serenity they so richly deserve in their years of retirement.

How could inflation best be checked?

The Democrats clamored for more controls.

President Eisenhower announced he would take off the controls.

You will recall how some screamed that the Republicans were yielding to the profiteers, big business, money interests; prices for common people would now go sky high, and so on.

But did they? No. The prices which had been rising alarmingly—48 percent in the 7 Truman years—promptly leveled off and stayed practically stable for 4 years. The total rise in prices in these 8 Republican years is less than 10 percent.

We achieved this stability not by changing our free system, but by using it. It works better than those of little faith in the American people give it credit for.

We said in 1952 that if the Federal Government would stick to its proper function of running the business of the Nation, and get out of trying to manage the affairs of our people, the creative energies of the American people and their millions of individual enterprises would create a vaster expansion of production and trade, with correspondingly greater expansion of jobs, than the Government itself could do. Were we right or wrong? Well, there were 61 million jobs when we took over in 1953. There are 68 million jobs tonight.

And jobs at higher wages. Wages up 39 percent in these 7 years. Do you recall the seven consecutive cost-of-living increases that labor had to fight for, just to keep up with inflation under Truman? In contrast, real wages, actual purchasing power, has gone up 20 percent under this administration.

To buy a standard market basket of groceries in 1945 under the Roosevelt administration, it cost the average worker 13 hours of labor. To buy the same market basket in 1952 under the Truman administration took 13.7 hours of labor. To buy it in 1959 under the Eisenhower administration cost 10 hours.

This is the measure of how much better off rank and file people are today. Does this sound like a party of big business?

Our workers have better food and clothing for themselves and their families, more homes, more automobiles, more refrigerators, more TV's, more free time for study, for recreation, for sports, for travel, for whatever. The record is clear that labor has done better under this Republican administration than in all its previous history.

Personal income, the money that goes into your pockets, has gone up a whopping 33 percent—from $301 billion in 1952 to $420 billion in 1960—and in constant dollars.

Furthermore, a larger share of that higher income, more than 4 percent larger, goes now into the pay envelopes of workers. Anything wrong with workers getting a bigger share of the national income under the Republicans than they ever got under the Democrats?

Isn't it plain horse sense to trust for the next 4 years the leadership which has enabled you to do so well for yourself in the last 8 years?

IX

While the Republican 83d Congress was in power to cooperate with the Eisenhower administration during its first 2 years, we gave the American people the biggest single tax cut in their history—and at the same time expanded the benefits to people; more social security benefits, more for highways, hospitals, health, housing.

And you still have that tax cut. If I may borrow a phrase that you perhaps remember: "Don't let them take it away."

The Republican record in the area of meeting human needs has been one of remarkable action and progress in all fronts, contrary to the image promoted by the opposition that they alone are the party of the people.

Under social security 7½ million more persons are now covered than before. The number receiving benefits has increased from 5 to more than 14 million persons.

Under the vocational rehabilitation program as strengthened by Republicans in 1954, some 400,000 disabled men and women have been returned to active, self-respecting employment and have earned almost $2 billion. This is the true American system of enabling people to do things for themselves.

Deeply concerned with the increasing complexity of the problems of senior citizens, this administration has established a staff for research into their problems and how to use their valuable experience and talents. It has called the first White House Conference on the Aging in our Nation's history for next January.

Bold and dramatic steps have been taken to expand medical research in cancer, heart disease, mental illnesses, and other crippling and killing maladies.

In the 7 years prior to 1953, the value of surplus agricultural products distributed in the school lunch program and to needy persons, institutions, schools, and Indian reservations totaled $263 million. In the 7 years since 1953 the total distributed was $960 million worth—3½ times as much. Anything wrong with that record?

In short, we have moved vigorously whenever and wherever action by the Federal Government is the proper and best way to deal with any problem affecting public safety and the people's welfare.

When before did any government ever take less from the people in taxes and give them more in return?

How was it done? Not by Government orders, edicts, or controls, and not by Government handouts.

It was done, not by changing our principles of freedom of enterprise, but by sticking to them.

It was done by good Republican management of the Government, not management of the people.

Obviously, I cannot try here to outline our detailed proposals for the years ahead. I have not even mentioned vitally important areas like education, health, agriculture, conservation, taxation, and a dozen other issues which would require almost a separate speech each. They will be covered, however, before this convention is over.

X

May I turn, finally, to some basic principles, tested principles of freedom, which we believe it is necessary for us to understand and follow if we are to meet successfully the challenges of the future.

Many Americans have come to think that our two major parties are, after all, just about the same. But it is not so. The main difference between them, as I said in the beginning, is not over good ends. The difference—and it is a profound one—is over means. Which are the right ways to get the good ends?

We Republicans deeply believe that the first function of a good government is to protect the liberty of the individual citizen, not to take it away.

There have never been but two basic philosophies of government—government from the bottom up and government from the top down. Our fathers believed, and so do we Republicans, that most problems can best be solved by the people themselves.

One philosophy puts its primary faith in government officials. The other puts its primary faith in the good sense and the capabilities of our people.

One group begins with the assumption that the more complex and complicated a society becomes the more its control and management must be centralized in an increasingly powerful government.

We Republicans begin with the same premises and come to exactly the opposite conclusion; namely, that the more complex and complicated a society, the more impossible it is for any centrally located group of men—no matter how able or devoted or sincere—even to grasp all the details of the complicated problems, to say nothing of handling those details from Washington.

We are not against adequate Federal Government. There must be such Government to prevent abuses of power. We merely want to keep it limited to its proper fields, so that the liberty of individuals will be protected. The Republican Party stands for liberty.

In the Democratic Convention you heard a lot about Woodrow Wilson. What did he, a real student of government, think on this issue? In a speech in New York in 1912 he said, "Liberty has never come from the Government. Liberty has always come from the subject of the Government. The history of liberty is a history of resistance. The history of liberty is a history of the limitation of governmental power, not the increase of it."

Nobody has said it better than that. Yet we now see those who claim to be the followers of Wilson insisting that the way to expand liberty is to increase the powers of Government.

XI

How did our forefathers seek to limit Government to its essential functions? By putting the Government under a Constitution. Many regard that Constitution as the means by which the Government regulates the people. No, it is the magnificent means our fathers devised by which the people can regulate their Government.

Why did they insist on having a Bill of Rights in that Constitution? In order to be sure that their Government would take care of them? No, in order to be sure that their Government could not interfere in their taking care of themselves.

Rights are not what our Government must do for us; rights are what our Government cannot do to us. Rights are not guarantees by the Government; rights are guarantees against the Government, even against our own Government, in order to keep it a good government.

We believe also that all men are created equal. In support of this fundamental faith, Republicans work for government that

will provide equality under the law for all citizens, and equality of opportunity for all citizens. We believe this is the best way to get the fullest possible rewards for all citizens.

It is because of this Republican emphasis on equal opportunity that the Republican Party is the party to which youth will naturally gravitate, if we make our principles clear to them. For what does youth want most of all? Youth wants to get ahead. The Republican Party stands always for maximum freedom and opportunity—for every man to improve his condition.

This is why it is possible in America for the son of a rich man, like JACK KENNEDY, to become President.

This is why it is possible in America for the son of a poor man, like DICK NIXON, to become President.

Republicans believe that that government is best, not which does most for its citizens directly, but which makes it possible for most citizens to do most for themselves—and then assists with those who, for whatever reason, cannot provide the basic necessities for themselves.

I do not say these things because I am a Republican; I am a Republican because these are the things I believe with all my heart and soul.

I think we can state it as a law that whenever a government does for its citizens that which they have the capacity to do for themselves, individually and in groups, it begins to destroy both their capacity and their incentive to do for themselves. It begins to weaken rather than to strengthen the foundations of freedom and the means of progress.

I can work my girl's arithmetic problems better for her than she can work them for herself. I can get the right answers almost every time. And she would like to have me do them for her. She'd even vote for me if I would. But I don't. Not because I don't love her or want her to succeed—but because I do.

XII

Abraham Lincoln at Gettysburg said, "Now we are engaged in a great civil war testing"—testing, among other things, whether Government of the people, by the people, for the people can long endure.

Lincoln and the Republican Party led our country through that crisis of 100 years ago. Now we are engaged in a greater conflict—the whole planet is in the throes of the mightiest conflict in all history. It is a world civil war. What is it about? It is about exactly the same thing as then: Is government of the people, by the people, and, therefore, for the people to perish, literally, from the earth?

During the fiery trial of Lincoln's day he warned solemnly that this Nation could not exist half slave, half free. He and his party succeeded in restoring unity and freedom to the Nation.

Can this whole wide world of our day go on indefinitely half slave, half free? Deep down in our hearts, we know the answer is "No."

The reason why it has not proved possible to get any real agreement with the Communist world all these years is because the Communists are not pursuing the same objectives as we are pursuing. And why are they not pursuing the same objectives? Because they do not believe the same things we believe—about man, about the universe, about God.

If we in America, of whatever political opinion at the moment, are to prove worthy of this most terrible testing in our Nation's life, we too must resolve with Lincoln, "that, under God, this Nation shall have a new birth of freedom."

It was under God that our freedom was born. Only under God can there be a rebirth.

What then is our role to be? Listen again to Lincoln in his message to the Congress in 1862, "The dogmas of the quiet past are inadequate to the stormy present. The occasion is piled high with difficulty, and we must rise with the occasion. As our case is new, so we must think anew, and act anew. We must disenthrall ourselves, and then we shall save our country."

There it is:

Under God, a new birth of freedom;
A new and deeper understanding of it;
A new and deeper dedication to it.

With such a rebirth within you and me, and within our beloved party, we shall deserve to be entrusted by the people with the awful responsibilities of governing this great land. And they will turn to us and our country will be saved.

And now let us get to work.

SENATE

TUESDAY, AUGUST 30, 1960

(Legislative day of Wednesday, August 24, 1960)

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

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

O Thou who desirest truth in the inward parts, even as we lift to Thy everlasting mercy our world with its crying needs, we would bring the inwardness of our individual lives to the searchlight of Thy scrutiny.

Give us confidence in ourselves, that we may be saved by the hope that Thou canst redeem our imperfections and link what Thou canst make of us, and do through us, to the working out of Thy beneficent designs for mankind.

Give us a creative faith, that we can be a part of what moves forward and belong to the company pushing back evil and establishing the good.

Save our inner lives, we pray, from the blight of cynicism which, if we allow it to master our outlook, poisons our very eyes and tinges all we see with signs of evil.

Renew in us a sense of the essential goodness of life and the vision of its constant pageant of beauty, that even as we struggle against the discords which spoil life's music, we may find joy and gladness as we journey on our way.

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

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 29, 1960, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

REPORT OF NATIONAL AERONAUTICS AND SPACE ADMINISTRATION—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 454)

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read and, with the accompanying report, referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

Pursuant to the provisions of the National Aeronautics and Space Act of 1958, I transmit herewith for the information of the Congress the third semiannual report of the National Aeronautics and Space Administration, covering the period October 1, 1959, to April 1, 1960.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *August 30, 1960.*

WITHDRAWALS OF NOMINATIONS—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore, as in executive session, laid before the Senate a message in writing from the President of the United States, withdrawing the nominations of Cecile M. Hill, to be postmaster at Tok, Alaska, Florabelle Rominger, to be postmaster at Bangor, Calif., and Donald E. Trees, to be postmaster at Armstrong, Iowa.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13161) making supplemental appropriations 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. THOMAS, Mr. KIRWAN, Mr. CANNON, Mr. JENSEN, and Mr. TABER were appointed managers on the part of the House at the conference.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 11535. An act to amend the District of Columbia Alcoholic Beverage Control Act to provide that class C and D licensees shall not be prohibited from serving alcoholic beverages in their establishments on New Year's Day when New Year's falls on Sunday; and

H.R. 12775. An act to increase the relief or retirement compensation of certain former members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the White House Police force, and the U.S. Secret Service; and of their widows, widowers, and children.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature