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PROCEEDINGS AND DEBATES OF THE 87th CONGRESS, FIRST SESSION

SENATE

MONDAY, JULY 17, 1961

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

The Right Reverend S. K. Mondol, senior bishop of the Methodist Church in southern Asia, Delhi, India, offered the following prayer:

O God, our loving Heavenly Father, we pause before Thee this morning for a few moments, in deep reverence and true humility. Touch our finite spirits with Thine eternal and lifegiving spirit, that new sources of strength and energy may be released through every fiber of our being.

Grant, this day, Thy special blessing upon the Members of this august body. Great is the responsibility Thou hast placed upon them for the welfare of this Nation and the larger human family around the globe. When the burdens become heavy, may the lifting power of Thy grace sustain them through dark moments and trying ordeals.

We lift our prayer in the cause of peace for which mankind hungers.

Remove from our human relations the elements of discord, suspicion, fear, bitterness, greed, and lust for power that make for war.

Teach us, O God, that one is our Father in heaven, and we all are brothers and part of one another.

Save us from pessimism and cynicism that tell us that war is inevitable.

Bestow Thy special favor and guidance upon the President and Vice President of this country and all others who exercise authority in this land and other lands.

Make them willing to subordinate their wills to Thy will, believing that in following Thy will there is peace for the individual and the nations.

We offer our prayer in the name of Him who came to bring peace to distraught humanity. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Friday, July 14, 1961, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS 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 they were signed by the President pro tempore:

S. 1710. An act to amend the act of April 6, 1949, as amended, so as to authorize the Secretary of Agriculture to make emergency livestock loans under such act until December 31, 1961, and for other purposes;

H.R. 1986. An act to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroads from express companies for the transportation of express matter;

H.R. 4591. An act to continue until the close of June 30, 1962, the suspension of duties on metal scrap, and for other purposes; and

H.R. 6441. An act to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control, and for other purposes.

LIMITATION OF DEBATE DURING MORNING HOUR

Mr. MANSFIELD. Mr. President, under the rule, there will be the usual morning hour for the transaction of routine business. I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

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

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MUSKIE, and by unanimous consent, the Subcommittee on Privileges and Elections of the Committee on Rules and Administration was authorized to meet during the session of the Senate today.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of executive business, to consider the nominations on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Armed Services.

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

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

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

Leonard T. Heckathorn, of South Dakota, to be U.S. marshal for the district of South Dakota; and

Doyle W. Foreman, of Oklahoma, to be U.S. marshal for the northern district of Oklahoma.

The PRESIDENT pro tempore. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

COLLECTORS OF CUSTOMS

The Chief Clerk proceeded to read sundry nominations of collectors of customs.

Mr. MANSFIELD. I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

Mr. MUSKIE subsequently said: Madam President, earlier today the Senate confirmed the President's appointment of Miss Lucia M. Cormier of Rumford, Maine, as collector of customs for the district of Maine, the First Customs District of the United States. Miss Cormier has a distinguished record of public service in the State of Maine as a teacher, town official, State representative, minority leader in the Maine Legislature, and candidate for Congress and for the U.S. Senate. I know that she will be an outstanding collector of customs, bringing to her new task the same intelligence, active interest, administrative ability, and capacity for hard work which she has applied in all her other responsibilities.

I had the good fortune to grow up in the same town with Miss Cormier. I have known her as a colleague in government and politics. I have seen her reputation grow among those of both parties as she has demonstrated her understanding and her fair-minded approach to legislative and administrative problems.

Miss Cormier is one of the two women appointed by President Kennedy as collector of customs. They are the first of their sex to be so honored. I consider this a tribute to Miss Cormier's ability

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and to her place as a leading citizen of the State of Maine. Hers will not be an easy post, for Maine is an active customs district, with ports of entry on its 250-mile coast, and along its almost 500-mile border with Canada. I am confident that she will fulfill her responsibilities with distinction and with great credit to this administration.

U.S. MARSHAL

The Chief Clerk read the nomination of Jack D. Obbink, of Nebraska, to be U.S. marshal for the district of Nebraska for a term of 4 years.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COURT OF MILITARY APPEALS

The Chief Clerk read the nomination of Paul J. Kilday, of Texas, to be a judge of the Court of Military Appeals for a term of 15 years expiring May 1, 1976.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. NAVY

The Chief Clerk read the nomination of Vice Adm. Claude V. Ricketts, U.S. Navy, to be Vice Chief of Naval Operations in the Department of the Navy, under the provisions of title 10, United States Code, section 5085, and to hold the rank of admiral under section 5321 of such title while so serving.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

U.S. AIR FORCE

The Chief Clerk read the nomination of Col. Paul T. Cooper, 4861A, Regular Air Force, for appointment to the temporary grade of brigadier general in the U.S. Air Force.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk proceeded to read sundry nominations in the Air Force which had been placed on the Secretary's desk.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that these nominations be considered en bloc.

The PRESIDENT pro tempore. Without objection, the nominations will be considered en bloc; and, without objection, they are confirmed.

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

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

EXECUTIVE COMMUNICATIONS, ETC.

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

AMENDMENT OF SECTION 201(i) OF FEDERAL CIVIL DEFENSE ACT OF 1950

A letter from the Director, Office of Civil and Defense Mobilization, Executive Office of the President, transmitting a draft of proposed legislation to further amend section 201(i) of the Federal Civil Defense Act of 1950, as amended, and for other purposes (with an accompanying paper); to the Committee on Armed Services.

NOTICE OF PROPOSED DISPOSITION OF CERTAIN PLATINUM SCRAP

A letter from the Administrator, General Services Administration, Washington, D.C., transmitting, pursuant to law, a copy of a notice to be published in the Federal Register of a proposed disposition of approximately 4,471 troy ounces of platinum scrap and a quantity of nonferrous scrap consisting of approximately 520 short tons of brass, 74 short tons of silicon bronze and copper, 11 short tons of beryllium copper, and 106 short tons of zinc foil, now held in the national stockpile (with an accompanying paper); to the Committee on Armed Services.

REPORT OF PACIFIC MARINE FISHERIES COMMISSION

A letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting, pursuant to law, a report of that Commission, for the year 1960 (with an accompanying report); to the Committee on Commerce.

DISBURSEMENT OF JUDICIARY FUNDS

A letter from the Attorney General, transmitting a draft of proposed legislation to provide for the disbursing of judiciary funds (with an accompanying paper); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF A CERTAIN ALIEN

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order suspending deportation in the case of Mario Norrito, together with a statement of the facts and pertinent provisions of law pertaining to said alien, and the reason for ordering such suspension (with accompanying papers); to the Committee on the Judiciary.

TEMPORARY ADMISSION INTO THE UNITED STATES OF CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders entered granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MCCLELLAN, from the Committee on Government Operations, with amendments:

S. 1412. A bill to authorize the Administrator of General Services to convey certain land situated in the State of Arkansas to the city of Fayetteville, Ark. (Rept. No. 546).

By Mr. EASTLAND, from the Committee on the Judiciary, without amendment:

S. 705. A bill for the relief of Norman T. Burgett, Lawrence S. Foote, Richard E. Forsgren, James R. Hart, Ordeen A. Jallen, James M. Lane, David E. Smith, Jack K. Warren, and Anne W. Welsh (Rept. No. 547);

S. 1347. A bill for the relief of Georgia Ellen Thomason (Rept. No. 548);

S. 1443. A bill for the relief of Mrs. Tyra Fenner Tynes (Rept. No. 549);

H.R. 1336. An act for the relief of Ana Catania Puglisi (Rept. No. 551);

H.R. 1379. An act for the relief of the dependents or estate of Carroll O. Switzer (Rept. No. 552);

H.R. 1383. An act for the relief of Hyacinth Louise Miller (Rept. No. 553);

H.R. 1390. An act for the relief of Jung Ngon Woon (Rept. No. 554);

H.R. 1391. An act for the relief of Mrs. Wong Lau Sau Kam (Rept. No. 555);

H.R. 1486. An act for the relief of Mrs. Vicenta A. Messer (Rept. No. 556);

H.R. 1499. An act for the relief of Manuel Nido (Rept. No. 557);

H.R. 1699. An act for the relief of Nick George Boudoures (Rept. No. 558);

H.R. 1704. An act for the relief of Lee Shee Won (Rept. No. 559);

H.R. 1706. An act for the relief of Adela Michiko Flores (Rept. No. 560);

H.R. 1891. An act for the relief of Enlc. William J. Stevens (Rept. No. 561);

H.R. 1903. An act for the relief of Mrs. Amina Youssif Cosino (nee Simaan) (Rept. No. 562);

H.R. 2354. An act for the relief of Mr. Louis Fischer, Feger Seafoods, and Mr. and Mrs. Thomas R. Stuart (Rept. No. 563);

H.R. 2674. An act for the relief of Eva Nowik (Rept. No. 564); and

H.R. 2750. An act to provide for the relief of certain enlisted members of the Air Force (Rept. No. 565).

By Mr. EASTLAND, from the Committee on the Judiciary, with amendments:

S. 935. A bill for the relief of Lillian Frank Sclavi (Rept. No. 550).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, with an amendment:

S. 1643. A bill to improve and protect farm prices and farm income, to increase farmer participation in the development of farm programs, to adjust supplies of agricultural commodities in line with the requirements therefor, to improve distribution and expand exports of agricultural commodities, to liberalize and extend farm credit service, to protect the interest of consumers, and for other purposes (S. Rept. No. 566).

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. WILEY:

S. 2258. A bill to authorize the modification of the existing project for Milwaukee Harbor, Wis., in order to provide certain improvements for navigation purposes; to the Committee on Public Works.

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

By Mr. BUTLER:

S. 2259. A bill for the relief of Julia Kok; to the Committee on the Judiciary.

By Mr. TALMADGE:

S. 2260. A bill for the relief of Dr. Ramon Noel Borromeo; to the Committee on the Judiciary.

By Mr. MOSS:

S. 2261. A bill for the relief of Richard Kyrt Kooyman and Kimberly Ann Kooyman; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 2262. A bill for the relief of Charles Bernstein; to the Committee on the Judiciary.

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

By Mr. KEATING:

S. 2263. A bill for the relief of Dr. Duk Ho Lee; to the Committee on the Judiciary.

By Mr. JAVITS:

S. 2264. A bill to provide for the continuation of the Export-Import Bank for an additional 5 years; to the Committee on Banking and Currency.

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

By Mr. HUMPHREY:

S. 2265. A bill to establish a teaching hospital for Howard University, to transfer Freedman's Hospital to the university, and for other purposes; to the Committee on Labor and Public Welfare.

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

By Mr. WILLIAMS of Delaware (for himself and Mr. BENNETT):

S. 2266. A bill to amend the Internal Revenue Code of 1954 so as to provide that certain distributions of stock made pursuant to orders enforcing the antitrust laws shall not be treated as dividend distributions but shall be treated as a return of basis and result in gain only to the extent basis of the underlying stock is exceeded; and to further provide that the amount of a dividend in kind received by a corporation shall be its fair market value; to the Committee on Finance.

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

By Mr. KEATING (for himself, Mr. BRIDGES, Mr. JAVITS, Mrs. NEUBERGER, Mr. SCOTT, and Mr. TOWER):

S.J. Res. 118. Joint resolution designating the rose as the national flower of the United States; to the Committee on the Judiciary.

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

HARBOR IMPROVEMENTS FOR MILWAUKEE, WIS.

Mr. WILEY. Mr. President, I introduce, for appropriate reference, a bill to provide for deepening and improving the harbor at Milwaukee, Wis.

I request unanimous consent to have the bill and a brief statement outlining the purposes of the proposed legislation printed at this point in the RECORD.

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

The bill (S. 2258) to authorize the modification of the existing project for Milwaukee Harbor, Wis., in order to provide certain improvements for navigation purposes, introduced by Mr. WILEY, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the modification of the existing project for Milwaukee Harbor, Wisconsin, in order to provide for certain improvements for navigation purposes, as recommended in the report of the Chief of Engineers, Department of the Army, is adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plan recommended in such report and subject to the conditions set forth therein.

SEC. 2. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

The statement presented by Mr. WILEY is as follows:

WILEY PROPOSES IMPROVEMENT OF MILWAUKEE HARBOR

The economic future of the port of Milwaukee will depend largely upon the expansion of waterborne trade and commerce.

However, this will require further development of port facilities.

For this reason, I am introducing legislation for harbor improvement—to better handle deep-draft oceangoing vessels.

Following a special study by the Corps of Engineers, the Board of Engineers of Rivers and Harbors recommended modification and improvement of the harbor. The major features of my bill—to implement the Board recommendations—would include:

An approach channel 30 feet deep and 800 feet wide, narrowing to 300 feet through the breakwater opening;

A depth of 28 feet in the entrance channel to the inner end of the piers, over existing project widths, but no nearer than 50 feet of either pier;

A depth of 28 feet in the outer harbor south of the entrance channel to East Bay Street extended, between limits 50 feet east of the pierhead line and 400 feet west of the breakwater; and

A depth of 27 feet in the Milwaukee River to within 100 feet of the centerline of the bridge at mile 0.34, over existing project widths, and in the Kinnickinnic River to within 160 feet of the centerline of the bridge at mile 1 not nearer than 75 feet from adjacent docks.

The recommendations of the Board would, however, provide that, prior to construction, local interests:

(a) Hold and save the United States free from damages due to the construction and maintenance of the improvements;

(b) Accomplish without cost to the United States, when and as required, all necessary alterations to existing structures and utility facilities; and

(c) When and where necessary, provide, and maintain depths between channel limits and terminal facilities and in berthing areas commensurate with related project depths.

Procedurally, a bill of this nature—rather than being acted upon separately—normally would be incorporated in an omnibus rivers and harbors bill.

I am urging the Public Works Committee to move ahead on such necessary projects as rapidly as possible. Following authorization, there will, of course, be need for speedy approval of appropriations.

Financed on a Federal-local cost-sharing formula, the harbor-improvement project would cost an estimated $4½ million.

The annual benefits, however, would amount to an estimated $1,130,000.

CHARLES BERNSTEIN

Mr. KEFAUVER. Mr. President, I introduce, for appropriate reference, a bill which would authorize the payment of a sum of $25,000 to Charles Bernstein in full satisfaction of all claims against the United States for damages sustained by him as the result of his arrest, arraignment, trial, conviction, and incarceration for an offense of which he was innocent.

Mr. Bernstein was convicted in the District of Columbia of murder, and on October 7, 1933, was sentenced to death by electrocution. In 1935 the sentence was commuted to life imprisonment; in 1940 the sentence was commuted to the term already served; and in 1945 President Truman granted Bernstein a full and unconditional pardon.

Without going into details at this time, I would like to quote Austin H. MacCormick, executive director of the Osborne Association and professor of criminology at the University of California at Berkeley who in 1958 said:

In a career covering 40 years in the correctional field, I have never known a more striking case of a man suffering ineradicable injury from an erroneous conviction, or a man more deserving of whatever can be done in the way of rectification and compensation than Charles Bernstein.

Enactment of this bill will at least partly compensate Mr. Bernstein for the years he spent in prison for a crime of which he was innocent.

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

The bill (S. 2262) for the relief of Charles Bernstein, introduced by Mr. KEFAUVER, was received, read twice by its title, and referred to the Committee on the Judiciary.

EXTENSION OF EXPORT-IMPORT BANK

Mr. JAVITS. Mr. President, I introduce a bill to extend the Export-Import Bank for an additional 5 years.

The Bank, which extends credits and guarantees to American exporters and foreign buyers to facilitate American exports, will go out of existence on June 30, 1963, under present law. My bill would extend it to June 30, 1968.

The Export-Import Bank is one of the most important instruments of our foreign economic policy. Its primary purpose has been and still is the expansion of foreign markets for U.S. goods. In the past decade, the Bank has placed increasing emphasis on the most vital task of stimulating exports to the developing nations of the free world to help in the acceleration of their economic development.

We should pass this legislation at the earliest possible date to enable the Export-Import Bank to plan more effectively for the future. It is especially important that continuity be assured in its activities in financing of U.S. exports and guarantees of export credits by U.S. exporters. Such activity is at least as vital to the newly developing nations as our foreign aid program and is indispensable to the prosperity of the United States.

The extension was recommended by Harold F. Linder, President and Chairman of the Export-Import Bank, in a letter reporting the Bank's position on my Export Promotion Act of 1960. Mr. Linder stated that the extension would "give the Bank continuity of operation and enable it to continue with maximum efficiency to carry out the objectives and purposes for which it was created."

I ask that the bill be appropriately referred.

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

The bill (S. 2264) to provide for the continuation of the Export-Import Bank

for an additional 5 years, introduced by Mr. JAVITS, was received, read twice by its title, and referred to the Committee on Banking and Currency.

FORMULA OF TAXATION ON CERTAIN STOCK DIVIDENDS

Mr. WILLIAMS of Delaware. Mr. President, on behalf of the senior Senator from Utah [Mr. BENNETT] and myself, I introduce, for appropriate reference, a bill, the purpose of which is to amend the Internal Revenue Code of 1954 by providing a more equitable formula of taxation on stock dividends being distributed pursuant to antitrust orders.

This is a companion bill to the one being introduced today in the House by Representative MASON, of Illinois, and since legislation of this nature must originate in the House, it will be Representative MASON'S bill that the Congress will consider.

Under existing law these forced distributions pursuant to orders enforcing the antitrust laws are taxable to individual stockholders at regular income tax rates computed upon the full market value of the stock on date of distribution.

It was recognized that this would in effect be confiscation; therefore, it was essential that we find a formula that would give relief to the innocent stockholders of these companies. It was agreed that any formula developed must be one that would work as general law, giving equitable relief to the stockholders of any company which in the future may find itself similarly placed.

This formula which we are presenting today has been worked out with the assistance of the Treasury Department, and the bill has been drafted to include its recommendations.

Simply stated, the formula provides that no tax will be paid by any individual stockholder receiving these stock dividends under forced distribution unless the market value of such dividend exceeds the original cost of his basic stock; then he will be subject to capital gains tax computed upon that amount by which the market value of his stock dividend exceeds his original cost.

The bill provides for the taxation of stock dividends to corporate stockholders at regular corporate rates on the full market value of the stock on date of distribution less the normal credit of 85 percent for intercorporate dividends.

I ask unanimous consent that an explanation of the bill be printed in the RECORD.

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

The bill (S. 2266) to amend the Internal Revenue Code of 1954 so as to provide that certain distributions of stock made pursuant to orders enforcing the antitrust laws shall not be treated as dividend distributions but shall be treated as a return of basis and result in gain only to the extent basis of the underlying stock is exceeded; and to further provide that the amount of a dividend in kind received by a corporation shall be its fair market value, introduced by Mr. WILLIAMS of Delaware (for himself and Mr. BENNETT), was received, read twice by its title, and referred to the Committee on Finance.

The explanation presented by Mr. WILLIAMS of Delaware is as follows:

Section 1 of the bill would amend the code to provide that a distribution of stock to an individual pursuant to an antitrust order is not treated as a dividend distribution but is treated instead as a "return of capital." Accordingly, if the stock received in such a distribution is worth less than the basis of the underlying stock with respect to which the distribution is made, the basis of the underlying stock is simply reduced by the amount of the distribution. On the other hand, if the value of the stock distributed exceeds the basis of the underlying stock, the excess is recognized as gain and the basis of the underlying stock is reduced to zero. This may be illustrated by two simple examples:

Example 1: An individual (shareholder A) owns a single share of the stock of company X which has a basis to him of $100. In a distribution pursuant to the terms of an antitrust order he receives 1⅓ shares of company Y stock worth $60. Because of the distribution his basis for the company X stock ($100) is reduced by the fair market value of the company Y stock received ($60), so that after the distribution his basis for the company X stock is $40 ($100 minus $60). In this instance the stockholder would owe no tax upon receipt of his stock dividend, but if he later sells the company X stock, of course, his gain is computed using the remaining $40 basis for that stock.

Example 2: An individual (shareholder B) owns a single share of company X stock having an adjusted basis to him of $40. In a distribution pursuant to the terms of an antitrust order, he receives 1⅓ shares of company Y stock worth $60. Since the fair market value of the distribution received is more than his entire basis, all of his basis is wiped out by the distribution and the amount in excess of basis is recognized as a gain. Accordingly, he will have a gain of $20 ($60 minus $40) because of the distribution, and his basis for the company X stock after the distribution will be zero. In this instance the stockholder would owe a capital gains tax on the $20, and if he later sells the company X stock, of course, his gain will be computed using a basis of zero.

Since section 1 of the bill provides that the distributions within its terms are to be treated as a return of capital, it is necessary to prevent such distributions from diminishing the earnings and profits of the distributing corporation. Accordingly, under the first section of the bill, the earnings and profits would not be affected by the distributions described.

The first section of the bill does not apply to corporations which are entitled to a deduction for dividends received. However, this section provides that all distributions to corporations which are its terms (i.e., corporations not entitled to the deduction) will be taken into account at fair market value, without regard to the provisions of section 301.

The effect of section 2 of the bill is best illustrated by a number of examples:

Example 1: A corporation distributes a bond having a fair market value of $100 and a basis to it of $100 or more. The dividend income to a corporate shareholder is $100 and the basis of the bond to the corporate shareholder after receipt is also $100. If the corporation has more than $100 net income, the dividends received deduction is, of course, 85 percent of $100, so that the receiving corporation pays a tax on $15 resulting income.

Example 2: A corporation distributes a bond having a fair market value of $100 and a basis to it of $50. A corporate shareholder receiving this bond has dividend income of $100 and has a basis for the bond of $50. As in example No. 1, the dividends received deduction is $85, so that the resulting income is $15.

Example 3: A corporation distributes a bond having a fair market value of $100 and a basis to it of $8. The dividend income to a receiving corporate shareholder is $100 and the basis of the bond received is $15, which is the same as the resulting income subject to tax computed by subtracting the 85 percent dividends received deduction from the $100 dividend income.

Example 4: The statute also provides for an allocation of the dividends received deduction under regulations prescribed by the Secretary in cases where the dividends received deduction is less than 85 percent of all dividends received. It is assumed that the regulations will provide that the limitation on the dividends received deduction will first be applied against cash. Assume that a corporation has a wholly owned subsidiary and that during a taxable year of the parent the subsidiary makes one distribution of $100 cash and one distribution of $100 bond having a basis of $8. Assume further that all the other operations of the parent for the year result in a $20 loss, so that the parent's net income for the year is $200 dividend income minus the $20 loss or $180. The total dividends received deduction instead of being 85 percent of $200 or $170 is only 85 percent of 180, or $153. Thus, the entire dividend income is reduced by $153. However, under the authority of the statute the regulations will provide that the dividend income attributable to the bond is reduced by a full $85 (so that the dividend income attributable to the cash distribution is viewed as reduced by only $68). Accordingly, the basis of the bond to the corporation receiving it will be $15 despite the fact that the limitation in section 246(b) applies to the dividend received deduction.

Section 3 of the bill provides a special adjustment to earnings and profits which is necessary due to the fact that under the bill the increase in earnings and profits will not be the same as the increase in the basis of the receiving corporation's total assets. For example, if a corporate shareholder receives a bond having a fair market value of $100, its earnings and profits under the bill are increased by $100. However, if the basis of the bond of the distributing corporation was only $50, the receiving corporation's basis for the bond will likewise be $50, so that on the sale of the bond the receiving corporation will have $50 capital gain. Since, however, this $50 was already included in earnings and profits once (as part of the $100 dividend income), it should not be so included a second time when the bond is sold. Accordingly, the proposed section 312(k) eliminates this double inclusion in earnings and profits.

DESIGNATION OF THE ROSE AS OUR NATIONAL FLOWER

Mr. KEATING. Mr. President, on behalf of Senator BRIDGES, Senator JAVITS, Senator NEUBERGER, Senator SCOTT, Senator TOWER, and myself, I submit a joint resolution designating the rose as the national flower of the United States. This joint resolution recognizes officially a 35-million-year-old native of America—the rose—as the national floral symbol of the United States.

As the popular favorite for national flower honors, the rose is unparalleled. Today it is the choice of 1 of every 3

Americans—or some 60 million citizens. In a recent certified national election in which more than 1 million ballots were cast, better than one-third singled out the rose for national honors—more than twice the votes cast for its nearest competitor.

The rose has been immortalized in poetry and holds countless memories for many Americans all across our great land. The rose is the simpleness of our gardens and our homes—it possesses the dignity of solemn occasions, it has the beauty that is America. Its strength is demonstrated by the fact that it grows everywhere in our land. From Alaska to Florida and from Maine to Hawaii the hardy rose is found bringing beauty to its surroundings. Hardly a garden in our land is cultivated without finding a display of vividly colored roses.

Mr. President, we are the only major nation of the world without a national flower. Great Britain, Iran, Honduras, and Luxembourg have already adopted the rose as their national floral emblem. It is also the official flower of four States—Iowa, North Dakota, Georgia, and my own State of New York.

I hope before long Congress will designate the rose as our national flower. Its symbolic reflection of peace, loyalty, honor, and courage and its overwhelming popularity with the American people make its selection logical.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the complete text of the resolution.

Mr. JAVITS. Mr. President, I would like to join with my colleagues Senators KEATING, NEUBERGER, and SCOTT in support of the resolution to recognize officially the rose as the national flower of the United States. We in Congress are often compelled to concentrate our efforts on material things. However, we should not lose sight of the importance of observing the great natural beauty around us. For centuries, the rose has been part of the imagery of love for poets of many lands. The rose has its roots deep in our historial tradition; the first settlers on our shores compared the fragrance of their New World to that of the rose garden. The rose is the most prized flower of the normal American garden. Because of its overwhelming popularity and its symbolic reflection of peace, loyalty, honor, and courage, it is only right that we recognize the rose as our Nation's floral emblem.

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

The joint resolution (S.J. Res. 118) designating the rose as the national flower of the United States, introduced by Mr. KEATING (for himself and other Senators), was received, read twice by its title, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Whereas the rose is known to men and women everywhere as the symbol of peace and hope; and

Whereas the rose is the acknowledged favorite of the vast majority of the American people; and

Whereas the rose is recognized as the badge of courage, loyalty, and devotion; and

Whereas the United States is the only major nation which has no official flower: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the flower commonly known as the "rose" is hereby designated and adopted as the national flower of the United States, and the President is requested to declare such fact by proclamation.

FREE ENTRY OF TOWING CARRIAGE FOR USE OF UNIVERSITY OF MICHIGAN—AMENDMENT

Mr. JAVITS submitted an amendment, intended to be proposed by him, to the bill (H.R. 5852) to provide for the free entry of a towing carriage for the use of the University of Michigan, which was referred to the Committee on Finance and ordered to be printed.

PRINTING OF REVIEW OF REPORTS ON MISSISSIPPI RIVER, BATON ROUGE TO GULF OF MEXICO, LOUISIANA (S. DOC. NO. 36)

Mr. KERR. Mr. President, I present a letter from the Secretary of the Army, transmitting a report dated March 31, 1961, from the Chief of Engineers, Department of the Army, together with accompanying papers and an illustration, on a review of reports on the Mississippi River, Baton Rouge to the Gulf of Mexico, Louisiana, requested by resolution of the Committee on Public Works, U.S. Senate. I ask unanimous consent that the report be printed as a Senate document, with an illustration, and referred to the Committee on Public Works.

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

PRINTING OF REVIEW OF REPORTS ON FRESNO RIVER BASIN, CALIF. (S. DOC. NO. 37)

Mr. KERR. Mr. President, I present a letter from the Secretary of the Army, transmitting a favorable report dated August 30, 1960, from the Chief of Engineers, Department of the Army, together with accompanying papers and illustrations, on a review of reports on Fresno River Basin, Calif., requested by resolution of the Committee on Public Works, U.S. Senate, adopted June 26, 1958. I ask unanimous consent that the report be printed as a Senate document, with illustrations, and referred to the Committee on Public Works.

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

NOTICE OF HEARING ON NOMINATION OF ROBERT E. HAMPTON TO BE A MEMBER OF THE U.S. CIVIL SERVICE COMMISSION

Mr. JOHNSTON. Mr. President, as chairman of the Post Office and Civil Service Committee, I wish to announce that a public hearing on the nomination of Robert E. Hampton to be a member of the U.S. Civil Service Commission will be held Thursday, July 20, 1961, at 10 a.m. in room 6202 of the New Senate Office Building.

The hearing will be open to the public and will be held before the full committee.

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

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

By Mr. HUMPHREY:

Address by him at President's Safety Awards ceremony last month in the departmental auditorium.

Address entitled "World Peace Through World Law," delivered by Senator LONG of Missouri before Culver-Stockton College, Canton, Mo., on May 29, 1961.

By Mr. WILEY:

Excerpts from address delivered by him on the Berlin crisis and the Red threat elsewhere in the world.

By Mr. JAVITS:

Address delivered by Representative PAUL A. FINO, of New York, on June 10, 1961, before the New York Department, Jewish War Veterans, on the subject of the activities of the John Birch Society.

By Mr. METCALF:

Statement delivered by Secretary of the Interior Stewart L. Udall before the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs of the House of Representatives on July 17, 1961, dealing with the saline water conversion program being administered by the Department of the Interior.

SENATOR WILLIAMS OF DELAWARE AND THE TRADE EMBARGO WITH CUBA

Mr. MANSFIELD. Mr. President, there are a number of Senators who more than earn their keep, so to speak, by acting as the conscience of this body as a whole. That does not mean that collectively the 100 Senators who comprise the membership of the Senate do not do good, patriotic, and outstanding jobs. They all do. But there are some who stand out.

I refer particularly to the distinguished senior Senator from Delaware [Mr. WILLIAMS]. Many look upon him as a gadfly. I think we need more gadflies like Senator WILLIAMS, who not only keeps Republican and Democratic administrations on their toes, but also keeps the Senate on its toes. I extend to him my thanks for his constant vigilance as well as my deep appreciation for the many—and often unsung—contributions he has made in making the Senate a better and more knowledgeable body.

In the Sunday Star for July 16 there appeared an article, written by George Sherman, on the complexities of the partial trade embargo with Cuba. The administration is confronted with an extremely difficult problem in this connection, as the article points out, and is handling it with a full awareness that there is no point in taking one step forward there if the result is two steps backward elsewhere.

No matter how complicated the situation, however, it is improper for the Government procedures in respect to trade with Cuba to lead to profiteering

on the situation by one particular U.S. company or another. The article notes that the senior Senator from Delaware [Mr. WILLIAMS] has pointed out that, in the eagerness to cut off Cuban imports, a profiteering loophole has been allowed to exist. In bringing this loophole to the attention of the Senate, the very able and distinguished Senator from Delaware has performed a highly useful service. I ask unanimous consent that this article be printed at this point in the RECORD.

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

MOLASSES DEAL POINTS UP CUBAN TRADE FACT: ONLY SUGAR IMPORTS FROM ISLAND ARE BARRED

(By George Sherman)

The recent multimillion-dollar molasses deal between Fidel Castro and an American company has highlighted the pitfalls in the present informal embargo on trade with Cuba.

In order to stop the Publicker Co., of Philadelphia, from paying Mr. Castro 12 million precious dollars for 120 million gallons of molasses, President Kennedy had to use a combination of public persuasion and behind-the-scenes business bargaining.

The reason: Although the U.S. Government has embargoed all American exports to Cuba—except food and medicine—since last October, it has not outlawed any Cuban import here other than sugar.

In theory, any American citizen or company can still legally import a host of Cuban goods. In fact, however, sugar accounted for almost 90 percent of the $450 million yearly average value of products Cuba sent here before President Eisenhower cut the Cuban sugar quota last July.

TRADE DWINDLING

In the 2½ years since Mr. Castro came to power, overall trade between the two countries has steadily dwindled. Today exports and imports are almost evenly balanced at somewhere between $25 and $30 million a year. Mr. Castro pays for American food (mainly lard) and medicines with sales here of Cuban tobacco, seasonal vegetables, and (before the Publicker affair) molasses.

The only other legitimate source of dollars for Cuba remains the more than $5 million the U.S. Government pays every year to the 3,500 Cuban workers on Guantanamo Naval Base at the eastern tip of Cuba.

The United States has refrained from any counteraction, because it considers Guantanamo, and the Cuban workers who help run it, essential to the national security.

But why has the Kennedy administration not cut off all other sources of dollars? Does the legal machinery exist for a total embargo on Cuban imports?

What other devices exist for limiting trade and what are their loopholes?

THE MOLASSES MATTER

All these questions have been raised by that first small $200,000 shipment of molasses which arrived in New Orleans last month. It was secretly unloaded at the Publicker wharves before the wails of competitors and Government pressure could stop it.

The White House immediately declared that the import of the remainder of the $12 million order was not in the public interest. But the company was duly compensated.

Several days later the Department of Agriculture hastily concluded a long-disputed agreement with Publicker to sell 14 million bushels of surplus Government corn at bargain prices—as a substitute for the molasses used in producing industrial alcohol.

The transaction immediately caused an uproar. On the floor of the Senate, Senator WILLIAMS, Republican, of Delaware, charged the administration with paying an $8 million subsidy to dissuade the Philadelphia concern from dealing with Castro.

He noted that while Publicker—the largest producer of industrial alcohol in the country—is buying surplus corn at 64 cents a bushel, any of its competitors must pay between $1.21 and $1.31 a bushel on the open market.

LIMIT ON PROFITS SET

Publicker has answered that the molasses—and later the corn—was essential for keeping open its New Orleans distilling plant with 700 employees. Government officials added that all profits from the corn over 2 percent will revert to the U.S. Treasury.

But Senator WILLIAMS now says he can find no evidence that any of the corn is being shipped to the New Orleans plant. It is going from Government warehouses in Evanston, Ill., to Philadelphia—at Government expense of between 25 and 30 cents a bushel.

But the biggest question is, What happens after the present 12-month corn agreement ends?

The only sure-fire way to stop such transactions would be for President Kennedy to invoke the Trading With the Enemy Act. This act—which dates back to World War I—empowers the President to declare any country an enemy of the United States in time of national emergency, and to require all imports from that country to have a special license from the Treasury Department.

Since the national emergency declared at the outbreak of the Korean war in 1950 is still technically in force, the President could in fact make such a declaration about Cuba tomorrow. At the moment, the act is being used against only two countries: Communist China and North Korea.

THE COMPLICATIONS

The President has not extended it to Cuba, because he feels that the amount of trade at the moment is not worth the international and domestic repercussions its stoppage would cause.

Both the White House and the State Department are convinced that Castro would use such an embargo to launch a new propaganda broadside against "American Goliath" attempts to starve out the "Cuban David."

Officials here fear that in many Latin American ears the charges might ring true. The embargo could be construed as a violation of the charter of the Organization of American States, which forbids "economic warfare" against any neighbor in the hemisphere.

Furthermore, State Department officials note that the total embargo would involve this country in complicated international procedures. GATT, the General Agreement on Tariffs and Trade, forbids members to discriminate against one another. Both Cuba and the United States are members. The United States would have to get a special waiver to invoke an embargo against Cuba.

On the domestic front, cutting off the remaining Cuban imports overnight would cause serious unemployment in critical areas of the country. For instance, Cuban tobacco—the largest remaining import—is absolutely essential to the hand-rolling cigar industry in Tampa, Fla.

For all these reasons, the Government is hoping for lesser legal and psychological devices to strangle Cuban trade slowly instead of killing it in one fell swoop.

One such device under study is to raise preferential tariffs of the Reciprocal Trade Act to the highest levels permitted under the old Smoot-Hawley tariff.

FEW CONTACTS NOW POSSIBLE

On the other hand, this action only harasses trade; it does not stop it. Officials note that doubling or even tripling tariffs poses no problem to a state-controlled economy, provided the foreign government wants dollars badly enough. They say the Cuban Government could arbitrarily reduce all prices of exports to the United States to make them competitive on the American market whatever the tariff.

When all is said and done, the greatest barrier to Cuban imports is the lack of diplomatic relations with this country and the accompanying psychological attitudes on both sides. Very little opportunity for contact exists.

Any American businessman must have a special stamp in his passport to go to Cuba—a stamp the State Department does not give out freely.

Any American businessman who should get to the island would find the system of private trading wholly destroyed. The established banks have been nationalized along with most everything else, and all financial contacts are controlled by the state.

As he makes his way through the new labyrinth of state bureaucracy, he would find little concrete assurance about how, when, and where goods would be delivered or payments received.

NO GUARANTEE SEEN

Even if these obstacles were overcome, the businessman would still have no guarantee that Mr. Kennedy would not invoke the Trading With the Eenemy Act tomorrow or the next day. His whole investment could be wiped out overnight.

The Cuban dictator's reaction to the lard confiscation is a good example of how all trade with Cuba can be gradually eliminated without any blanket embargo. Mr. Castro claimed the United States was trying to starve out Cuba, said he would no longer buy lard from the United States.

If Mr. Castro is true to his word, he is cutting out his largest current import from the United States. Last year Cuban lard purchases here were $18 million—more than half of all American exports to Cuba.

It would not take many more such blows to reduce the current low level of Cuban-American trade to the zero mark, without the international embarrassment of a wholesale embargo.

Mr. KUCHEL. Mr. President, will the able majority leader yield?

Mr. MANSFIELD. I am delighted to yield.

Mr. KUCHEL. This is a deserved tribute by the leader of the majority party in the U.S. Senate, Mr. President, to a unique and highly able Senator who sits on this side of the aisle, and whose record has been studded with examples of successful devotion to the public trust.

I can remember, in the few years that I have had the honor to sit in this Chamber, many instances, let me say to my friend, the Senator from Montana, when Senator JOHN WILLIAMS, of Delaware, after studying a problem of importance, which nevertheless had not been brought clearly or forcefully to the attention of the rest of the Members of the Senate, made a telling point, stuck to it, and pushed and prodded the Senate into doing its duty, and accepting his point of view.

I can remember that on some occasions, after the Senate stood up in a particular instance, there was disagreement in the other body; but it was Senator JOHN WILLIAMS, of Delaware, who acted

as the Senate's conscience in obtaining in the Senate a decision that was in the interest of the American people.

I must add that, with the usual grace with which the able majority leader acts, it is he, rather than one of us on this side of the aisle, who has stood up and has embellished the RECORD with this editorial comment respecting one of our Republican colleagues. Once again I salute him.

Mr. MANSFIELD. I thank the Senator from California.

MILITARY AID HAS THREE GOALS

Mr. MANSFIELD. Mr. President, the Honorable Robert S. McNamara, our energetic Secretary of Defense, recently found time, despite the heavy burdens of his office, to serve for 1 day as a columnist for the Northern Virginia Sun. His contribution to that newspaper comprised a remarkably succinct and well prepared analysis entitled "Military Aid Has Three Goals." The Secretary accurately stated that the U.S. military aid program should serve a threefold purpose. These purposes are: First, to enable free and independent nations to protect their internal security; second, to make "local wars" so unprofitable that such wars will be deterred; and third, to play a strong role, especially with NATO, in the deterring of general war.

I commend a reading of Secretary McNamara's article to every Member of this body and to all other thoughtful Americans; and I ask unanimous consent that the editorial, from the July 12 edition of the Northern Virginia Sun, be printed in the RECORD.

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

DEFENSE SECRETARY WRITES: MILITARY AID HAS THREE GOALS

(By Robert S. McNamara)

WASHINGTON.—During the past months, along with my military and civilian associates, I have been reexamining a good many programs of the Department of Defense, programs ranging from communications satellites to guerrilla warfare training.

One of the factors that has been uppermost in my mind in evaluating these programs has been the ratio of their cost in dollars to their contribution to the security of the United States. Perhaps the least understood program in this connection, yet one of the programs with the highest ratio of value to cost, is the military assistance program.

Military assistance has always had to do a variety of jobs. The program began with President Truman's decision in 1947 to furnish military aid to Greece and Turkey, without which these countries would have succumbed to Soviet aggression and Communist subversion. Thereafter, military aid played a key role in the development of the first reasonably adequate NATO forces.

As the NATO area became more secure, higher proportions of the program were devoted to Far East areas in jeopardy—Japan, Korea, the Republic of China, and southeast Asia—and to areas south of the U.S.S.R. which historically have been the objects of Russian expansionism, notably Iran and Pakistan. It has helped to provide the stability that is essential for economic progress. As President Kennedy has pointed out, economic aid programs "cannot succeed without peace and order."

Today, as we consider the reasons which dictate continuance of the military assistance program, we look out upon a world still convulsed by rapid change and watched over by strong, resourceful, unscrupulous adversaries ready to take advantage of any show of weakness, indecision, timidity.

For evidence of the Communist threat, we have only to examine the pronouncements of Mr. Khrushchev himself. In his January 6 speech of this year he maintained that Communists are opposed to both world and local wars. There is, however, a third type of conflict, which we know as subversion and covert aggression, but which he calls "wars of national liberation" or "popular uprisings." Such conflicts, he says, "Communists fully and unreservedly support."

As President Kennedy pointed out on his return from Vienna:

"In the 1940's and the early 1950's the great danger was from Communist armies marching across free borders. Now we face a new and different threat. We no longer have a nuclear monopoly. Their missiles, they believe, will hold off our missiles, and their troops can match our troops should we intervene in these so-called wars of liberation.

"Thus the local conflict they support can turn in their favor through guerrillas or insurgents or subversion. The future for freedom in these areas rests with the local peoples and their government."

Our military assistance program is designed to meet these extensive and manifold threats to the security of the United States and the free world. It is an integral part of our defense effort. Through the assistance planned, we anticipate an improvement in our ability to deal with aggression in its incipient phases, to furnish help for friends and allies which will be more consistent with the kind of threat they face, and to maintain the facilities abroad required for the quick and effective deployment of appropriate U.S. forces.

We do not claim that what we propose is a cure-all for the complex, variegated threat the forces of freedom confront around the world. But the program we now propose we believe will provide additional flexibility and permit rapid response to a large variety of situations, either internal or direct aggression.

Military assistance should serve a threefold purpose.

It must be more active than ever in enabling free and independent nations to protect their internal security. Our objective here is to help provide the means for local military establishments, with the support and cooperation of local populations, to guard against external covert intrusion and internal subversion designed to create dissidence and insurrection. Internal stability is an essential component of economic progress.

It must continue to make "local war" clearly unprofitable, and thus deter such wars, or the mere threat of such wars. Countries contiguous to or near the Sino-Soviet bloc face a direct threat from without, and an indirect threat from within. We recognize the inadequacy of their forces to cope with an outright Communist invasion. Yet with our assistance we count on their courage and ability to deal with large-scale guerrilla warfare. Should they suffer an open attack across their borders, we look for local forces to resist the initial thrust until such time as free world forces may come to their support.

Third, military assistance must play its part, especially in NATO, in deterring any resort to general war.

It is an unreasonable expectation that a worldwide operation of the size and complexity of the military assistance program should be uniformly successful. But the American people have every reason to demand the maximum return from the substantial resources they are investing in this program. I have pledged the continuous and arduous efforts of the Department of Defense to this end.

Overall, the military assistance program is an essential element of our national defense and an essential tool of our foreign policy. It demonstrates our purpose far more convincingly than words and declarations.

CORPORATE CONSCIENCE AND SENSITIVITY

Mr. HART. Mr. President, William T. Gossett, vice president and general counsel of one of the great corporations of this country and the world, the Ford Motor Co., addressing the conference of the Federal judges of the sixth judicial circuit meeting at Dearborn, Mich., said:

The present-day corporation stands not on the periphery of the democratic process, as it did in the last half of the 19th century, but in its dead center.

The thoughts expressed by this man who has contributed much to law, to business, and the benefit of the whole community, I believe, should be given the widest possible circulation. They show a corporate conscience and sensitivity which the critics of the American scene frequently deny or ignore. He makes most interesting comment on the role of the courts in their perpetual challenge to accommodate the law to change.

In order that many may read this expression by Mr. Gossett, I ask unanimous consent that the speech be printed in the RECORD.

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

REMARKS OF WILLIAM T. GOSSETT BEFORE THE JUDICIAL CONFERENCE OF THE SIXTH CIRCUIT, DEARBORN, MICH., APRIL 29, 1961

I am honored to be with you today. An invitation to address an audience of judges—and such a distinguished one—is not to be taken lightly by any lawyer. Having looked up at judges for almost 33 years, it is not unpleasant to look down at a few even for a brief period. But aside from the obvious strain of appearing in this way, before the traditional high quality of the Federal bench, there is on this occasion a quantitative hazard. I am not only outlearned; I am outnumbered.

Both the Federal bench and the bar today live in perhaps the greatest period of intellectual challenge since the long, slow establishment of constitutionalism was accomplished at the hands of John Marshall in the last century. Social and economic realities, a continuous succession of scientific breakthroughs, unprecedented growth and skyrocketing population trends, the most important revolution in communications since the printing press—all these are transforming the society that the law serves.

As a live and a breathing thing the law will be profoundly concerned with these pervasive changes. You will recall Dean Pound's admonition: "The law must be stable, but it must not stand still,"[1] which today has greater force and relevance than ever.

As we move more surely and more deeply into this new age for mankind, with all its hopeful and unknown implications, one of our most reassuring comforts is that we in

[1] Roscoe Pound, "Introduction to the Philosophy of Law."

America are blessed with strong and flexible legal institutions—institutions that can stimulate our present without compromising our future or destroying our past. The Constitution remains a remarkable foundation and bulwark. Despite the imperfections inherent in representative democracies, our legislative processes are sound, responsive, alive. And the Presidency, through one ordeal after another, has proved its adaptability to new demands.

But the point I want to make today is that it is to the courts that we must look to give meaning to social change—which is to say to relate it to the past and to reconcile it with our continuing experience and our objectives as a people. "There are two principles inherent in the very nature of things," said Whitehead, "the spirit of change and the spirit of conservation. * * * Mere change without conservation is a passage from nothing to nothing. * * * Mere conservation without change cannot conserve. For after all, there is a flux of circumstance, and the freshness of being evaporates under mere repetition." [2]

Those words of Whitehead were cited more than once by Mr. Justice Cardozo; and one can see why. Cardozo was a great realist among judges, not just bowing to the inevitability of change but hospitable to it, going out to meet it. If changes that were impending, or indeed already there, seemed overwhelming, Cardozo was not only undisturbed but unsurprised. He saw all this as the business of the law and the business of the courts. Said he: "The reconcilation of the irreconcilable, the merger of antitheses, the synthesis of opposites, these are the great problems of the law." [3]

I emphasize change because it seems to me that, like it or not, we are headed for a volume and a degree of change in the whole fabric of our life wholly without precedent. We must be equipped, in our legal usages, in our vision, in the breadth of our reference, to deal with them. We must deal with them far more speedily than we have ever done before. We must be more than students of the law; we must be students of society, historians before the history has happened.

For the substance of our lives is not the law; we only use it. The substance of our life is the society in which we function—restless, aspiring, full of good intentions, full of errors, incredibly active, driven by the will to get things done.

In all this—if you will permit an inward reflection—the corporation lawyer sees some things with striking clarity. Perhaps more than anyone else in our profession, we live our workday lives outside the law office and outside the courtroom. We are concerned with conduct before the conduct is a concern of the law. We see the clashes of interests before the interests seek litigation. I have often pointed out that we are interested in laws before they are made, in the hope that they never will be necessary, or, if necessary, that they will be well-based and sound.

Now there is nothing very neat about all this. We do not draft quasi-legal codes and say that we will permit our companies to go just so far and no further out of fear that someone will shout, "There ought to be a law!" We often make a judgment that is social, not legal, mindful that the law necessarily must lag behind society.

It may sound as though I put a strain on the role of corporation counsel. Let me explain very briefly what I have said.

To begin with, the present-day corporation stands not on the periphery of the democratic process, as it did in the last half of the 19th century, but in its dead center.

The democratic process is a continuing and sensitive series of rising pressures and inevitable responses. As a major element in our capitalist society, the corporation occupies a unique place. It has a personality that can be credited or blamed; but unlike the individual, it has very little margin for error because it is without any inherent value. It is valuable only insofar as it serves people. It cannot, therefore, behave cavalierly, as some individuals can. If it makes a mistake, and certainly if it repeats a mistake, something will happen sooner or later to insure that it will never make the same one again. Pressures will rise to police it tighter, to impose new regulations, to restrict it in new ways, sometimes to punish it. And the response will come through the courts, through the legislatures, through labor unions, through consumers; indeed, through all the means available for the people in a democracy to express themselves.

Between the rising pressures and the inevitable responses stands the corporation counsel. His job is to contribute creatively, constructively, to forestall pressures that are overwhelming and to foresee responses that are crippling. He is not a partisan. He is vitally interested in the corporation's growth and survival; but he cannot afford to stand on the platform, "my company right or wrong." If he does, his corporation will not grow and may not survive.

If corporation counsel is to serve his company effectively, then, he will find himself deep in extralegal activity. But his standards of reference are broader than the statute books or the opinions of the courts. In recent times the lawyer too often has been no closer abreast of society than the present state of the law itself, which necessarily always lags behind. This is something with which some practitioners can still content themselves. But any corporation counsel worthy of his trust must appraise the imponderables involved in popular judgments that lead legislators to make new laws and judges to hit upon new interpretations of old ones.

This seems to me wholly appropriate. Laws exist to serve men and not to master them, and they don't come into being unless we see a need for them. We have not yet extended the reach of the commerce clause to cannibalism simply because—so far as we know—the occasion has not arisen. Similarly, I most devoutly hope—although it is too much to expect—that the volume of legislation touching upon the management of business will come along at a somewhat slower pace during the immediate future than it has in the past. As you—as judges—are concerned with the law and the needs of society, so also corporation lawyers, in their spheres, are concerned with the business of society and the need for laws. In this respect we practice a kind of a priori adjudication of matters before they occur, while the actions of business are still being contemplated.

Obviously, you ought not to hope for too much expertise in this matter—too gifted prophecy—or your own days will be less crowded. What we corporation lawyers are doing is extending the pronouncement of Holmes: "The prophecies of what the courts will do in fact, and nothing more pretentious, is what I mean by the law." [4] We go further. We try to prophesy what the legislatures or the administrative agencies will do—and if we can, we save them the trouble by making it unnecessary. This, I emphasize, is what we try to do.

It was my point to suggest that the corporation counsel—as much concerned with the social forces around him as with the law—has gone to school in this respect to the judges—particularly the Federal judges. For the effect of the Federal courts on the life of this Nation has been far from merely legalistic—or even, in some cases, primarily legalistic. Without Marshall this Republic would clearly have been headed for political wastes as barren as the Confederation. But equally important, the Federal courts at their best have addressed themselves, ever since their scope was defined, to the social realities that surround the legal controversies that confront them.

This has been the great strength of our whole legal system, so that we have provided a shock absorber to changes that we could not and would not want to stop, rather than an unyielding barricade against which a dynamic society would shatter itself to bits. And we have prized our great judges, not only because they have been exact craftsmen in the law, but because they have been penetrating students of the forces of history, keen observers of their own times, and—despite appropriate devotion to stare decisis—future minded.

I suppose that there is no more persuasive evidence of the extralitigatory power of the Federal bench than in the unique force that has attached to dissenting and concurring opinions. Even though it had its direct roots in the common law courts of England and with particular appositeness in the King's bench, the delivery of seriatim opinions in our courts has taken on both a legal and social usefulness unique among legal institutions. It would be a very careless reading of history, indeed, that did not leave one singularly impressed with the prophetic insight of our great judges in their opinions.

It is no accident, I think, that Chief Justice Hughes and Mr. Justice Cardozo hit upon very similar language in characterizing dissents. You will recall the familiar words of Hughes: "A dissent in a court of last resort," he said, "is an appeal to the brooding spirit of the law, to the intelligence of a future day, when a later decision may possibly correct the error into which the dissenting judge believes the court to have been betrayed. Nor is the appeal always in vain." [5] And from Cardozo: "The dissenter speaks to the future, and his voice is pitched to a key that will carry through the years. Read some of the great dissents, the opinion, for example, of Judge Curtis in *Dred Scott* v. *Sanford*, and feel after the cooling time of the better part of a century the glow and fire of a faith that was content to bide its hour." [6]

From this, of course, it would be easy to hope for great errors, or at least some judicial blind spots, in order to inspire great dissents. But it is not as simple as all that. We are all aware, too, of the great contributions to an understanding of our society as much as to the law that is implicit in many concurring opinions.

I am familiar with most of the worried arguments that have been advanced against the dangers of too numerous dissenting and concurring opinions and the nostalgic longing for the comfortable unanimity of the strongman court of a marshal. I am familiar with them, but I am not much impressed. The lack of certainty and the lack of infallibility—often cited as the price of a divided court—seemed to me the price rather of any human institution that seeks to read meaning into the affairs of others and to give guidance to their actions. In any case, it is far too late, in my opinion,

[2] Alfred North Whitehead, "Science and the Modern World," 281.

[3] Benjamin N. Cardozo, "The Paradoxes of Legal Science," 4.

[4] Oliver Wendell Holmes, Jr., collected papers, 173.

[5] Charles Evans Hughes, "The Supreme Court of the United States." 8.

[6] Cardozo, "Law and Literature," selected writings, 354.

to try to scotch the rumors that judges are not infallible.

As for the certainty of the law, the genius of a court in a democratic society consists in its applying the laws—not in proclaiming them. That this application should be in any way absolute—or even that we should want it so—seems to me so manifestly crowded with perils that the most unsophisticated citizen would be alarmed and demand legislative relief from the threat of judicial tyranny.

Among the few inalterable principles of democracy (which otherwise has little that is inalterable) are that diversity and dissent are essential ingredients in a healthy society and that nothing is quite so suspect as unanimity. I do not know why courts alone should be exceptions to these propositions. Certainly there is little comfort to be derived from the likelihood that a monolithic judiciary would so tidy up the forever changing relationships of men and laws that we would simply line up a case with the appropriate statute, measure it by judicial calipers and let it go at that. We would soon have a society that derives its whole strength from a variety of interplaying forces straining and contorting to break out of its juristic straitjacket. And when it got through there would be very little law left and probably no courts at all.

Certainty goes against the grain of democracy, no matter on what grounds it puts itself forward. Room is always wanted to correct the error that may not be at first apparent, to modify the doctrine that may not work, and to reverse the decision that may be too narrow for new conditions.

Actually, the record of our courts for consistency of fundamental doctrine is more impressive for the observance than for the breach. During the entire life of the Supreme Court, from 1790 to 1957, for example, there were only 81 cases expressly overruling decisions of the Court, most of them in commerce and taxation and involving the changing facts of life far more than any judicial shift in principles.[7]

One should consider the substances of the roster of dissents that were later the bases of overrulings or legislative acts: patent restrictions, child labor, minimum wages, the Federal spending power, and the area of greatest change, the reach of the commerce clause. When one considers these, they indicate courts sensitive to the needs of a complex industrial society and thoughtful in the resolution of the dilemmas posed to old legal concepts.

Nor can the courts any longer be charged with concern for property rights as distinct from human rights, assuming, of course, that there is a valid distinction between the two. In 1915, Arthur Twining Hadley, the president of Yale, could say, "The small protection given to the rights of man, as compared with that which was accorded to the rights of property, is a salient feature in the history of the early American state—and continues in its later history as well."[8] Today, though, we see the Federal courts of this Nation frequently alone in the vanguard of the battle to give reality to human rights. And the vision of a truly free society was reflected a century or more earlier in such prophetic dissents as those of Mr. Justice Benjamin R. Curtis in *Dred Scott* v. *Sandford*,[9] and Mr. Justice John M. Harlan in *Plessy* v. *Ferguson*.[10]

Generally speaking, the utterances of our courts have followed closely the prevailing concerns of the Nation: First, the political question of relationship of Union to States; then, the economic conflicts that were inevitable in the industrial expansion following the Civil War; and, finally, the uneasy moral conviction that there was unfinished business in the field of civil rights. Moreover, the courts have spoken when others, from political opportunism or from a failure to perceive the issues, were reluctant or unable to speak as forcefully or as clearly.

Very often the most significant advances in all these areas have been presaged by dissents or concurring opinions or obiter dicta that strict constructionists of the judicial role have resented. But to have it otherwise would seem to me to deprive the law of one of its main sources of vitality and certainly to have impeded the capacity of this Nation to move forward without doing violence to old values.

If the Court of John Marshall's day was as much concerned with the political problems of an emerging nation as with the law, it was less to the glory of the Court—however triumphant Marshall's judicial achievement—than to the everlasting benefit of the Republic, which might otherwise have gone under. If the courts of our own era had not been constituted as much of industrial statesmen as of judges, it would not have been at all certain that our other institutions—political as well as social and economic—could have survived the violent upheavals of an exploding industrialism. And, finally, if the courts today did not take the lead in raising our sights to the true dimensions of equality among our citizens, our fortunes might go far worse in distant places whose respect is necessary to our world position.

Now let me try to clarify my position: I have not been supporting the notion of courts becoming legislatures. The compulsions under which courts act seem to me wholly different from those that impel and guide legislatures. Nor do I suggest sweeping decisions the effect of which is to change the meaning of statutes that the legislature has chosen not to amend; or opinions whose principal purpose is to express the political or economical views of the judge; or pedantic essays that philosophize on subjects that have little if any relevancy to the controversy before the court. What I am advocating here today is not only the right but the need for our judges to move freely—perhaps even venturesomely—among all the conditions and circumstances surrounding the issues; and then speaking fully, with deep perception and insight, to their colleagues on the bench, to the bar, and to their countrymen. When judgments are handed down with the rigor and finality and nakedness of mathematical propositions, when they reflect only a precise application of the letter of the law without regard to their impact upon the deeper aspirations of the time, then we—the courts as well as society—will be in far greater danger than we are from decisions that bear the hallmarks of thoughtfulness and vision.

I do not see that any of this has anything serious to do with weakening such doctrines, necessary to both social and legal stability, as stare decisis. What we are talking of here is the desirability of the courts fulfilling their social mission. There is a sharp distinction, it seems to me, between using the law as a springboard into judicious consideration of the possible implications of court decisions upon our total social position, on the one hand, and using it simply to render decisions of a narrow technical exactitude that ignore changes that are the law of life. The evidence of history shows that when the courts have used their powers with appropriate regard for that distinction, the law and everything else of value in our society have been strengthened, and that when, as during the long sterility of the Taney court, it has ignored that distinction, the price has been high indeed.

The essence of the matter is change—change that over the years alters the whole context in which the law has its existence and seeks to have its meaning. "We must all obey the great law of change," wrote Burke, who was a conservative and not an innovator, "it is the most powerful law of nature, and the means perhaps of its conservation."[11] The perpetual challenge to the courts is to accommodate the law to change—in Sir Frederick Pollock's words, "to keep the rules of law in harmony with the enlightened commonsense of the Nation."[12] There is no higher assurance of the performance of this endless duty than a judiciary that is independent in its judgments, broad in its interests and outspoken in its convictions.

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[7] S. Sidney Ulmer, "An Empirical Analysis of Selected Aspects of Lawmaking in the United States," Journal of Public Law, VIII, 2, 425.

[8] Hadley, "The Constitutional Position of the Property Owner," in Undercurrents in American Politics. For a full discussion, see Max Lerner, "The Supreme Court and American Capitalism," Yale Law Journal, XLII, 668–701.

[9] 60 U.S. (19 How.) 393 (1857).

[10] 163 U.S. 537 (1896).

[11] Edmund Burke, "Collected Works V," 369.

[12] Pollock, "Judicial Caution and Valour,"

IMPORTANCE OF INCREASING TARIFF RATES ON FOREIGN GLASS IMPORTS

Mr. BYRD of West Virginia. Mr. President, I rise to speak on the deepening crisis facing the glass industry of the United States—a crisis caused by growing imports of cheaply produced glass products from abroad.

This crisis has been particularly pernicious insofar as the State of West Virginia is concerned, not only because West Virginia produces more glass products than does any other State in the Union, but also because this virtually unrestricted flood of foreign imports has heaped further unemployment on a State which already has had to carry a distressing burden of jobless men and women.

Many Americans find it hard to believe that our foreign trade policies are so loosely designed as to permit the extinction of a long-established domestic industry by foreign competitors—competitors who are not competitors in the true sense of competition, because the substantially lower wage rates which they pay their workers make it possible for them to undersell our domestically produced products on our own domestic markets.

Americans delight in competition. It has been the yeast of our spectacular industrial growth. But insofar as our domestic glass industry is concerned, we would be guilty of indulging in the cruelest form of vanity if we smugly continue to believe that our free enterprise system can overcome the kinds of foreign competition which that industry faces.

For example, Mr. President, the American glassworker receives an average wage of around $4 an hour. In Japan, however, the glassworker is paid an average of 33½ cents an hour. In certain European countries, glassworkers are paid an average of 79 cents an hour. In Communist-dominated countries, the

wage rates of glassworkers are probably lower than those paid to Japanese workers, for these countries can ship sheet glass to our country, pay full duty, and still undersell the Japanese in our domestic markets.

In addition to the lower wage rates paid foreign glassworkers, ocean freight rates are cheaper than domestic freight rates. Thus, it costs 26 cents less per hundredweight to ship glass from Japan to San Francisco than it costs us to ship it from Henriette, Okla., to San Francisco. It costs 6 cents less to ship glass from Liverpool, England, to Miami, Fla., than it costs to ship it from Clarksburg, W. Va., to Miami.

This double-barreled margin—cheap labor costs and lower freight costs—is literally giving foreign glass producers a partiality over our domestic producers which can only result in the death of our domestic industry. A few days ago I visited the Adamson glass plant in Clarksburg. Today, the Adamson glass plant is totally shut down. Approximately 600 men are out of work, and more than $600,000 worth of glass is stockpiled in the plant's warehouse for want of customers. It costs in excess of $10,000 a week in maintenance charges to keep this closed plant in serviceable condition.

The situation endured by the Adamson plant is similar to that currently endured by almost every glass plant in the United States. I recently visited the Libby-Owens-Ford plant in Charleston, W. Va., where 1,150 men are working out of a labor force of about 2,000. Five furnaces out of nine are down and are not operating, and more than $3,500,000 worth of finished glass lies in unmoving inventory, stored up in boxes from floor to ceiling.

On March 14, 15, and 16 of this year, the U.S. Tariff Commission held escape clause hearings concerning the imports of glass from abroad. These hearings were held at the behest of the domestic industry, which had been clamoring for such hearings for several years. These hearings had to be held, because it was no longer possible to keep the injuries, being caused to domestic producers by foreign glass manufacturers, swept under the rug of our questionable economic foreign policy. I testified, as did my colleague, Senator RANDOLPH, at the hearings.

The U.S. Tariff Commission, when all the facts were before it, decided that the "peril point" has been reached insofar as the survival of the U.S. domestic glass industry is concerned. The Commission recommended prompt application of higher tariffs and passed this recommendation along to the President.

The President, however, has returned the recommendations to the Tariff Commission, asking for a supplemental report on certain technical economic questions. The Commission has allowed 60 days for interested parties to appear before it to testify on these questions. Sometime after the 60 days, the Commission will again send its recommendations to the President, along with answers to his questions.

Meanwhile, the glassworkers of the Nation are waiting impatiently for the needed Presidential action—the action which will take them off the relief roles, and out of the long lines waiting for Government surplus food packages. They hope that the required Presidential action will be forthcoming without further delay, after he hears once again from the Tariff Commission.

My State of West Virginia is the leading producer of glass. Of the 14 plants accounting for virtually all of the U.S. production of sheet glass, 4 are located in West Virginia, 2 each in Oklahoma and Pennsylvania, and 1 each in Arkansas, Illinois, Indiana, Louisiana, Ohio, and Tennessee. Thus, the unrestricted imports of sheet glass has had its hardest impact on the glassworkers of my State.

In 1959, for example, imports of glass were approximately 425 million square feet. Over 2,600 American glassworkers' jobs were replaced by these imports. In 1960, glass imports were approximately 354 million square feet additional, and another 2,150 workers were displaced from their jobs.

The 1959–60 total imports of 779 million square feet of window glass were enough to supply approximately 4,450-000 six-room dwellings with window glass—almost double the amount of homes built in this country during this 2-year period.

I might point out, Mr. President, that while the 1960 import figure is 71 million square feet less than the 1959 figure, it is, paradoxically, a relatively higher figure because of lower domestic production and domestic shipments.

In 1950, for example, U.S. glass manufacturers enjoyed 97.8 percent of the domestic sheet glass market. In 1955, this percentage dropped to 86.5. In 1960, it dropped to 74.4 percent.

The percentages which I have just quoted are actually far more severe than mere figures would indicate. The reason for this is that U.S. producers did not benefit at all, in terms of aggregate shipments, from the growth in the domestic market. This is highlighted by the fact that the average volume of shipments by U.S. producers to domestic markets in the 5 years after 1955 were about the same as the average volume of their shipments from 1950 to 1955. However, the average volume of U.S. consumption in the 5 years since 1955 was 20 percent higher than the average from 1950 to 1955.

Conversely, during the 1950–55 period, imports garnered an increasing share of the U.S. market. The ratio of the volume of imports to U.S. consumers increased from 2.2 percent, in 1950, to 13.4 percent in 1955. However, in 1958, this ratio jumped to 27.2 percent, and last year it reached an all-time high of 32.5 percent. Thus, not only did foreign imports of sheet glass take a hefty bite out of the domestic market formerly supplied by U.S. producers, but it also took most of the new growth in that market.

In the late 1940's and the early 1950's, our country undertook a foreign-aid program designed to rehabilitate war-torn Europe and Asia. While our own domestic industries were gallantly enduring the obsolescence of equipment and machinery, we supplied the free nations of the world with the very latest tools for manufacturing. We did this so that foreign manufacturers could produce as quickly and as efficiently as possible for the needs of their countries.

In a manner of speaking, we did not expect those foreign manufacturers to come back and literally bite the hand that helped them. I say this because it has been stated that foreign manufacturers of sheet glass are ignoring the full needs of their own domestic markets for the sake of reaping the tremendous profits inherent in sales to U.S. consumers. Certainly, this is not what our aid program was designed to achieve.

Ignoring the needs of one's own people can be expected of Communist countries. People have no standing with them when the Kremlin masters feel the need for obtaining U.S. dollars. That is why the glass industry today is faced with the added threat to its existence of shipments to this country from Communist countries.

Imports from free world countries pay a small duty upon entering the United States. Imports from Communist countries must enter at full duty rates. But even though imports of sheet glass from Communist countries account for less than 5 percent of the total 1960 sheet glass imports, they have attained a significant increase during the 1955–60 period, coming up from less than 1 percent prior to 1955. Now, however, they are in a position to make a sizable jump, because of increased capacity in their production facilities. And, because of their slave labor conditions, Communist countries are in a position to continue to pay full duty and still undersell not only American producers in our own domestic markets, but all other foreign producers as well.

Mr. President, to save the American glass industry from further harm, and possible total eclipse by foreign producers, it is imperative that President Kennedy immediately impose full duty on sheet glass shipments from non-Communist countries, and full duty plus extra ad valorem charges on imports from Communist countries. Any other course of action may be meaningless to the thousands of American glass workers who are jobless today.

COMMUNIST MENACE IN SOUTH AMERICA

Mr. DODD. Mr. President, while the eyes of the American public have been focused on Laos and Berlin and Cuba, a situation that poses an equal danger to our interests and security has been developing almost unnoticed on the mainland of South America.

On August 21 there will be an election in the British colony of British Guiana. The parliamentary leader, Dr. Cheddi Jagan, is an avowed Communist, as are many of his chief lieutenants. If Dr. Jagan and his Peoples Progressive Party win out in the forthcoming election, Jagan will become the first Premier of British Guiana, with full powers over

internal affairs under the constitution that goes into effect at that time.

Potentially this situation is even more dangerous than the emergence of Castro. Castro at least is cut off from the Latin American mainland by hundreds of miles of ocean. But a Communist British Guiana would for the first time give the Kremlin a bridgehead on the South American continent, a bridgehead through which Castro and the Soviets could feed in arms and provide support for Communist guerrilla movements in Venezuela, in Brazil, in Colombia, and in all the surrounding countries.

Castro by himself is reason enough for serious concern. But a combination of Castro and a Communist regime in British Guiana would bring us to the very brink of catastrophe in the whole of Latin America.

The people of British Guiana are not Communist. Basically they are Christian and anti-Communist.

There are strong opposition forces within the country. But unfortunately they are compelled to carry on their fight under the most severe handicaps. As of now, Jagan and the Communists have virtually unlimited funds, while the opposition has to scrape for every dollar; Jagan has a monopoly on local radio while the opposition has no radio facilities; Jagan is being given massive support by the Moscow radio, the Peiping radio and the Castro radio, while BBC and the Voice of America are doing nothing to support the opposition. If this totally unequal situation is permitted to persist, Britain and America have no one but themselves to blame if British Guiana goes Communist.

Mr. President, this is a situation we can no longer afford to neglect. I therefore wish to direct the attention of my colleagues to the statement recently issued by Lord Malcolm Douglas-Hamilton, former British Member of Parliament, on his return to the United States from a private factfinding mission to British Guiana.

For my own part, I wholeheartedly endorse Lord Douglas-Hamilton's proposal that the British and American Governments should hold consultations at the highest level to determine what action can be taken to safeguard the freedom of the people of Guiana and to prevent a Communist takeover in that country. I ask unanimous consent that his statement be printed at this point in the RECORD.

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

STATEMENT BY LORD MALCOLM DOUGLAS-HAMILTON ON HIS RETURN TO THE UNITED STATES FROM A PRIVATE FACTFINDING MISSION TO BRITISH GUIANA

I have returned from British Guiana deeply concerned over the grave danger of Communist takeover following the election to be held on August 21. Unless immediate action is taken to support the political forces opposed to Dr. Chedi Jagan, leader of the majority party, the PPP, there is every possibility that British Guiana will become another Cuba and, this time, serve as a Communist bridgehead on the Northeast shores of South America itself.

I went to British Guiana entirely as a private individual, to examine the political situation first hand for myself and to determine whether new private enterprise from either Britain or the United States has a chance to survive. I have concluded that it has and that there are very considerable potential opportunities, provided only that there is a stable non-Communist government.

Although applauding the decision of Great Britain to grant full independence to British Guiana, I believe that the British Government has still a grave responsibility to the free world and not least to the people of British Guiana of all races, to oversee the perilous period of transition from limited authority to full independence to forestall the establishment of a Communist tyranny. At the present time, the British Government appears to have assumed a strictly hands-off policy in regard to the critical upcoming election.

There are three political parties in British Guiana, each of whom are struggling for power and hope to win the election on August 21, which will provide British Guiana with its first independent government with full control of internal affairs. Under the constitution, full independence from Britain, including control of its foreign affairs will follow by the end of 1962, leaving permission in the intervening period for the British Government to intervene only in grave emergencies.

Dr. Jagan's party is known as the PPP and its local strength is largely based on the Indian population. The two chief political parties opposing Jagan are the United Force, headed by Peter D'Aguiar, a successful and popular British Guiana businessman. The United Force is composed of moderate elements, European, Negro, and Indian, and D'Aguiar's position is that economic strength and the future of the nation lies in stable, anti-Communist government, and close association with the free world. The third party is the People's National Congress, headed by Mr. Forbes Burnham, an attorney, formerly chairman of the PPP before he split with Jagan, whose chief strength comes from the Negro vote and whose appeal is largely racial.

There is every evidence that Jagan is a convinced Communist as he was so described in the official report of the British Guiana Constitutional Commission in 1954, known as the Robertson report. He repeatedly repudiates and scorns the free way of life and democratic institutions except where they can be used to his advantage, and has rerecently referred to Castro as the great liberator.

Dr. Jagan has called for the creation of a Socialist state and in his own words "communism is only the advanced stage of socialism." In September 1960, Dr. Jagan said: "British Guiana can expect anything should his PPP lose the election, since I will be pursuing a program not only in British Guiana but all over the world." On May 12, 1961, he praised Marxist rules for economic development and described them as the only ones suitable for Latin America and called for Communist aid for British Guiana. In 1960, Mr. Brindley Benn, chairman of the PPP and Minister of Natural Resources in the government declared: "It is easier to stop tomorrow than to stop communism." Last Monday, July 3, he repeated this statement and said that he had meant every word of it. Quantities of rice are shipped from British Guiana to Cuba and on Jagan's recent trip to the United States he was given a $2-million loan from the World Bank which further bulwarked his political position.

I met all sections of the population and all three political leaders. I had lengthy conversations with men who had been trained under the auspices of the PPP and the Young Communist League as saboteurs. They reported to me that the jobs which they were required to perform such as dynamiting, were always personally ordered by Mrs. Janet Jagan, Chicago-born wife of Dr. Jagan. These men told me that the dynamite used was stolen from big industrial companies and there is still a considerable cache in the possession the PPP.

One hopeful aspect of the situation is the strong and united anti-Communist position taken by both the Roman Catholic Bishop Guilly and Archbishop Knight, Anglican archbishop of the West Indies against the recent Government takeover of the 51 denominational schools and their antireligious attitude. American Christian interest has been demonstrated by the assistance given in the fight against communism by World Harvest Evangelists, an American religious group.

Both British and American public opinion must understand the gravity of the situation in British Guiana, which, because of its geographical location cannot fail to be as much an American concern as it is British. During my stay in British Guiana, I was repeatedly told by members of the European population, "We fear the British Government will let us down as they have the people in Kenya," although I found that large numbers of Negroes and Indians retain deep faith that the British Government will eventually intervene and save them from Communist domination.

I have two proposals to suggest. First, that private sources in the United States, in Britain or indeed in any other country concerned with human and world freedom, should support with immediate financial aid the growth and maintenance of the anti-Jagan profreedom political forces in British Guiana who are prepared to stand for democracy and the free way of life and who still have a fighting chance to win the election. The second is a recommendation for governmental action. If, under false pretenses, and thanks to the understandable political ignorance and inexperience of the population, the well-oiled political machine firmly established by Dr. Jagan and his wife, the PPP is elected to power, I believe that the British and American Governments should hold consultations at the highest levels, to determine what action can be taken to safeguard the rights and political and economic freedom of the people of Guiana who would otherwise then be powerless to defend themselves. I can only add that since elections take place next month, there is no time to be lost.

Mr. MANSFIELD. Mr. President, is there further morning business?

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

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

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

The Chief Clerk proceeded to call the roll.

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

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

SOVIET AIRPOWER

Mr. MANSFIELD. Mr. President, notwithstanding the previous unanimous-consent agreement entered into, I ask unanimous consent that the Senator from Missouri [Mr. SYMINGTON] may be allowed to proceed at this time.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

Mr. SYMINGTON. Mr. President, I thank the able and distinguished majority leader.

Mr. President, once again the people of the United States find out about Soviet arms development as the result of their flying airplanes over Moscow for all to see.

This time they took up all cameras in the crowd, including and specifically cameras of members of the various legations.

But because again of the enterprise of one of the authorities in this field, Robert Hotz of Aviation Week, we now have more information than the Soviets were willing to give out, in some cases more than various agencies, including the Central Intelligence Agency, knew about.

The cameras of Mr. Hotz and his associates were not taken up—and I have these additional pictures with me on the floor today if any Member of the Senate would be interested.

Before going into any detail, and especially because of the growing controversy over nuclear test resumption, I ask unanimous consent that at this point there be inserted in the RECORD a statement by the Honorable John McCone, former Chairman of the Atomic Energy Commission. This statement bears on both the question of nuclear testing and these new Russian airplanes—and if anyone disagrees with it I would ask that he say so now.

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

STATEMENT BY JOHN A. MCCONE, FORMER CHAIRMAN, U.S. ATOMIC ENERGY COMMISSION

Nuclear weapon development by underground and outer-space testing will give to either the United States or the Soviets an arsenal of weapons, both large and small, more powerful, more versatile and more useful in modern warfare than those now existent. The Soviets can proceed with these developments behind their walls of secrecy without detection as no present scientific means of discovering their actions exist or can be created without inspection posts within their country and the right for on-site inspection.

The Soviet's adamant refusal to accept a reasonable plan for policing a test ban agreement by refusing appropriate means for inspection is reason to believe they are developing new and improved weapons by clandestine testing. Thus they can develop a great military superiority and we, respecting a self-imposed moratorium, will take second place.

Efforts to reach agreement have now failed because of Soviet unreasonable positions. Our security is at stake. We must resume weapon testing as essential to the safety of our country and the free world. Soviet protestations that they are not interested in testing appear undependable as similar statements were made frequently regarding manned aircraft but now they display several new military planes secretly developed. Will they soon display new advanced nuclear weapons?

Mr. SYMINGTON. I would hope that we not be outmaneuvered to the point of disaster in the nuclear field, as we apparently, by listening to Mr. Khrushchev, have now been outtraded seriously in the manned aircraft field.

Nothing could be more important than sound decision in these two fields, because they may well embrace the core of the future security of the United States.

Note that this 1961 show is the first Soviet military airshow since 1956—the year when the Chief of Staff of the Air Force went to Moscow on invitation; and thereupon found the Soviets had accomplished far more in supersonic plane development than this country previously knew about.

Shortly thereafter, however, stories were planted in this and other countries of the free world that the Russians, in effect, were abandoning their long range manned aircraft to concentrate on missiles. Mr. Khrushchev said this himself, several times, and apparently we accepted his statement as fact, and we proceeded to rush, following him into the missile field, which latter field we now know has grave problems incident to operational reliability.

At least partly because of what Mr. Khrushchev said, however, for years the previous administration was explaining to the American people that one of the chief reasons for their new emphasis on missiles was because our intelligence had been wrong in saying the Soviets were pushing ahead rapidly with manned aircraft.

The American people were led to believe that the Communists were turning away from manned aircraft so as to concentrate on missiles.

Once again, because of fiscal considerations, we then decided to choose between the two programs of action, only to find out later that the Russians had gone ahead with both.

Nearly 3 years ago I protested, privately and then publicly, about the type and character of information coming out of our intelligence apparatus as against what was entering said apparatus.

Justification for holding down Soviet missile production estimates was primarily on the ground of relatively few firings—but to the best of my knowledge no one took the position that, if this were true, unless one wanted to agree the Russians were not continuing their military buildup, they were also concentrating on manned aircraft.

So for some 4 or 5 years we have, in effect, been hoodwinked as to some of the major plans for Soviet military buildup.

Why are so many people still anxious to believe what the Soviets tell us, when that information later proves so consistently incorrect?

Let us remember that manned aircraft are essential to the conduct of conventional war—and let all of us pray, if any war has to come, it will be conventional war.

Over the last 4 or 5 years we systematically eliminated the development of more modern aircraft, especially fighters, to the point where now the only combat plane left anywhere near production is the B–70; and the plans for that have been heavily reduced.

The Soviets have done exactly the reverse; in fact, perhaps the most startling plane they showed—this picture here has never been released before—is one which in effect duplicates the F–108 we gave up, a long-range supersonic interceptor carrying very large radar and air-to-air missiles.

Let us not forget that one of the reasons given for canceling our F–108, in addition to lack of money, was that we were going to concentrate on the B–70; and the latter could do much of the job the 108 was designed for.

Some of the new Russian bombers flown a few days ago were flown in quantity in operational formation.

Let every Member of the Senate, as he views these pictures, remember we were told in 1958 and 1959 and 1960 there would be no future manned bomber threat.

This was repeated again and again; and much of our defenses were planned accordingly.

The first picture I have here which belies that statement shows the previously known very long-range Bear, but modernized now to the point where it carries a very large air-to-ground missile, with radar guidance, and supersonic speed, a missile which appears even as large as our Matador.

This plane flew last week in operational formation.

The second picture shows the previously known Badger—their counterpart of our B–47; but now this plane has an air-to-ground missile, apparently quite similar to our Hound Dog.

Perhaps the star of the show was their new supersonic bomber, larger than any aircraft we now make except the subsonic B–52—so new that NATO authorities have no code name for it.

From an aerodynamic standpoint, the plane would appear so fine aerodynamically that those who took the picture named it Beauty. I prefer another code name—"Danger."

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

Mr. SYMINGTON. I am glad to yield to the distinguished Senator from Arizona.

Mr. GOLDWATER. I have seen these photographs. I would like to call attention to two facts related to the aircraft the Senator has just discussed. We know this aircraft is over mach 2 because of the size of the jet engines it has. I call attention to the fact that it has heat-resistant wings and that a very limited amount of glass is exposed, because glass absorbs heat, which indicates that those planes are now capable of flying at speeds where they run into heat barriers, which we have run into at speeds above mach 2.

I also call attention to some information that was not available to us prior to the release of the photographs. There is an air-to-ground missile suspended underneath. It is much like our Hound Dog missile, which we know will have a capability of at least 300 miles, and probably as much as 1,000 miles, which we have built into our missiles.

Mr. SYMINGTON. I thank the able Senator from Arizona, especially because of his great knowledge in this field, and his reputation as a jet pilot. The fact would seem to be that, with respect to this aircraft, the Russians have passed

the Hound Dog stage. It would appear they now have a ballistic air-to-ground missile slung in the belly of this particular plane.

Mr. GOLDWATER. Yes. If we knew more about that, we would know whether it is a ballistic missile. The Senator is correct; it could be a ballistic missile. It is large enough. It is a very large aircraft. In fact, we have estimated the engines themselves to be about 30 feet long. The diameter must be 4 to 5 feet. I do not think it is classified information to say that an engine of this size could put out 40,000 pounds thrust, which is a great deal more than we can get from our engines, because we do not make large engines.

Mr. SYMINGTON. The Senator is correct.

Mr. GOLDWATER. If the Senator does not mind, I might from time to time ask him to yield, because I have been interested in these pictures and I have been interested for a long time in the fact that the United States, under Republican administrations and Democratic administrations, has repeatedly refused to recognize that Russia can make aircraft comparable to ours and is making aircraft comparable to ours.

I fear that the last aircraft to which the Senator has referred might turn out to be a mach 3 airplane. It could possibly have that capability, although we do not now know.

Mr. SYMINGTON. Mr. President, it would be a privilege to yield to the able Senator at any time. My friend from Arizona has referred to the heat-resisting skin elements of the airplane. I would agree they definitely suggest the plane might be above mach 2 in capability. Based on the cabin, the estimate is the aircraft has a crew of three. In any case, it is larger than the B–58, and a definite breakthrough from the standpoint of supersonic relatively long-range capability with a ballistic missile, especially since it has on the nose a probe for refueling.

Mr. President, the first picture I have, as mentioned, is a more modernized Bear. Then there is a more modernized Badger. Then there is the plane to which the Senator from Arizona referred. We note that despite all the information we were given in past years, the Soviets were not continuing bomber development and production in substantial fashion, this plane was flown in formation numbers, indicating early operational capability.

Its chief developments are an aerial refueling probe located in the nose—which means its range is unlimited—and also, possibly the most disturbing characteristic of this air show, a ballistic missile located in its belly.

But, as mentioned, because there was no longer any bomber threat, we have stopped the development of a long-range fighter.

Again, the Russians have done exactly the opposite; in fact, apparently they have been concentrating on such fighters.

They now have one which carries unusually large air-to-air missiles, extensive airborne radar, and a rocket engine actually designed into the tail.

There is no code name for this fighter either, it is so new; but apparently it was designed by Mikoyan, brother of the Soviet Deputy Premier.

Finally there is the development of a new long-range fighter—the Blinder—another unusually symmetrical plane in design, with a speed of at least mach 2. This plane is heavily loaded with air-to-air missiles. Therefore, our subsonic B–52 bomber crews can only view it with apprehension.

In closing, some of the planes the Soviets flew 10 days ago were known publicly; some were known privately by our intelligence, and some were not known at all.

Mr. President, I have said for many years that the biggest fools of all are the fools who fool themselves; also, that the strength of a nation depends upon the will of the people, and in a democratic form of government that will can only function if the people are informed.

Again, there is no use in being the richest in the graveyard. We can do, if we set our minds to it, whatever the Russians can do.

Let us therefore concentrate on catching up with the Soviet Communists in the manned aircraft field, as we know now we must in the long-range missile and space fields.

In this connection, Mr. President, I ask unanimous consent that an article in Aviation Week and Space Technology of July 17, entitled "Tushino Stresses U.S.S.R. Aircraft Priority," by Cecil Brownlow, be inserted at this point in the RECORD.

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

TUSHINO STRESSES U.S.S.R. AIRCRAFT PRIORITY—FIRST SOVIET PUBLIC AIRSHOW OF IMPORTANCE IN 5 YEARS UNVEILS IMPRESSIVE ARRAY OF RUSSIAN AIRCRAFT

(By Cecil Brownlow)

Moscow.—Soviet Union, displaying a wide range of design techniques, demonstrated effectively last week at Tushino that it is moving steadily ahead at near top speed in the development of manned aircraft and their related missile systems to cover all required tactical and strategic missions.

Contradicting earlier pronouncements by their leaders, which were believed by many in the West, that they had turned from production of manned aircraft to rely solely on missile systems for defense and offense, the Soviets staged their first public air show of importance in the past 5 years, rolling out three supersonic bombers, two new delta-wing mach 2-plus interceptors, a jet-powered ASW reconnaissance seaplane, a convertiplane capable of airlifting 100 troops, an advanced Kamov jet helicopter design and a flying crane.

The Soviets climaxed the show at Tushino airfield in the Moscow suburbs with a series of low-level near-sonic military flybys, displaying publicly for the first time:

Bounder, an exceptionally large high delta-wing bomber of intercontinental range approaching the B–36 in size and with a supersonic dash capability in the configuration shown at Tushino. The aircraft has been flown and tested with various types of powerplants for the past 3 years. The Bounder, its design credited to a group headed by Vladimir Myasischev, has two large inboard engines slung from pylons beneath the delta wings that produce an estimated thrust of 45,000 pounds each plus two relatively smaller powerplants mounted on the wingtips. Large inboard engines of the aircraft shown here in a single flyby have an inlet diameter of about 6 feet and are believed to be turbofans by some qualified observers, although there appears to be no visible external evidence of this. Wingtip powerplants have barrel-shaped nacelles and are mounted on extremely heavy wingtip fittings.

Bounder sported light belly paint on both the fuselage engine nacelles and flaps with a large bulging ridge running about 15 feet along the rear fuselage just back of the rear wheel well doors of its bicycle landing gear. Two pairs of stubby sweptback antennas were attached to this bulge. The inboard engine nacelle pylons continue above the wing in a fence to curtail spanwise flow. Under the wing, the pylons of the Bounder displayed extended far beyond the engine tailpipes indicating that they may have been designed to accommodate much longer nacelles. Tailpipes of the inboard engines were almost twice as large as those of the wingtip-mounted engines on this Bounder which bore the operational number 12 on its nose.

Beauty, an advanced sweptwing mach 2.5 heavy bomber equipped with a retractable nose refueling probe whose use could boost it to intercontinental ranges. Beauty has twin-jet powerplants mounted to the rear of the fuselage along either side of the vertical tailfin. Engine nacelles, whose tailpipes project beyond the tailfin, are about 30 feet in length. Aircraft's overall size is slightly larger than the Convair B–58.

Beauty has a highly swept extremely thin wing with main landing gear housed in bulges at the trailing edges. It has a bombing radome under the nose and the entire fuselage has a slightly arched appearance. Cockpit indicates a crew of three and is obviously designed with a minimum of glass to hold down high-speed skin heating. Two auxiliary air intakes are located on either side of the nose. Tail warning radar was visible and the horizontal tail had a slight dihedral. Dorsal ridge running from cockpit to tailfin indicated control systems housing. Beauty flew by first as a single prototype with the number "24" and then in three formations of three planes each indicating at least limited operational service and production.

Blinder, a mach 2 sweptwing design that can perform the dual role of bomber and interceptor and is believed to be an advanced development of the mach 1.4 Backfin. Credited to designer Alexander Yakovlev, Blinder was first seen in 1959 and is powered by two turbojet engines mounted shoulder high in the fuselage with the two inlets located on either side of the fuselage just behind the cockpit. Twin exhausts for the engines are placed in the tail in a single housing. Two of the aircraft were seen in low-speed passes at Tushino.

Blinder had a large conical nose radar of extremely large diameter obviously designed for airborne interceptions and missile guidance. It carried a large delta-winged air-to-air missile under each of its highly swept wings. It also had a large bulging fairing under the fuselage that appeared to be an extra fuel tank similar to the belly fuel tank on the English Electric Lightning P–1. Cockpit indicates a two-man crew in tandem. Contours of two tailpipes were visible at the rear fuselage with the horizontal tail mounted midways on the tailpipes with a ventral fin extended down on each side.

New mach 2-plus long-range interceptor that appears to be an advanced version of the delta-wing Fishbed shown at Russia's last major air show in 1956 and developed by a team led by designer Artem Mikoyan. A large single air intake is in the nose, with a conical diffuser housing airborne radar that provides all-weather capability. The

aircraft appears to have three distinct tailpipes, two for the normal turbojets, the third for a large rocket boost motor. It is also believed to be the aircraft the Soviets designated the E–66 in claiming world speed and altitude records of 1,335 miles per hour and 112,294 feet. On the day of the show, the Soviet press announced that the E–66 would be on hand, but it was not publicly identified during the display. One of these advanced Mikoyan designs was shown in a high-speed pass and limited acrobatics. It carried two large air-to-air missiles with cruciform fins, and cruciform control surfaces at the missile's tail.

Second mach 2-plus fighter also with a rocket boost system. It is a large aircraft with an overall configuration resembling that of Fishbed and is believed to be powered by two turbine engines. Fuselage length is an estimated 90 feet. A single aircraft was displayed here.

New subsonic designs included:

Be–8 twin-jet seaplane designed by veteran seaplane builder G. M. Beriev that is smaller but similar in external appearance to the four-jet Martin P–6M whose development was canceled in the summer of 1959 after a total of 12 had been built, including six prototypes, two of which crashed. Engines are mounted in the high wing adjacent to and on either side of the fuselage. First prototype of the aircraft, designed primarily for antisubmarine search and kill missions, was flown several years ago, but the Tushino show marked its first public demonstration. Total of four Be–8's participated in the flyby.

Hoop, a turbine-powered convertiplane capable of transporting a maximum of 100 persons. Making use of a modified An–10 transport fuselage, this convertiplane is powered by two turboprop engines of an estimated 4,000 eshp. located at each wingtip. Propellers connected directly to the turboprops power the aircraft in horizontal flight, while vertical lift is provided by two rotor systems of four blades, each housed above a streamlined pylon on top of each wingtip nacelle. Development of convertiplane is officially credited to veteran helicopter designer Nikolai Kamov.

New turbine-powered helicopter with the same general appearance as the earlier piston-powered Kamov Ka–18 but approaching in size the larger 10-passenger Mi–4. Power is supplied by one or possibly two turbine engines housed above the fuselage. With three vertical stabilizers roughly resembling the tail of the Kaman HUK–1, the helicopter has a coaxial rotor system.

The supersonic bomber demonstrations were preceded by flights of the giant Bear Tupolev turboprop intercontinental bomber and the twin-turbojet Tu–16 Badger intermediate bomber, both carrying red-painted, radar-guided air-to-ground missile systems slung beneath their fuselages.

The Bear's supersonic missile, with a white radar nose, stubbed wings with sharp sweep, a horizontal tail, folding vertical fin and a jet tailpipe, has an estimated maximum range of about 300 nautical miles. Similar but smaller air-to-ground missiles carried by the Badgers have an estimated maximum range of between 50 and 100 nautical miles.

Boasting of Russia's aviation progress on the day after the show, Tass, the official Soviet news agency, reported that the aircraft "can launch their rockets to the target without entering the zone of the enemy's antiaircraft defense." The missiles, the article continued, have a range of "hundreds of kilometers * * * and no defense can save their targets."

The aging Bear, whose new missile weapon system will give it an added lease on life, has been modified with a section of the underside of the fuselage scooped out to accommodate the largest missile. In the flybys, a single Bear opened the bomber portion of the 2-hour show with its red air-to-ground missile prominent beneath the fuselage and with an escort of seven Mig–17's. It was followed by 15 Bears and then by 15 Badgers flying in formations.

Earlier, the Soviets demonstrated the maneuverability of their short-range surface-to-surface tactical missiles when six large Mil–6 turbine-powered helicopters landed on the grass strip in front of the Soviet dignitaries on hand for the show, including Premier Nikita Khrushchev, Defense Minister Rodion Y. Malinovsky, Chief Air Marshall Konstantin Vershinin, and Cosmonaut Maj. Yuri Gagarin.

Landing in groups of three, one Mi–6 carried two tactical missiles while its two partners brought in transport dollies and other support equipment. The missiles were unloaded and placed in position within a relatively short time.

Another three versions of the Hook, which reportedly was scheduled for only limited production, also were shown in the show, one of them ferrying from a cable what the Soviets reported to be the Vostok space capsule occupied by Gagarin on his orbit around the earth, another the model of a Lunik probe. These were the only two reminders of Soviet space achievements in a show largely devoted to displaying Russia's ability to wage war within the present realm of techniques.

Soviets also displayed a huge flying crane that was obviously the work of Mikhail Mil's design team. It differed from U.S. approaches to the flying crane design by retaining a personnel transport capacity in a large fuselage in addition to the cargo carrying capacity slung underneath between the long quadruped landing gear. Crane operator's station is visible just below the fuselage nose where he can observe both terrain and the cargo load.

Western observers believe the combination of personnel and cargo capacity in the Mil flying crane indicates it could be used for transporting fairly large missiles with their servicing and firing crews or several large armored vehicles with their crews and supporting troops.

In addition to a pilot's compartment considerably enlarged from the Mil–6, the crane had a large plexiglass compartment in the nose between the pilot's canopy and the crane operator's position apparently aimed at providing a number of other people with wide forward vision.

The Mil crane flew over Tushino carrying a large orange painted house about U.S. freight car size slung in the cargo position. It landed, released the house and then took off again without its load. Rotor system and powerplant installation appear similar to those in the Mil–6 but the crane carried large external fuel tanks on either side of its fuselage. Fuselage appeared to be capable of carrying 50 to 60 persons while the crane appeared to have a cargo lifting capacity of about 40,000 pounds.

The Hoop convertiplane has an estimated gross weight of between 50,000 and 60,000 pounds, and its fuselage appears to be about the size of the An–10 transport. Some observers believe an actual An–10 fuselage was used in the Hoop displayed at Tushino. Soviet announcers emphasized the Hoop's potential as a short-haul airliner but its capability as a high-density assault troop transport did not pass unnoticed.

The Hoop has two rotor systems each about the size of the Mil–4 rotors. The two rotors are mounted on a pylon which in turn sits on top of two turboprop engines mounted in wingtip pods. The turboprops look like the same type Ivchenko 4,000 eshp. engines used in the An–10 and Il–18 transports. These turboprops drive conventional propellers for forward speed and also power the two rotors for vertical lift.

The Hoop wing is mounted high on the fuselage just like the An–10 configuration and is about three-quarters the span of the An–10 wing. In its Tushino demonstration the Hoop required a short takeoff run before its rotors took hold for vertical lift. Pilot's cockpit is in a plexiglass dome raised about the normal fuselage while the fuselage nose also has a large plexiglass area. Two main double truck units of the fixed landing gear are suspended from long struts attached to the wing with a nose wheel mounted under the fuselage.

In its Tushino demonstration the Hoop exhibited excellent hovering and maneuvering characteristics. This model appeared to be experimental prototype.

Two of the three new supersonic bombers are in operational service with the status of the Bounder still not clear. Beauty is apparently in production since all 10 types flown were similar down to small details and it is probably in initial operational service with some units. Blinder also appears to be in production and is already equipping some operational units. Bounder still gives the general impression of still being in the development stage particularly since it has been observed with several different powerplant configurations.

BOUNDER DETAILS

In its flyby, the Bounder was accompanied by two stranded Fishbeds, one on either wingtip, and, as it pulled up into a sharp climb after its low-speed pass over Tushino, the pilot cut in the afterburners of the two large inboard engines for a brief period. Afterburners of the two smaller new bombers also were turned on during climbout after their passes over the field.

Shortly after the Bounder and its two fighters passed from sight into a patch of cloud cover, two distinct supersonic booms were heard on the ground, apparently made by the accelerating Fishbed escorts.

The Blinder, which followed Bounder in the flyby, has an estimated gross weight of well over 150,000 pounds and a 65° swept wing with a span of approximately 7 feet. Two fences on either wing-half were visible during the low-altitude passes by the two aircraft. Blinder has a low slab tail.

Soviet officials termed "Blinder" a small bomber, but in its flyby it carried a high-performance air-to-air missile under each wing. This, coupled with the exceptional climb capability demonstrated during pullout, led Western observers to speculate that it will be used for both bomber and long-range interceptor roles.

The advanced mach 2 follow-on to the Fishbed, which also carried large missiles, has a much longer fuselage than its predecessor, particularly forward of the leading edge of the 65°-sweep delta wing. Although only one was shown during the airshow, at least two were observed during the month-long rehearsals that preceded it.

DESIGN MODIFICATIONS

Formations of operational aircraft were also flown, indicating considerable design modification and armament change over the earlier prototypes first publicly displayed at the Tushino show in 1956. Second generation Flashlights (Yak–25) appeared in two versions. The production versions of the Flashlight B all-weather interceptor were armed with two air-to-air missiles and its engines appeared to be equipped with afterburners. Flashlight C, the light bomber version, also flew in formations with operational markings and had added a ventral fin.

Both the Mikoyan Fishbed and the Sukhoi Fishpot delta-winged fighters, first displayed as prototypes at Tushino in 1956, flew in operationally marked formations of up to 21 aircraft each. They were all equipped with air-to-air missiles. Both of these fighters are in the mach 2 class as are the Sukhoi Fitter and the Mikoyan Faceplate that use

the highly swept wing approach in contrast to the delta plus conventional empennage of the Fishbed and Fishpot.

Both Fitter and Faceplate flew across Tushino in operationally marked aircraft in formations of 21 planes each. Western observers believe the two delta types are the main Soviet all-weather interceptors because of their larger airborne radar housed in their conical nose air intakes.

The sweptwing Fitter and Faceplate have only limited all-weather capability with a small radar visible at the top of their air intakes.

During the civil portion of the show, the Soviets also demonstrated two of their later transport models—the TU–124 designed for feeder-liner service and said to be powered by two Soloviev turbofan engines and the high-wing An–24 passenger-cargo aircraft powered by two 2,000-horsepower Ivchenko turboprops.

In another exhibit, a group of Antonov transports were used to drop approximately 500 military and civil parachutists onto the field in individual and group jumps. Four ancient An–2 biplanes first maneuvered over the field, with their complement of paratroopers making individual jumps. Next in line, dropping parachutists in mass drops, were three 4-turboprop An–10's followed by 24 An–12's coming over the field in three-plane formations.

Two Fishbed fighters were demonstrated using rocket boost from a liquid-fueled rocket that had throttle controls. One made a takeoff from the grassy Tushino field with an extremely short run and steep climb while the other flew by at low altitude and executed an almost vertical climb after cutting in the rocket boost. On the Fishbeds the rockets are slung underneath the fuselage in what appears to be a quick modification. But on later fighters such as the giant new version of the Fishbed a rocket installation has been incorporated in the design and is housed internally between the two jet engine tailpipes. Addition of the rocket boost is an indication of Soviet concern with defensive capabilities against such extreme altitude penetration as the U–2 flights. Earlier model Fishbeds and Faceplates were unable to reach U–2 altitudes on their conventional turbojet powerplants.

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

Mr. SYMINGTON. Mr. President, before yielding to the distinguished Senator from Arizona I wish to associate myself with remarks he made Friday in the RECORD. It was not possible to be on the floor when the Senator made his comments about a newspaper article, but I thank him for presenting the position he did, as that position is also mine.

I yield to the able Senator from Arizona.

Mr. GOLDWATER. Mr. President, I do not know whether the distinguished Senator from Missouri made similar remarks before I reached the floor, but I wish to remind him and my colleagues, as well as the American people, that as of today we have only the F–106, coming off the line in very limited numbers, at almost the end of the line; and the F–105, coming off in very limited numbers, at almost the end of the line. We have no frontline fighters on the boards or on the production line today which are capable of speeds much above mach 2. In effect, a competition is beginning for fighter aircraft which could be used jointly by the Air Force and the Army. It is a very fine small fighter, but it is not in production. We are in the position today of having the interceptor forces of the Air National Guard grounded because the F–104 engines have been declared unfit for use until they are modified. The F–102 is being used by the Air National Guard in decreasing numbers, because that plane is out of production.

Mr. President, we actually have no fighter force in this country worthy of the name.

We can thank those people—I do not know where they are and I do not know on whose payroll they are, though I have my suspicions—who have been advising our President and advising our executive department that we need think of the manned aircraft no longer. The missile is a fine thing, but the missile does not have a brain. Nobody has yet suggested that we put a second lieutenant in the nose cone of a missile. I do not think anyone will.

We must have a man in an aircraft who can make decisions. We must have a man to determine what damage has been done and what further damage is needed. Unless this country is willing to face up to the fact that airpower means manpower as well as machine power, I fear that our airpower will deteriorate.

I am very hopeful that the American people will impress upon the Congress that they do not wish to have sole reliance placed on missiles, which at their best can never be 100 percent reliable. We must depend upon human beings. The human in an airplane like the B–70 or the F–108, or more advanced models, can be a missile with a brain, which we do not have today.

Mr. President, I wish to associate myself with the remarks made by the Senator from Missouri and I urge him and others in this body who are concerned with our national defense to keep impressing upon this administration the need for manned aircraft in all categories.

Mr. SYMINGTON. Mr. President, I thank my friend from Arizona. In the previous administration, against odds, we worked together for a strong air force. I am sure we will do so in all administrations, as long as we are together.

I should like to ask the Senator to include in the fighter group he mentioned one of the great fighters of our current string; namely, the F–4–H, an outstanding fighter.

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

Mr. SYMINGTON. I emphasize the importance of what the Senator has said. Because of what we were told by Mr. Khrushchev as to his plan for the future, namely, concentration on missiles with an almost complete lack of interest in combat manned planes, we in turn followed him into the missile field at the expense of our manned aircraft picture. Because Khrushchev said the Russians were not going ahead with manned aircraft we, then, in effect, abandoned most, if not all of our plans for future manned aircraft. Now we find once again, that what Mr. Khrushchev said was not true.

I hope those who are so anxious to trust the statements from the Kremlin about nuclear test cessation will keep in mind what has now happened as the result of our recognizing, in our manned aircraft program, statements made by Mr. Khrushchev about his planned military policy, which the recent air show in Moscow now demonstrates were incorrect. Let us learn from the past as we face the future.

Mr. MILLER. Mr. President, I wish also to be associated with the remarks of the Senator from Missouri [Mr. SYMINGTON] and the distinguished Senator from Arizona [Mr. GOLDWATER], particularly respecting the B–70, for their comments tie in precisely with what I said on the floor of the Senate a week ago. At that time I pointed out that the Soviets are not putting all of their national defense eggs in the missile basket, but they are going ahead with an advanced bomber design. It is necessary for us to do the same thing in order to maintain our superiority over them in airpower. I sincerely trust that the comments by the distinguished Senator from Missouri will be heeded when the appropriation bill comes before the Senate, and the proposed appropriation of approximately one half billion dollars for bomber procurement and production is tied in directly with the B–70 program.

ECONOMIC GROWTH AND INFLATION

Mr. MUSKIE. Mr. President, notwithstanding the order for the calendar call, I ask unanimous consent that the Senator from Iowa [Mr. MILLER], and other Senators who may desire to speak, be recognized.

The PRESIDING OFFICER (Mr. HICKEY in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. MILLER. Mr. President, recently the Commission on Money and Credit proposed, among other things, that the President be given the power to adjust the personal income tax rate up or down by as much as 5 percent where he determines that such action is needed to encourage business growth.

At a time when, due to nondefense, domestic spending programs of this administration, we are facing a serious budget deficit for the coming fiscal year, one wonders why the Commission did not recommend that the President be authorized to reduce expenditures under these programs by 5 percent, or more, to reduce the threat of inflation.

Such a proposal would seem to be consistent with the hope expressed by Secretary of the Treasury Dillon the other day that we would have an 8-percent growth in our economy by the end of 1962. I trust that Mr. Dillon is not relying upon inflation as the means of attaining such growth. If he is, we can certainly expect inflation to be accompanied by increased revenue from taxpayers whose wages and salaries will be thrown into higher tax brackets. If he is not relying on inflation, if he is predicting real purchasing power economic growth—then it will be necessary for Federal expenditures, at least in the areas of nondefense programs—to be reduced.

The way to improve our economy, to stimulate business investment and growth, is to avoid action that will dilute the value of our currency, not to give the President the power to make a Yo-yo out of our Federal income tax.

Actually, the Commission recommended that Federal spending programs be enacted for a number of years, with power in the President to increase outlays during bad times and to reduce them during good times; and during good times, to increase tax rates to provide more Government surplus. However, it appears that the administration is following the first recommendation of more spending and proposing to go counter to the second recommendation. Treasury Secretary Dillon recently said that he hopes for good times by the end of 1962, which would permit taxes to be cut, not increased, as the Commission recommends.

In the June 22 issue of the Waterloo Courier there appears a well-reasoned editorial which is highly critical of the Commission's proposal and which points out the inconsistency in policies I have related above. I ask unanimous consent that the editorial be printed in the RECORD.

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

DON'T GIVE PRESIDENT POWER TO ADJUST TAXES

After a 3-year study, the privately financed Commission on Money and Credit has come forward with a series of recommendations which merit the study of economists and of Congress.

But we doubt that one of the major recommendations has much chance of approval. The Commission recommended that the President be given the power to adjust the first-bracket personal income tax rate up or down 5 percent in an attempt to influence economic trends. "The duration of the adjustment," the Commission says, "should be limited to 6 months subject to renewal by the same process, unless Congress acts sooner by law to extend or supplant it."

Most will agree that the sensible way to handle fiscal policies would be to raise taxes in boom times to pay off the national debt and then lower them as a recession begins to stimulate the economy.

But the record plainly shows that such a sensible policy is politically unrealistic. During the great boom times following World War II only a negligible reduction in the national debt occurred. The Eisenhower administration put through a reduction in income tax rates, not as an attempt to influence the economic trend but as a demonstration of the advantages of the Republican way of life.

Almost inevitably a President would be forced to adjust tax rates for political rather than economic reasons. Few Presidents would have the political courage to increase tax rates in boom times because there would be no pressure from the precincts for such action. And he would have much incentive to lower tax rates just before key elections or in other situations where the economic situation would make the value of such action doubtful.

The foolhardiness of the Commission proposal is illustrated by a statement made only this week by Treasury Secretary Douglas Dillon. He predicted that "we can reasonably hope" for a gross national product of $555 billion by the end of 1962. This would mean an 8-percent growth of the economy in a year and should produce a budget surplus large enough to pave the way for lower taxes, he says.

Thus, the Treasury Secretary is proposing a tax cut at exactly the time when the Commission would presumably support a tax increase. And the fact that Dillon made his statement at this time when appropriation bills are being approved by Congress will only take the brakes off congressional spending. If there is hope for sensible money management, the job can only be done by an independent, nonelective agency like the Federal Reserve Board which is partly insulated from political pressures. Political decisions on fiscal policy are only too often on the side of inflation.

AUTHORIZATION FOR ATOMIC ENERGY APPROPRIATIONS

Mr. JACKSON. Mr. President, tomorrow the Senate will consider the atomic energy authorization bill. It is anticipated that one of the main issues in connection with the debate on the bill will be the so-called Hanford dual-purpose reactor. There has been a great deal of discussion on this proposal, and I am sorry that the House saw fit last week to delete this item from the authorization bill.

The Washington Evening Star, an independent and certainly conservative newspaper on economic subjects, wrote a very strong editorial criticizing the action taken by the House and supporting the Hanford dual-purpose atomic energy facility. I ask unanimous consent to have printed at this point in the RECORD the editorial entitled "The Hanford Issue," published in the Evening Star, issue of July 15.

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

THE HANFORD ISSUE

The House used poor judgment in rejecting, by a vote of 176 to 140, the proposal to convert the new reactor at Hanford, Wash., into a dual-purpose facility capable of producing not only plutonium for weapons, but also between 700,000 and 800,000 kilowatt-hours of electricity for peaceful uses.

Unless the Senate reverses the House action, and the item is then restored in conference, the reactor—which is in the process of being built and which will be completed next year—will serve only a strictly military purpose. Yet, as it produces the plutonium, it will give off a byproduct of great potential economic value. This will be a tremendous quantity of heat that could be so utilized as to make the facility, wholly apart from its weapons role, by far the biggest of the world's present atomic electrical powerplants.

The proposal turned down by the House would create this facility by investing $95 million in equipping the reactor (which would more than pay for itself) to harness the heat and turn the resultant electricity into the Bonneville network for distribution—largely through private utility systems—in the Pacific Northwest. But the private utilities have lobbied vigorously against the idea, and so have coal interests, and it has been defeated primarily on the ground that it would put the Atomic Energy Commission in the public power business and thus constitute another socialistic encroachment on free enterprise.

In the debate on the issue, however, Representative CHET HOLIFIELD, chairman of the Joint Congressional Atomic Committee, has pretty well demolished these and kindred arguments. He has shown, for example, that the basic law governing the AEC specifically authorizes the sort of power output that the dual-purpose reactor would generate. He has made clear, too, that such a reactor at Hanford could not hurt the coal industry, and would actually make additional electricity available to private utilities "at a very cheap price." And Representative ROBERT E. JONES of Alabama has backed up Mr. HOLIFIELD with this telling point:

"* * * the installation of the electric generating facilities at the Hanford reactor is in the best interest of all of the American people. What could be more justified than to convert into electricity—at no cost to the taxpayers—the tremendous amounts of reactor heat which otherwise will be wasted? To blow this steam into the air or use it to heat up the Columbia River surely would be regarded by people everywhere as an incredible extravagance."

Everything considered, the weight of logic and commonsense rests heavily on the side of those who advocate the dual-purpose facility. Accordingly, we hope that the Senate will support the proposal and that the House will reconsider what it has done and enable the project to go forward.

REAPPRAISAL OF THE NATION'S DEFENSE

Mr. ERVIN. Mr. President, on July 11, the Kinston Daily Free Press of Kinston, N.C., published a very thoughtful editorial entitled "A Calm Reappraisal of Defense is in Order."

Since the editorial contains some sage advice which the Federal Government would do well to heed at this time, I ask unanimous consent that it be printed in the body of the RECORD as a part of my remarks.

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

[From the Kinston (N.C.) Daily Free Press, July 11, 1961]

A CALM REAPPRAISAL OF DEFENSE IS IN ORDER

The current reappraisal of the Nation's defenses, which has been authorized by the President in the wake of Soviet saber-rattling over the Berlin issue, is very much in order. It should be done calmly and without any further emphasis on militarism.

Defense Secretary Robert McNamara does well to point out that America is strong. It should be stronger than any potential aggressor. But the current study of defense plans and potentials should not be taken as any increase in militarism on the part of the United States or the free world.

The United States has repeatedly offered to work toward control of nuclear and other weapons through the Geneva Conference. The Soviet Union has declined to go along with controls that provide for inspection, hence no real progress has been achieved.

President Kennedy reminded the Soviets a few days ago that in Berlin now there is peace. It will remain peaceful unless the Soviets seek to create strife and armed conflict. In other words, if there is any change in the situation from its present status, to bring about violence or armed intervention, it will rest with the Reds. The West merely wants to keep the status quo and to protect the rights of the free citizens of West Berlin.

Soviet Premier Nikita Khrushchev has tossed out an appeal for a summit session on Berlin and the Germany peace treaty issue. But the real need is for the Soviets to show good faith on matters which divide the East and West. There is no dearth of machinery for negotiations. The United Nations has all the avenues for discussion and promotion of goodwill and accord that it needs for current cold war problems. But they are not used.

In the light of these facts, and the militaristic attitude the Red ruler is taking on Berlin, it just makes good sense to check the Western defense and to see that everything is in working order. It is a time for walking softly and carrying the big stick. In such situations it is always good to remember that an ounce of preparation can be worth many pounds of cure, especially when a prime bluffer like Nikita Khrushchev begins to toss his weight around.

PROPOSED REMOVAL OF AIR FORCE MUSEUM FROM WRIGHT-PATTERSON AIR FORCE BASE, DAYTON, OHIO, TO COLORADO SPRINGS, COLO.

Mr. LAUSCHE. Mr. President, I am concerned over rumors reaching my office that Gen. Thomas S. Power, commander of the Strategic Air Command, has proposed that the Air Force Museum, now located at Wright-Patterson Air Force Base, Dayton, Ohio, be moved to Colorado Springs, Colo. I am deeply disturbed by the possibility of this taking place, as are the civic organizations of the Dayton area; and I wish to voice a strong opposition to the proposal.

I need not declare that Dayton has been the cradle of the development of the air machinery of the world. Dayton was chosen as the place for the museum, because it is the center of air development activities. General Power now contemplates moving the Air Force Museum from Dayton to Colorado Springs. I voice objection to that proposal for a number of reasons:

First, if the move is made, it will mean the expenditure of taxpayers' money in huge amounts without justification.

Second, if such action were taken, it would belie the disclaimer made by the Department of Defense that there is in process a contemplated erosion of the activities at Wright-Patterson Field.

It has been my suspicion that quietly and clandestinely there has been put into operation a program to erode the activities at Wright-Patterson, to the point where nothing will be left.

The argument is made that there is not adequate space at Wright-Patterson to house the Air Force Museum. In reply to that argument, I point out that the flying activities and use of airlanes at Wright are contemplated for discontinuance in 1962. A master plan has already designated a land area of 125 acres as a place for its unlimited expansion.

In spite of the fact that in 1965 there will be available these 125 acres, it is still erroneously claimed that the area is not adequate.

In conclusion I declare to those in charge that Dayton and Ohio people and the Representatives in Congress of that area are now firmly convinced that in spite of all that is being said to the contrary there is a designed plan to erode the activities at Wright-Patterson Field. I serve notice upon General Power and those associated with this movement that the translation of activities will not take place without a most vigorous fight on the part of the taxpayers of Ohio and those men and women who represent Ohio in Congress.

This proposal has been kept very quiet and was not made known to the civic leaders in Dayton, though the museum officials have been holding this information for the last few weeks. It seems to be a studied policy of some officials of the Department of the Air Force to constantly take away functions and facilities at Wright-Patterson Air Force Base, and I greatly fear that this studied attrition if not firmly opposed will result in wasting the millions of dollars which have been expended to make this facility one of the finest Air Force bases in our Nation. This policy of a slow, erosive program which could result in Wright-Patterson being finally denuded of its great potentials without the people knowing it, should and must be reexamined by the appropriate officials of the Department of the Air Force.

This is but one of several proposed moves which would weaken Wright-Patterson Air Force Base which, if permitted, will cause both waste of the taxpayers' money and have an evil effect upon the economy of Dayton.

I propose in the near future to discuss again on the floor another proposal which I believe is wasteful and will be harmful to our national defense program.

Mr. YOUNG of Ohio subsequently said: Mr. President, I wish to associate myself with the remarks made by my colleague, the distinguished senior Senator from Ohio [Mr. LAUSCHE], concerning the proposed removal of the Air Force Museum from the Wright-Patterson Air Force Base, at Dayton, Ohio, to Colorado Springs, Colo. It seems unthinkable to me that this proposal by Gen. Thomas S. Power should be considered. The Dayton metropolitan area is within 500 miles of one-third of the population of the Nation. Indeed, to move this famous museum to Colorado Springs would be an extreme disservice to American taxpayers.

The present location is more accessible to the public and offers expansion possibilities. To remove it to Colorado Springs would show a careless disregard for taxpayers' money at a time when we are faced with the need for immense sums for the defense of the Nation.

It appears to me to be the policy of some officials of the Department of the Air Force to remove functions and facilities from Wright-Patterson Air Force Base. Unless firmly opposed, this policy will waste the millions of dollars spent to make this base one of the finest in the Nation.

Mr. President, I feel certain that the distinguished senior Senator from Georgia [Mr. RUSSELL], the chairman of the Committee on Armed Services, will not favor any such procedure.

AMERICAN "RIGHT" EMBRACES A CURIOUS MIXTURE

Mr. McGEE. Mr. President, I invite the attention of my colleagues to an article which was published in the Outlook section of the Washington Post of yesterday, July 16, entitled "American 'Right' Embraces a Curious Mixture." It is written by Edward T. Folliard.

I mention the article in particular because it has distilled in a relatively brief form the cross currents and forces that are at work in this critical moment in history.

Throughout our own national history we have always had small groups of Americans, it seems to me, who hold to the belief that whenever something goes wrong somebody has been guilty of conspiring to make it go wrong, and who find it difficult to accept the fact that there are great tides sweeping the world which even Republicans and Democrats in the United States cannot control or have anything to do with.

It is a matter of concern to us that extremists who find a conspirator behind every honest mistake or situation should be having a field day at this special moment when the crises of time require the very finest and the very best sobriety and stability that we can command.

Because the article itself contributes to a levelheaded assessment of what is going on both within the United States and without the United States, it is extremely timely, and I therefore ask unanimous consent that it be printed in the RECORD at this point.

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

AMERICAN "RIGHT" EMBRACES A CURIOUS MIXTURE

(By Edward T. Folliard)

In this summer of 1961, clouded as it is by Soviet Premier Khrushchev's threat of war over Berlin, Americans are engaged in a strange controversy over the strength of communism at home.

Some of the foremost students of Red activity in the United States—notably the Reverend John F. Cronin, S.S., of the National Catholic Welfare Conference—say that the Communist Party in this country has been "drastically weakened." They say that the area of Red danger now is not at home but abroad.

However, rightwing activists like Robert Welch of the Birch Society insist that "our danger remains almost entirely internal, from Communist influence right in our midst and treason right in our Government." They say that the Red menace at home is now at a peak danger point.

To Father Cronin, the surprising upsurge of alarm over domestic Reds at this time is a paradox. He believes that even the claimed strength of the Communist Party, United States of America—10,000—is exaggerated.

A CALCULATED ASSAULT

But this is not merely an intellectual matter, a clash of viewpoints. Rightwing groups, refusing to accept the view that the danger is primarily overseas, are in full cry against the Kennedy administration's program for foreign aid to thwart the spread of communism, especially in Asia, Africa, and Latin America.

They are also demanding that the United States pull out of the United Nations, repeal the 16th amendment (which authorized the Federal income tax), invade Cuba, bring home the five American divisions in West Germany and "be prepared to stand alone."

The political right in this country is held down by a curious agglomeration representing a broad spectrum of ideas and relative degrees of respectability. Senator BARRY GOLDWATER, Republican, of Arizona, and his adherents are there. But there, too, are people whom GOLDWATER would detest and people who say that GOLDWATER is "tainted

with socialism." Also there are citizens, many of them wealthy who are outraged by big Government and the heavy tax bite on their bankrolls.

On the extreme right are the "hate groups," made up of men and women who invariably call themselves patriots and true Americans and pour their venom not only on Reds but on "niggers and Jews"—and who, furthermore, question the loyalty of any who disagree with them.

EMBARRASSING DUALITY

There is some overlapping on the right, of course, and this is often a cause for embarrassment. One of the most active and eloquent spokesmen for the aforementioned moneyminded group is Brig. Gen. Bonner Fellers, U.S. Army, retired, who was military secretary to Gen. Douglas MacArthur in World War II.

He has his headquarters at 1001 Connecticut Avenue NW., and he wears two hats. That is, he is national director of For America and also of the Citizens Foreign Aid Committee.

As the For America spokesman, General Fellers calls for repeal of the Federal income tax. He says also that the United States must end peacetime conscription, maintain overwhelming airpower and get the United States out of the U.N. and the U.N. out of the United States.

For America also favors congressional investigations "into Communist-Socialist activities" and an end to compulsory unionism.

In testifying on Capitol Hill recently for the Citizens Foreign Aid Committee, Fellers urged the return of American troops from West Germany. Appearing before the House Foreign Affairs Committee June 21, he argued against the Kennedy administration's foreign aid program and also against this country's lavish support of European nations which help make up the North Atlantic Treaty Organization.

"At all costs, it is imperative that we be prepared to stand alone," he said. To this end, he criticized President Kennedy for not spending more on air power.

How the United States would be able to finance airpower, or any kind of striking power, if For America had its way and the income tax were abolished, is hard to figure out.

General Fellers also told the House committee that foreign aid ought to be held to less than $1 billion. Other members of For America and the Citizens Foreign Aid Committee are much more vehement than Fellers on this subject.

Spruille Braden of New York, who was Ambassador to Argentina for a short period in 1954, has said, "Truly, foreign aid is a treacherous if not a treasonous adventure."

Braden is one of 16 men and women who are members of both For America and the Citizens Foreign Aid Committee. Among these 16 are 2 other well-known military figures besides Fellers—Gen. A. C. Wedemeyer, United States of America, retired, and Lt. Gen. George E. Stratemeyer, United States Air Force, retired.

Others are J. Bracken Lee, former Governor of Utah and national chairman of For America; Dean Clarence Manion, formerly with Notre Dame University; Samuel B. Pettengill, former Republican House member from Indiana, and Mrs. Garvin E. Tankersley of nearby Maryland.

At the headquarters at 1001 Connecticut Avenue, For America is described as a political activist group and the Citizens Foreign Aid Committee as a lobbying organization. The committee appears to be well-heeled.

Heading it as national chairman is Walter Harnischfeger, chairman of the board of the Harnischfeger Corp. of Milwaukee, producer of earthmoving and lifting equipment used in nearly every country in the world. Another prominent committee member is Willard F. Rockwell, chairman of the board of Rockwell Manufacturing Co., and Rockwell-Standard Corp. of Pittsburgh, which in 1959 had more than $400 million in sales.

THE FLUORIDATION FACTION

Whatever may be thought of the views of such men, not all of them are in the same class with those who are still further to the right. These not only favor abolition of the income tax, withdrawal from the U.N. and scrapping of foreign aid, but they call for the impeachment of Chief Justice Earl Warren, agree with Robert Welch's charge that General Eisenhower in his White House days was "a conscious agent of the Communist conspiracy" and charge that the fluoridation of water is a Red plot to poison and weaken Americans.

Is there a resurgence of political strength on the far right? No, according to Herman Edelsberg, Washington representative of the Antidefamation League of B'nai B'rith.

"There has, of course, been a measurable increase in activity—and recently an even greater increase in publicity—but there's no evidence of a growth in underlying, lasting strength," Edelsberg says.

"Some new faces have cropped up on the right, but the group picture looks much the same. The names of the organizations may be new, but the slogans are old and frayed.

"After all, how far can the John Birch Society go on a program of fighting communism by impeaching the Chief Justice of the United States, denouncing the loyalty of Mr. Eisenhower, and abolishing the income tax?

"It may not be fashionable now to be optimistic about the power of reason in human affairs, but I believe that in this basically healthy America the Birch nonsense is self-defeating. True, our history shows a wide tolerance of political quackery, but in the showdown such movements have always broken up on the rock of American common sense and fair play.

"The Birch Society carries another liability—it has a fatal attraction for the lunatic fringe. Its leader, Robert Welsh, has gone to some pains to disassociate the society from the anti-Semites and other bigots, but it is no reflection on his sincerity to note that inevitably he has failed. So long as his group is based on exploiting anxiety, suspicion, and mistrust, so long will it provide the climate and soil in which the professional bigot flourishes.

"There has always been a small minority of Americans who will not believe that our national difficulties and frustrations may be the result of powerful, impersonal tides in economics and politics but will insist on seeing history, particularly unpleasant history, as a conspiracy of secret plotters whom they can self-righteously hate. I don't believe this group has grown significantly larger in the last year. The trouble is that this is a most dangerous time to have our national ills diagnosed, and perscribed for, by witch doctors."

The extreme rightwingers are angry with Father Cronin for saying that the Communist Party, U.S.A., is no longer much of a threat, but they find it difficult to challenge his credentials. He is a Red hunter from way back and, unlike so many others, an effective one.

Father Cronin was professor of philosophy and economics at St. Mary's Seminary in Baltimore when, in 1940, he began looking into Communist infiltration in labor unions. In 1944 he made a more general study of Red activity for the Catholic bishops of the United States.

Earl Mazo, in his biography of Richard M. Nixon, relates that it was from Father Cronin that Nixon, then a freshman House Member, learned about Alger Hiss.

Now, Father Cronin says that "the problem of internal security had been substantially taken care of by 1950." The date is significant, for it was in 1950 that the late Senator Joseph R. McCarthy, Republican, of Wisconsin, began his career as a Red hunter. By that time, Father Cronin says, Communists had been cleaned out of the Government and out of labor unions.

What disturbs Father Cronin at the moment is a fear that today's Red hunters will weaken the Nation by questioning the loyalty of those who disagree with them. He mentioned this in a notable article he wrote for the April 22 issue of America, the Jesuit weekly review.

"Unfortunately," Father Cronin wrote, "several anti-Communist organizations in the United States today not only fail to distinguish between judgment and loyalty; they actively assail the loyalty of those whose views they oppose. They envision a vast, secret, conspiratorial Communist apparatus that is widely subverting Government, schools and universities, research organizations, the churches and the various media for affecting public opinion.

"Nor are they willing to let their targets off with the relatively mild indictment of being unwitting dupes of the Communist conspiracy. They are eager to allege formal, not merely material, guilt * * *."

J. Edgar Hoover, Director of the Federal Bureau of Investigation, is not one to downrate the threat of Communists in the United States. But even he is concerned about the thing that bothers Father Cronin—that is, the reckless charges Americans are hurling at one another. In the FBI Bulletin of April, Hoover said:

"The label of 'Communist' is too often indiscriminately attached to those whose views differ from the majority. Those whose lives are not led according to what one segment of society might decree to be the 'norm' are too frequently challenged as 'Reds'."

D. W. Brogan, professor of political science at Cambridge University, who knows the United States well, wrote an article for Harper's in 1952 that might possibly explain the attitude of some Americans who, filled with anger and frustration, put the blame on homebred Reds.

Brogan entitled his article, "The Illusion of American Omnipotence," and explained:

"This is the illusion that any situation which distresses or endangers the United States can only exist because some Americans have been fools or knaves * * *. Many, very many Americans, it seems to me, find it inconceivable that an American policy, announced and carried out by the American Government, acting with the support of the American people, does not immediately succeed.

"If it does not, this, they feel, must be because of stupidity or treason."

Also, there would seem to be people who have a need to hate, sometimes because of their own frustrations and failures. Stendahl remarked in "The Red and the Black" that it was only a step from anger at oneself to rage at others.

THE SPACE-HISTORY COURSE AT THE UNIVERSITY OF COLORADO

Mr. McGEE. Mr. President, I invite the attention of my colleagues in the Senate to an article which appeared in the Air Force Space Digest of February 1961. It was written by Dr. James G. Allen, head of the history department at the University of Colorado.

I call attention to the article in part because it is an excellently conceived article, which describes an exciting idea. It describes an experiment in the history department at the University of Colorado, the first course in space, entitled "The History of Space." The re-

ception it was accorded suggests the pioneering spirit of Professor Allen's insight and leadership.

My second reason for calling attention to it is that I have a history degree from the University of Colorado, and Dr. James G. Allen was my boss, so to speak, while I was studying there.

So it is with a great deal of personal gratification in addition to professional pride that I ask unanimous consent that this very short article published in the Air Force Space Digest be printed in the RECORD at this point.

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

STUDENTS AT THE UNIVERSITY OF COLORADO ARE GETTING A NEEDED PERSPECTIVE ON THE SPACE AGE THROUGH A UNIQUE HISTORY COURSE DESCRIBED IN THIS LETTER FROM BOULDER

(By James G. Allen)

(A pioneering educational experiment, a course in the history of space, believed to be the first such campus offering in U.S. educational history, has successfully completed its pilot phase at the University of Colorado, at Boulder, under the direction of Dr. James G. Allen, chairman of the university's department of history. Air Force Space Digest is especially proud to publish this report by Dr. Allen on the course. He graciously credits his attendance, at the Aerospace Education Workshop, during the first World Congress of Flight of the Air Force Association in 1959 at Las Vegas, Nev., with sparking his efforts in establishing the course at the university.—THE EDITORS.)

BOULDER, COLO.

Here at the history department of the University of Colorado, we inaugurated a course in the history of space during the 1960 summer session. Our experiment was well received, with a respectable student enrollment, and, gratifyingly, we received generous coverage in such newspapers as the New York Times and the Christian Science Monitor among others.

The course was given primarily in terms of the history of cosmological ideas and brought space thought from early times right up to the present. Introductory lectures indicated how primitive man at the very beginnings of civilization speculated on the nature of space and included it in his general picture of himself and his place in the universe. As conclusions began to form, man's concepts of space became closely related to other elements of scientific observation. Ideas of celestial mechanics were basic in the scientific revolution of the 17th century. Historical attitudes toward space aided the development of many branches of science. Moreover, man's ideas on space were closely related to the general cultural atmosphere of particular periods. All aided the advance from mythical cosmology to the Newtonian concept leading to the modern realistic and mechanistic view of the universe. The course concluded with a survey of present-day concepts, techniques, and practical values of space exploration.

To present the course, the history department brought two outstanding authorities to Boulder. They were Dr. Melvin Kranzberg, of the department of history, Case Institute of Technology, Cleveland, Ohio; and Dr. J. Allen Hynek, formerly Associate Director of the Smithsonian Geophysical Observatory, Cambridge, Mass., and now chairman, department of astronomy, Northwestern University. Dr. Kranzberg gave the historical background while Dr. Hynek covered the present-day aspects of space. There were 43 students enrolled in the first term and 65 in the second.

Students were asked to make written, unsigned comments at the end of the summer session. These were helpful in our future planning and included many requests that the course be extended in length to at least one semester. Here are some of the student comments:

"I think this course was very useful to me. Previously, I have taken some work in history and philosophy and I have done some reading in the field of astronomy. But my knowledge was rather unorganized. Now, having come to the end of the course, I think it gave me a perspective about man's ideas about space. The historical approach that you took was easy to follow and sensible."

"I took this course to assist me in developing a background for science instruction in the elementary school field. I found the course interesting and enlightening."

"For a person who has scant background in science and philosophy, this course is most interesting. In fact, this course should be required for any person attending the school of arts and sciences."

"As an aeronautical engineering student interested in space, I found the course enlightening and interesting."

"This is probably one of the most unusual but yet interesting courses I have ever taken. Since I took both [terms] this summer, I have received a general overall view of space concepts, modern and ancient. It is practical since we are now living in an age when space is playing a leading role, and one can follow newspaper articles with some knowledge * * * as to what is happening and what are the basic mechanical elements underlying these developments. I found it a most interesting course."

"With more time, much more could be covered. I think that there are more concepts of science which influenced ideas of space than we had a chance to cover."

"This course served my purpose for a brief history of space. I think that it is tremendously worthwhile, for in the 20th century we need people who are, at least, a bit informed. I do think that it deserves more than 5 weeks as it is too short a time to get much insight into the subject. As a semester course the detail it deserves would be achieved."

"Being an engineering student, some of the early history of space did not seem too interesting. Galileo to the present seemed to be the best. When I registered for the course I had perhaps the science viewpoint, in that I thought the content would be more along the lines of the history of the 'space' or cosmos itself instead of the viewpoints of historical characters concerning the concept of space."

"I took this course because I have been exposed to certain of the practical uses of celestial bodies (study of tides, weather, and celestial navigation). However, I knew little about space or the speculations about it. Since space is becoming more and more important, I thought it might be valuable to gain some knowledge in this area. I was required to have some history this summer, and the title of this course 'caught my eye.' I enjoyed the course and believe that I have profited from what I learned."

We had some difficulty with textbooks, since the course, certainly in a history department, was new and unrecognized. The first part was based on "Theories of the Universe From Babylonian Myth to Modern Science," Milton K. Munitz, editor (Glencoe, Ill., 1957). This, however, was not entirely applicable, especially for a 5-week term. Hynek relied principally upon articles, short descriptive pamphlets, and mimeographed material on current developments. Of particular value was the April 1960 number of "Air Force/Space Digest" ("Missile and Space Almanac").

The success of this project was gratifying. The course will be given again in the 1961 summer session, and arrangements are being concluded to make it a permanent offering of the history department. This is a logical step, as such a course provides a broad historical basis for the program of the high altitude observatory at the University of Colorado.

The observatory, under the direction of Walter Orr Roberts, is widely known in its own right. It is also in the process of joining forces with the newly created National Center for Atmospheric Research, now establishing its headquarters at Boulder. The national center will become a major laboratory devoted to research on the fundamental problems of the science of meteorology and of the upper atmosphere.

WHY A SPACE-HISTORY COURSE?

The exploration of space has become one of the most significant factors of the modern world. Its various aspects are major items in our national economy and dominate certain aspects of our foreign policy. Space, with its many challenges, problems, and opportunities becomes increasingly related to our daily life and to our national security.

There are sound reasons for a university to offer a history of space. Many of the ancient and medieval historians, philosophers, theologians, and scientists wrote about space, even though their observations were to a great degree speculative. Astronomical facts were uncertain and all relationships within the physical realm of the earth, the sea, and the sky, were based upon certain assumptions. However, these early scholars did make significant contributions. For example, some of the conclusions of Aristotle (384–322 B.C.) may be regarded as an inspiration to Columbus and the scientific theory he set forth to prove in 1492.

We know this because, among the many books he read was the "Imago Mundi" of Cardinal d'Ailly published in 1410. In this volume Columbus had marked the quotation, "Aristotle says that the sea is little between the farthest bound of Spain from the East and the nearest of India from the West." Columbus' own copy has been preserved with his marginal note. The accumulation of reliable facts proceeded slowly, surrounded and limited as they were by the sense of mysticism that dominated the early Middle Ages, finally broke through to the great age of discovery that opened in the 15th century, and which was punctuated by the astronomical advances of men like Galileo and Copernicus.

Today, the space era is modifying our concepts, with startling rapidity, and with day-to-day change even of essential things, even of time. We know time as it is on earth, affected and modified by terrestrial forces such as gravity. Time in space, freed from such factors, may well have an entirely different concept and relationship. Einstein's general theory of relativity indicates such modifications, and modern speculations, based upon the rapidly expanding knowledge of space, lead to the staggering conclusion that time itself may shrink as speeds approach the velocity of light. This is only one startling example of how the space age will change existing concepts.

These accomplishments in the discovery and exploration of the African coastline were great marvels of their day, even though they received none of the headlines and little of the fanfare accorded related explorations into space of our time. Our explorations of the heavens are indeed comparable to the advances of the great age of discovery. They, too, have advanced by gradual stages; the early ascent of balloons, the continual increase in the ceiling of our airplanes, the hurling of our satellites, rockets, space capsules, and our shots at the moon and the sun.

It is not fantastic to compare these few early navigators to the now so well known geographical landmarks of Africa and of the

other continents with those astronauts of our day who will make the first American manned flight of rockets into space. It does not stretch the imagination to compare those 15th-century barriers inhibiting ocean exploration to belts of radiation, zones of disintegration, areas of planetary dust and atomic particles that today are the obstacles to conquer before space travel comes out of the realms of imaginative fiction and into the fact of the 20th century. Such areas and zones are constantly being discovered or reexamined. These are examples of the modern hurdles requiring solution, not in terms of overcoming superstition, but in terms of an advanced technology. Our assaults on space have proceeded rapidly and within a short time.

Centuries have elapsed since Lucian of Samosata wrote in A.D. 160 of a voyage to the moon in a sailing ship. But it is less than 100 years since Jules Verne added the idea of escape velocity in his "From the Earth to the Moon" in 1869 and Edward Everett Hale first wrote of the artificial satellite in 1870. It is proper to compare Prince Henry of Portugal with those who, many more in number, now direct modern exploration into space.

All of these historic challenges, of superstition, fiction, and of fact, have been met, and we are now on the verge of an exploration of space comparable to those marvelous events and discoveries of the 15th century. It is upon these parallels that a history of space can be based.

With new ideas affecting us, enforcing such great changes in the very fundamentals of our thought, a history of space and an examination of its historical relationships becomes necessary. Such a course is not a fantastic addition to a time-honored curriculum. It is indeed a vital subject for modern education, because it is a great and interesting world in which we live.

No longer will one wish to have lived with Prince Henry and his navigators or to have taken part in the adventures of Elizabethan England and joined with the great captains of that day in exploring the oceans and the land and rivers beyond previously narrow confines. Quite truly are we doing the same things, engaging in the same adventures, and enjoying the thrill of the unknown and the unexplored. Their oceans are our skies and their ships are our rockets and space vehicles. Their problems are our problems. Their dangers are ours. Their accomplishments and successes will be ours also.

(James G. Allen has been chairman, department of history, at the University of Colorado since 1945. He has written frequently in professional journals, especially in the field of British constitutional history, is also author of "Naval History and Strategy—A Syllabus and Guide to Reading," and a recent study, entitled "Editorial Opinion in the British Commonwealth.")

THE FEDERAL COMMUNICATIONS COMMISSION

Mr. McGEE. Mr. President, I have before me a column written by Lawrence Laurent, published in this morning's Washington Post. It deals with the question of TV licenses, the judgment of TV licensees, and the surveillance which the FCC now promises to devote to all the circumstances. In general it applauds the recent action by the FCC in putting all petitions for a license renewal on notice that they must perform in the public interest and be capable of demonstrating that performance in order to obtain a renewal.

I likewise have before me a short article written by Drew Pearson in which he explains the difficulty the industry may have in trying to smear Mr. Newton N. Minow, Chairman of the FCC, whose own life seems to be in very fine order and not subject to the usual smears which are sometimes resorted to in trying to embarrass a man in public office with public responsibility.

I ask unanimous consent that both articles may be printed in the RECORD at this point.

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

[From the Washington Post, July 17, 1961]

FCC WARNS LICENSEES MUST MATCH PROMISES

(By Lawrence Laurent)

Ever since Newton N. Minow announced the get-tough policy of the Federal Communications Commission, broadcasters have feared that one of them would be held up as a horrible example. The great fear was that some broadcaster would lose the Federal license that enables him to do business.

Last week, in a decision of wide significance, the FCC passed up the opportunity to deny a license. Instead, the Commission issued a warning to all broadcasters, advising them that the promises made in order to get a license for a station will be carefully matched against the station's performance.

The example on which the FCC hung its warning notice was the performance of radio station KORD in Pasco, Wash.

In 1957, KORD told the FCC that 6 percent of the broadcasting schedule would be local, live programing.

"It's 1960 renewal application showed," said the FCC, "that KORD in its composite week had devoted no time to local, live, educational talks or miscellaneous programing.

KORD also proposed in 1957, to have 700 commercial spot announcements during an 84-hour broadcast week. It broadcast 1,631 commercial spot announcements in an operating week only slightly longer, charged the FCC.

The station promised the FCC that it would improve its performance. This is a standard device, known at the FCC as "upgrading proposals at renewal time." In the past, a promise to improve was usually enough for the FCC to renew a station's license.

The FCC didn't put KORD out of business. Instead, the station got a 1-year renewal (instead of the customary 3-year license), and the Commission agreed with the station's own observation that "it is obvious that in any future license period KORD will be keenly aware that its performance will be scrutinized with great care."

The FCC also noted that it was impressed with recent improvements by the station. The Commission said: "KORD, through its principals and staff, has demonstrated fairly close and continuing contact with its service area in order to determine the area's needs. Further, the staff has been encouraged to participate in civic activities and at staff biweekly meetings there is discussion of ways and means to meet the area's needs and to participate in public service projects."

Obviously, the billion-dollar broadcasting industry would not be shattered over the fate of a 1,000-watt radio station in Pasco, Wash. What gives last week's "memorandum opinion and order" its impact was the warning issued to all broadcast licensees.

One Commissioner explained: "The Commission decided it would be unfair to single out KORD and that it would be better practice to apply the FCC's new policy prospectively and across the boards."

In its official notice, the FCC explained just why it would match promises against performance:

"It is one thing for a licensee to decide that its community has greater need for religious or educational programs than particular agricultural or talk, or entertainment programs—or, indeed, for an essentially new format.

"This is a judgment perculiarly within the licensee's competence. But it is quite another thing for the applicant to drastically curtail his proposed public service programing * * * and increase his advertising content and 'music-news,' without an appropriate and adequate finding of a change in the programing needs of his area.

"Nor can such an applicant mechanically recite, 'changing needs of the community.' He has a burden of demonstrating just why his community has less need for such public service programing than when he originally proposed it."

The KORD decision takes its place alongside the Suburban decision that was issued recently. In the case of Suburban the FCC turned down an applicant because no effort had been made to determine the needs of the community.

In the two decisions, it is obvious that public policy now demands two things. First, anyone who wants a broadcast license must seek out the "tastes, desires and needs of his community" and tell the FCC how he proposes to meet these needs. Secondly, he will have to make good on his promises.

[From the Washington Post, July 16, 1961]

MINOW'S A TOUGH ONE TO SMEAR

(By Drew Pearson)

It's supposed to be a trade secret, but word has been passed out from some of the top moguls of the broadcasting industry to "get Minow." This refers to the new Chairman of the Federal Communications Commission, Newton Minow, who had the temerity to blast crime, sex, and blood-and-thunder television.

Certain telecasters have been in a slow boil ever since and have started a quiet but intensive investigation of Minow's background. If they can come up with something in the way of a smear, they'll use it as hard as they know how.

Only trouble is that Minow has led a very circumspect and apparently righteous life. His chief public career was as law clerk to the late Chief Justice Fred Vinson, a rugged individualist and battler for human rights. After that, Minow joined the law firm of Adlai Stevenson in Chicago, where he kept his nose to the grindstone.

Minow is happily married, with a young family, and likes to spend his evenings at home. The broadcasters' hunt for skulduggery may be disappointing.

Meanwhile, the FCC is continuing to watch crime and sex on television, and the inside word is that TV stations using "The Untouchables" will have their licenses given careful scrutiny when they come up for renewal.

The National Association for Better Radio and Television has described "The Untouchables" as "not fit for the television screen." In a report on a typically brutal episode, the association comments:

"This demonstrates the victory of crime over law for 59 minutes less commercials. As always in this series, there was much crime, including five violent and horrible murders, one bombing, one stabbing in the back. The gangsters were well dressed, shown in important meetings, had a sense of power, outwitted authorities until the last minute when a mistake was made. They made huge amounts of money."

"The Untouchables" focuses on every horrible grimace in its scenes of violence and brutality. Here are a few typical scenes:

Gangsters free a kidnaped man after the ransom is paid, then gleefully machinegun

him in the back as he is running and rolling down a hill.

A wife watches with enjoyment as her husband is brutally beaten, the scene ending in a closeup of his bleeding head. Later he comes out of his stupor, goes to her hotel room and guns her down.

A pretty girl is slapped viciously by a gangster. Later 15 carefree girls are mowed down by machinegun fire, their terror and agony shown closeup for the audience to relish.

MONROE DOCTRINE VERSUS INTER-AMERICAN TREATIES

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the RECORD two excellently written letters which appeared in the Washington Evening Star of recent date under the heading "Monroe Doctrine Versus Inter-American Treaties."

I wish to make particular reference to one of them written by Mr. Herminio Portell-Vila, professor in exile, University of Havana.

He writes:

For the past few days I have been reading in your paper and in other papers a number of statements about the recent Cuban incident, the most recent one being the letter signed by Diego Aguila de Monteverde in the Star.

I am one of the seven Latin American delegates who in 1933, in Montevideo, drafted the Non-Intervention Pact of Montevideo. I was one of the Cuban plenipotentiary delegates to the VII International Conference of American States; but what is happening in Cuba today, and it is a pity that Mr. Aguila de Monteverde and some other people cannot see it, is that the Non-Intervention Pact has been violated by the Communist International. We never wanted to put a stop to the military and diplomatic intervention of the United States in Latin America, as practiced up to 1933, to open the way for the intervention of the Soviet Union in Latin America, that we have today. The case of Cuba is quite clear. There we have the intervention of Red China, openly flouting the principle of nonintervention.

Furthermore, all this sanctimonious respect for the Convention on Duties and Rights of the States, of Montevideo (Non-Intervention Pact), fails to take into consideration that inter-American treaties against intervention did not stop at Montevideo in 1933, but were reasserted in Lima, in Havana, in Panama, in Washington, in Rio de Janeiro, in Bogotá, in Caracas, and in Santiago de Chile as recently as 1959, all the time stating that the Republics of the two Americas were against intervention by the totalitarians of the right and the totalitarians of the left and should oppose it. Those who did not oppose Communist intervention in Hungary, Indochina, Greece, Tibet and so forth, by the Soviet Union and by Red China, now present themselves as the champions of nonintervention when there is Soviet and Chinese intervention in Cuba. Playing with words, with the sovereignty of the nations and with the freedom of peoples dominated by the Communists.

HERMINIO PORTELL-VILA,
Professor (in exile), University of Havana.

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

MONROE DOCTRINE VERSUS INTER-AMERICAN TREATIES

For the past few days I have been reading in your paper and in other papers a number of statements about the recent Cuban incident, the most recent one being the letter signed by Diego Aguila de Monteverde in the Star. Mr. Aguila de Monteverde talks about the Convention on Duties and Rights of the States (Non-Intervention Pact of Montevideo) as enjoining the United States from doing anything about the Communist regime of Fidel Castro in Cuba.

I am one of the several Latin American delegates who in 1933, in Montevideo, drafted the Non-Intervention Pact of Montevideo. I was one of the Cuban plenipotentiary delegates to the VII International Conference of American States; but what is happening in Cuba today, and it is a pity that Mr. Aguila de Monteverde and some other people cannot see it, is that the Non-Intervention Pact has been violated by the Communist International. We never wanted to put a stop to the military and diplomatic intervention of the United States in Latin America, as practiced up to 1933, to open the way for the intervention of the Soviet Union in Latin America, that we have today. The case of Cuba is quite clear. There we have the intervention of Red China, openly flouting the principle of nonintervention.

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Professor (in exile), University of Havana.

In the letter by Diego Aguila de Monteverde in the April 29 issue of the Star under the caption "Monroe Doctrine Versus Inter-American Treaties" are to be found quotations from the Treaty of Montevideo and from the Charter of the Organization of American States, signed in Bogotá on April 30, 1948.

The writer, in the closing paragraph, states that the treaties of Montevideo and Bogotá must be respected by the U.S. Government if this country is to remain the land to which the world can look as the supporter of such basic principles as self-determination, liberty and justice for all men and for all nations.

Conceding the points in the preceding paragraph, it would be fair to ask whether Diego Aguila de Monteverde has given sufficient thought to whether his statements might further weaken the stand that must be taken in order to maintain freedom in this country and in all other countries not yet gobbled up by the Communists.

There is one thing that we must keep in mind: The Roosevelt era differs vastly from the Eisenhower and Kennedy era as far as the concert of nations is concerned. We must also remember the dignity of any one of the nations, including the United States of America. There must be a limit to the vilifications of one Castro, who, incidentally, is no respecter of the Charter of the Organization of American States. Why is it that Monteverde failed to make due note of that part of article 13 of the Treaty of Bogotá which reads: "* * * respecting at the same time the principle of universal morality and of human rights." In this connection, let us ask what excuses we can find for Castro that would outweigh his betrayal of his own country, now, essentially, a Russian satellite and a danger to all inter-American states. In the same connection we must also ask whether the time has come to slap down the traitor and tyrant in question and ask for the unqualified support of all other Latin American States and of those within Cuba who claim the right to be free—all in the name of human and of national dignity. Let us not forget that in the last analysis the Communists are engaging us in an unprecedented war, a real and ugly all-out war.

OSCAR E. MOLLARI.

COORDINATION OF INTELLIGENCE ACTIVITIES

Mr. SMATHERS. Mr. President, one of the most serious challenges confronting our Nation involves the collection, evaluation, and utilization of information—more technically referred to as intelligence—concerning the Soviet Union and world communism.

It is very understandable why we hear of frequent schemes relative to the organization and direction of our intelligence activities. I believe that all Members of Congress who have devoted attention to this matter share a common desire to assure that our intelligence activities are as effective as it is practicable to make them. However, in our desire to achieve increased effectiveness we must move with due prudence in this very delicate and vital area of national security endeavors. We must not take a precipitous course which would jeopardize the good features of our intelligence organizations and procedures.

Because of the seriousness of this problem, and the recognized necessity for clear thinking in this matter, I invite attention to the principal article "Unification of Intelligence" appearing in the June 1961 issue of the VFW American Security Reporter. This publication, devoted to national security matters, is published monthly by the Veterans of Foreign Wars of the United States, under the supervision of the VFW commander in chief, Ted C. Connell, of Texas. This article by Brig. Gen. J. D. Hittle, U.S. Marine Corps, retired, director of national security and foreign affairs of the VFW, discusses the dangers of arbitrary overcontrol of intelligence activities which could result from the establishment of an intelligence "czar."

Not only is this article in the VFW American Security Reporter important to the overall problem of intelligence, but it is of particular interest, as General Hittle points out the relationship of intelligence matters to the increasing—and in some respects dubious—reliance being placed upon electronic computers in attempting to prophesy the course of future warfare.

I am deeply impressed by the reasoning in this article, which reflects an unusually clear understanding of the intelligence functions and their relationship to the ultimate formulation of our national strategic policies. This article is another example of how the Veterans of Foreign Wars, whose membership

consists entirely of oversea veterans, continues to make important contributions to our national security thinking and thus to our defense posture itself. The VFW American Security Reporter exerts an important and constructive influence on defense thinking. I hope that all Senators will read this highly important article, "The Unification of Intelligence," because it will, I believe, provide a much better understanding of the need for extremely careful consideration of any of the reported proposals to centralize further the control of intelligence activities.

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

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

THE UNIFICATION OF MILITARY INTELLIGENCE

(By Brig. Gen. J. D. Hittle, U.S. Marine Corps, retired, director, national security and foreign affairs, VFW)

According to persistent reports out of the Pentagon, the next major target for centralized control is military intelligence. If serious consideration actually is being given to setting up a "czar" over intelligence functions of the Army, Navy and Air Force, then there is genuine cause for concern.

There can be no question but what many financial and administrative aspects of defense are proper subjects for overall coordination and direction. Such has been demonstrated persuasively through the single manager system in overall Department of Defense supervision of procurement and distribution of common items. Also, centralized coordination of research and development is required to prevent unnecessary and wasteful types of duplication. Yet even in this field an arbitrary overall direction could lead to throttling original and bold thinking.

Centralized direction of military intelligence, however, must be approached with the greatest of caution. Such caution must be based upon an appreciation that the collection, evaluation and utilization of intelligence is not a precise science. Intelligence, relating to all aspects of actual or potential enemies, is probably the most abstract feature of the art of war. Such things as military morale, national determination, the mental power, the physical stamina, and the will of leadership are certainly not subject to precise calculation.

Also, it must be realized that intelligence functions of the Army, Navy and Air Force are highly specialized and involve complicated procedures within the services themselves at the present time. Whatever kind of overall intelligence "czar" may be contemplated, it is inconceivable that the specialized intelligence functions of the Army, Navy and Air Force could be merged into one sprawling system under a new authority. The service intelligence functions must of necessity be continued regardless of what labels are applied to the organization. If they are bundled up into one big ball, confusion in the intelligence field will be unavoidable. Confusion in intelligence activities inevitably leads to mistakes that snowball into disasters.

Yet, in approaching any proposal for unification of intelligence functions there is one fundamental fact that should be kept in mind: the intelligence process in the defense establishment is today certainly far from being a willy-nilly, freewheeling operation as might be inferred from those who are pushing for an even tighter type of control. The intelligence organization within each military service involves a carefully established organization based upon highly specialized experience. The joint staff under the Joint Chiefs of Staff includes a highly organized J–2 (intelligence) directorate. Above the defense level the blending of military and other intelligence is effected through the National Intelligence Board which produces the overall national intelligence estimates for the National Security Council and, of course, the President.

Of all the various types of military endeavors intelligence lends itself least readily to the neat package approach. If our national strategy is to be sound, it must be thoroughly objective. Objectivity depends in large measure upon intelligence as to the actual or potential enemy. The history of warfare demonstrates repeatedly and conclusively that there is no quicker way to have a military disaster than to lose objectivity in war planning. The loss of objectivity invariably results from wishful thinking in the intelligence process. Consequently, if there is any place for arbitrary direction as to what is to be searched for, what is to be done with such information, and what that information means, it is not in the intelligence field.

Any person who possessed power to direct all military intelligence would have the power to shape the nature of the intelligence that would be produced. By so shaping the nature of the intelligence produced, that individual would be, in turn, actually shaping the nature of our national strategy. There would be no guarantee that the enemy would be so cooperative as to make his war plans conform to our preshaped conclusions.

Total objectivity in the intelligence field is even more important today in view of the increasing use being made of electronic computers in war planning. As smart as a computer may be, it is still dependent in reaching its conclusions upon what is "cranked" into it in the way of initial data. Thus, what comes out of the electronic brain depends upon what goes into it. A "czar" who decided what intelligence goes into the computer could pretty well determine in advance what kind of decisions would come out of it. This, of course, underlines the pitfalls of lack of objectivity in the overcentralized control of intelligence; and it also points up the dangers inherent in overdependence upon electronics rather than human brains.

This is not to say that technological devices should not be used. But it does mean that, when the fate of the Nation and our civilization are at stake, wisdom, insight, and the rare attributes of inspired leadership will be found in the human brain and never in manmade electrical circuits.

If there is any place in the governmental process where a "clash of opinion" is appropriate in presentation of information to the responsible officials, it is in the matter of intelligence. Only those responsible for the decision and its results should have the power to judge major intelligence matters. By the same token such judgment must not be undermined by a subordinate having the authority to shape through administrative control the nature of intelligence that reaches his superiors.

The proper place for such clash of opinion to occur and for the judgments to be made is in the Joint Chiefs of Staff, the National Security Council, and the White House.

As a postscript, it seems appropriate to observe that we are indeed, through increasing reliance on electronic computers in attempting to predict the course of warfare, approaching a questionable situation. It has long been axiomatic in the field of military history that one of the most difficult tasks is trying to ascertain for sure what actually happened in war. Are we, in fact, unwittingly seeking escape from crucial decisions by delegating that responsibility to electronic computers; and are we thus trying to write history in advance? Are we succumbing to the same frailties as those ancients who before the battle consulted the oracles who were the then acknowledged experts in reading the future in tea leaves? If so, we have permitted electronics to bypass intellect and carry us full cycle into man's past, and man's mistakes.

DANGER OF TRAGIC CUBAN SITUATION BECOMING PERMANENT

Mr. SMATHERS. Mr. President, a new danger faces America today—as if we did not have enough already.

The tragic Cuban situation is in danger of becoming permanent if Fidel Castro is permitted to carry out his new troika formula. Castro hopes to solidify his Red dictatorship through a three-step program.

First, he seeks postponement of any hemispheric action against his regime at this time, to be followed by, second, toleration of his Communist rule, both by the nations of the Western Hemisphere and the whole world. Third, finally, he hopes to gain acceptance of his dictatorship in fact, if not in law.

The grave danger to this hemisphere if Castro continues in power has been pointed out in an important article written by Harold Milks, the Associated Press correspondent in Havana for the past 2 years, until he was forced to flee Cuba. Milks, who has been covering Communist trouble spots in the world for 15 years, said in this article:

> Based on a knowledge of communism and its tactics learned firsthand in China, in the Soviet Union, and in Cuba, and in conversations with diplomats and competent observers in all these areas, I predict that communism will have a hold on much, if not all, of Latin America in 3 years, if the Castro regime remains in power in Cuba.

This is a sobering conclusion, but one which I believe is shockingly close to the truth.

I ask unanimous consent that Mr. Milks' article, as published in the Miami Herald of June 18, 1961, be printed in the RECORD.

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

HOW RUSSIA, CHINA ARE USING CUBA TO SUBVERT LATIN AMERICA

(By Harold K. Milks)

Communist China and the Red regime of Fidel Castro stemmed from a common front—agrarian reform—but the guiding hand behind both was that of the Kremlin.

Today Nikita Khrushchev and the Peiping Chinese are racing to see which can exploit Cuba fastest as a means of penetration to the rest of Latin America.

During the past 15 years of reporting news events abroad I have watched communism spread over once-free China, studied its rapid development in the Soviet Union, and witnessed its relentless envelopment of tiny Cuba.

The reaction to these developments and to their apparently placid acceptance by some Western peoples and governments, at times including our own, has been terrifying to one who knows what communism is.

There are profound similarities in the Chinese Communist revolution mounted from the cave-studded hills of remote Yenan after World War II and in the bearded Castro's adroit twist of a once popular demo-

cratic revolt against Cuban ex-Dictator Fulgencio Batista into a Russian and Red Chinese-guided regime.

These similarities represent to me further proof that both were shaped by the Kremlin in line with boasts I have heard Nikita Khrushchev make that the Soviet Union will some day bury the West.

When I first reached China in 1946 to report Gen. George Marshall's ill-fated peace mission, Communist leaders there had dropped their guise of agrarian reformers. They had emerged as full fledged, Moscow-directed and trained Communists as devoted to making their vast country Red as Khrushchev is to making ours a completely Communist world.

When I left Havana last month after 2 years of watching the Castro revolution swing steadily into the Communist camp, leaving many of his own lieutenants dead, in prison, or in exile, 6 million Cubans were trapped in a Communist military dictatorship as vicious and as cruel as any in the postwar years of Eastern Europe.

So, in the brief span of 15 years, world communism had routed the United States and its interests from a great area of the Pacific on the one hand and on the other given the Kremlin and its associates their own strategically placed "offshore" island only 90 miles from the American frontier.

LATINS TO FALL IN 3 YEARS

Based on a knowledge of communism and its tactics learned firsthand in China, in the Soviet Union, and in Cuba, and in conversations with diplomats and competent observers in all these areas, I predict that communism will have a hold on much, if not all, of Latin America in 3 years, if the Castro regime remains in power in Cuba.

The Castro philosophy and the Communist philosophy alike demand expansion. It is no secret today that Cuba and its 2-year-old revolutionary regime has been picked as the spearhead of Red penetration into other Latin American areas.

Castro himself announced publicly that he expected to see the Andes Mountains become the Sierra Maestra, or birthplace, of new Castro-type revolutions in South America.

The big support Russia and Red China are giving Castro today, especially in armaments, are far greater than he requires in Cuba alone. The natural inference is that Cuba is simply a staging area for an advance into Latin America.

BEGAN IN SAME MANNER

A study of revolutionary movements at firsthand in remote China and in neighboring Cuba produces some startling similarities.

Communist leaders in both nations—and Fidel Castro must now be included among them—began their campaigns with the promise of sweeping agrarian reforms aimed at helping the landless and the little people of the two nations.

Both battled admittedly corrupt regimes to achieve national power. In China the rule of Generalissimo Chiang Kai-shek and in Cuba that of Batista degenerated into a succession of terroristic activities—now replaced by new tyrannies. In both nations the United States became the favorite whipping boy, and "Hate America" became the theme song of Communists and their associates.

Perhaps as a natural result of these similarities in origin, Red China is competing with the Kremlin today for the right to guide Cuban policies and the overall program of Communist penetration into the rest of Latin America.

Cuban Communist leaders, who boasted in the past that they control Fidel Castro's mind, and so can afford to permit him to continue as head of the revolutionary government, give strong lipservice to both the Moscow and the Peiping regimes.

LATIN AMERICA FERTILE

During 3 years in China I talked with Mao Tze-tung and more frequently with Premier Chou En-lai and his top lieutenant, Wang Ping-nan, now Peiping's Ambassador in Poland.

All three spoke with interest about Latin America and all three even at that time regarded it as a fertile ground for Communist expansion once their war wth stubborn, faltering Chiang Kai-shek was won. It took more than a dozen years and Castro's victory over Batista to open the way into Latin America for them.

There was no less interest about Latin America evidenced in Moscow where from 1956 through 1959 I watched Premier Khrushchev whip his followers into a race to outproduce and outperform the United States in every part of the world.

There I watched in 1959 as Cuban Communists fresh from the Castro victory described to an international meeting the prominent place Communists played in Castro's successful revolution.

Later in Havana these same leaders denied their own statements, claiming they were misquoted in Moscow. At that time Cuban communism was not yet ready to emerge as the real power behind bearded Fidel and his "humanist" revolution.

PROGRESS TO TERROR

Similarities of origin and hate of the United States were not the only parallels I found in the Chinese and Cuban revolutions. The pattern of development from a relatively democratic rule into a regime of armed terror was the same in each country.

Round-faced Mao used to tell visitors to his old Communist capital of Yenan how the overthrow of Chiang Kai-shek would liberate all Chinese from political and economic slavery.

"Each man will be his own master," he promised. "And every man who wants it, will own his own land."

His promised liberty for the Chinese millions was brief. Almost before they knew what was happening, the Chinese people were herded into communes and their land expropriated for collective or State-operated farms.

Personal liberty became as remote under communism in China as economic freedom. My own Chinese assistant was tried by a people's court in Nanking and executed by a pistol shot in the head, presumably because he had been a long associate and good friend of Americans. Thousands more suffered a like fate.

SAME PATTERN IN CUBA

Exactly the same pattern prevailed a decade later in Castro's Cuba.

Two years ago last May, Fidel Castro led his entire cabinet—including a minister of agriculture he executed recently for counterrevolutionary activities—into the Sierra Maestra mountains to enact a stringent agrarian reform law. It promised land for the landless and reasonable reimbursement for those whose land was seized.

Today both promises have long since been forgotten.

Except for a few thousand showcase examples in which peasants were given plots of land as their own, Cuba's great agricultural holdings have passed into the hands of the state, controlled and operated by Castro's powerful Institute of Agrarian Reform.

Most of the land has been lumped into a variety of cooperatives or collective farms. As in Russia, the former peasants now work for the state instead of landlords, and frequently for far less income.

For a few months after the Institute of Agrarian Reform started, Castro and his lieutenants spoke loudly of government bonds to be issued as a reimbursement for seized property.

Then all mention of reimbursement—and bonds—was dropped. Even the pretense of repayment disappeared when President Eisenhower cut off Cuban sugar sales to the United States. Castro announced coldly that American holdings in Cuba had been confiscated.

PROMISES FORGOTTEN

Castro's promises of personal liberty, of freedom from army and police excesses he had condemned during the Batista regime, were forgotten as quickly as his pledges to pay for land.

For many months all Cubans—and some foreigners—not actively identified with his revolutionary program faced danger of arrest, a quick military trial, and imprisonment or execution against a brick wall.

Lawyers who defended victims of arrest and military trial said the hearings were farces, that frequently verdicts, even death penalties, were decided before the hearings began.

MILITARY POWER GROWING

Castro's growing military power in Cuba has kept almost exact pace with the emergence of communism as the dominant factor there. When his Communist trained militiamen beat back the invasion in April they did it largely with Communist weapons, and observers reported Russian, Chinese, and Czech military instructors played a big part in the fighting.

Russian, Czech, and Chinese advisers were not only on the Cuban battlefront but are in every activity of the Castro regime.

Thrice-weekly KLM planes bring them by the dozens from Europe by way of Curacao to avoid the United States. Every incoming cargo, oil, and sugar boat from the Iron Curtain has its quota of unannounced passengers.

As the last American correspondents left Cuba, diplomats were talking of the expected arrival of four Russian destroyers, gifts to the Castro regime. These sources claimed at least two were already on the way, flying Cuban flags but manned by Russian sailors in the absence of qualified and trained Cuban officers and men.

Today Castro has the strongest fighting force in Cuban history, if not in all Latin America, aside from a weak air force and a small navy. He has placed more than 400,000 men and women under arms.

IS THERE A SOLUTION?

Is there a possible solution to the Cuban "problem"?

Foreign diplomats and other observers with whom I talked before leaving Havana recommended various measures ranging from outright and immediate military intervention by the United States to a firm and complete embargo on all trade with Cuba.

Cubans were sharply and at times hysterically critical of the U.S. Government for announcing an embargo, then continuing to sell foodstuffs and medicines to Cuba and buying tobacco and fruits from the Communist government.

Less vitriolic but no less intense was a Cuban businessman who reminded me of Castro's steady military buildup.

"Castro had no Mig fighters during the April invasion," the businessman said. "But don't forget the next time he may have.

"Every day he remains in power makes it that much harder to dig him out."

PROPOSAL TO LIMIT EXPENSE ACCOUNTS TO $30 A DAY

Mr. SMATHERS. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an interesting article entitled "If Adlai Had Only $30 a Day, He'd Flop Big," written by George Sokolsky and published in the Miami Herald of July 5, 1961.

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

IF ADLAI HAD ONLY $30 A DAY, HE'D FLOP BIG

(By George E. Sokolsky)

It would not be absurd for one who was accustomed to live in a log cabin to find a $30 a day expense account not only sufficient but with ample to spare. He might live on hamburgers and hot dogs, sleep wherever he could, sponge on his acquaintances, use kerosene instead of gasoline for his car, wear a beatnik costume and shave on Christmas and Easter only.

For the businessman, particularly salesmen, $30 a day is almost too little to bother about, particularly if it is necessary to keep books too. And that is the worst thing about all these tax matters—the keeping of books. Let the boss get indigestion. Let the Japanese or West Germans sell the goods.

United States pays $30,000 a year for Ambassador Adlai Stevenson's apartment at the Waldorf-Astoria. It is not too much. Such an Ambassador has to entertain constantly and he must have a suitable place for that purpose. We want votes in the United Nations and we need to do what is necessary and usual to get them.

What would happen to Adlai Stevenson's representation at the United Nations if he were permitted to spend only $30 a day? Offhand I would say that he would meet with complete failure. Many of the delegates would be insulted because they were not invited to dinner according to protocol. This is the way of the world. For $30 a day Stevenson could not do much entertaining at the Waldorf or any other hotel or restaurant in New York.

Of course, some businessmen have abused the expense accounts, for which there can be no justification. They charge everything that other men normally pay for themselves out of earnings to their business expense account. But the fact that some men are dishonest does not justify hog-tying American business so that it cannot do its work adequately. That is the fallacy of generalizing from the particular.

One of the most important phases of American business activity is the convention. There men meet those who are in the same line or who have similar or associated interests. There they listen to speeches on important subjects, often by representatives of Government. There new ideas are widely circulated and new products are exhibited. The convention is essential to the conduct of modern business because men live so far apart.

Such conventions are usually held in large cities where there are suitable convention halls or in such special places as Hot Springs where the hotels are adjusted for the purposes. New York City has recently built the Coliseum for convention purposes at great expense. Many large cities maintain convention bureaus to get the conventions to come to their cities. As regards political conventions cities are known to make a heavy contribution to the convention fund. The idea is that the shops, theaters, restaurants, and hotels benefit from conventions which bring considerable money into the town and they are worthwhile.

No one could attend a convention today on a top limit of $30 a day. It would hardly pay for food, drinks, and cigars. If it were one of those affairs to which the wife was brought to prove that the male animal really was a very busy man, doing honest and useful work, $30 a day would barely pay for the extra clothes mamma had to buy so that she might look as presentable as the rest of the folks. No man wants to hear:

"Business must be bad for Jack. Look at his wife. She wears clothes that a steno would not be seen in."

That can start sensitive business rumors that could do considerable damage. Business has many facets, not the least of which is establishing sound credit not only in the sence of current balance but confidence in the future. In this respect an expense account becomes as important as advertising or public relations.

When an expense account is used as untaxed salary, the twister should be punished for fraud. But when the expense account is used to stimulate business, to improve a product, to exchange ideas, to bring in customers, to be productive in the national welfare, then it is more than justified by the results it attains.

Certainly $30 a day, at present prices, is not enough for anything.

DEATH OF FORMER REPRESENTATIVE PAUL C. CUNNINGHAM, OF IOWA

Mr. HICKENLOOPER. Mr. President, it is with much personal sadness that I announce the death yesterday of former Representative Paul C. Cunningham, of Iowa. He died at his summer home near Nisswa, Minn.

Paul Cunningham was a longtime close personal friend of mine. We began our first public service together in the Iowa Legislature many years ago. Our friendship and association continued during that period of time.

I shall have more to say about former Representative Cunningham at some time in the near future. Meanwhile, I express my sincere sympathy to his wife, Gail, and to his children, who survive him.

I feel a deep sense of personal loss in the passing of a longtime, valued friend.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an article relating to the death of former Representative Cunningham, which was published in the Washington Post of today, July 17, 1961.

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

REPRESENTATIVE CUNNINGHAM, IOWA, SERVED FROM 1940 TO 1958

Former Representative Paul C. Cunningham, Republican, of Iowa, died yesterday at his summer home near Nisswa, Minn., after suffering an apparent heart attack. He was 71.

According to his wife, Mr. Cunningham was stricken in the morning while they were preparing to go to church.

He served in Congress 18 years from Iowa's Fifth District, the area in and around Des Moines, from his first election in 1940 until his defeat by the present incumbent, Democrat Neal Smith, in 1958.

During his terms in the House he served successively on the Public Works, Veterans' Affairs, and Armed Services Committees.

Military and veterans' matters were his particular interest, stemming from his own service in the infantry in World War I and his two sons' service in World War II. One son, Edward, was killed on Saipan.

Mr. Cunningham was particularly proud of his part in helping to draft and enact the GI bill of rights.

He favored foreign aid and also backed the Benson farm program longer than most of his midwestern colleagues.

After his defeat, Mr. Cunningham returned to his law practice in Des Moines.

Mr. Cunningham was born in Indiana County, Pa., and was graduated from State Teachers College there in 1914. He received a law degree from the University of Michigan in 1915.

He served as a captain in the Iowa National Guard and in the State house of representatives before entering Congress.

He was a member of the American Legion and the Westminster Presbyterian Church in Des Moines.

Surviving are his wife, Gail, a son, Paul, and a daughter, Harriet, all of Des Moines.

Mr. KEATING. Mr. President, will the distinguished Senator from Iowa yield?

Mr. HICKENLOOPER. I yield.

Mr. KEATING. I wish to join with the distinguished Senator from Iowa in expressing sympathy to the family of Paul Cunningham, with whom I served for a number of years in the House of Representatives. We were close personal friends. We discussed many issues frankly and openly. Paul Cunningham was a man of conviction, a man who served his district, his State, and the Nation extremely well. He was a hard-working, intelligent sincere man. I deeply regret his passing.

CONGESTED CALENDAR OF COLORADO SUPREME COURT—ARTICLE BY ASSOCIATE JUSTICE WILLIAM E. DOYLE OF COLORADO SUPREME COURT

Mr. MOSS. Mr. President, one of my former classmates at the George Washington University Law School is William E. Doyle, who is now an associate justice of the Colorado Supreme Court. Bill Doyle has rendered outstanding service to Colorado and to the judicial system of this country by his substantive analysis and efforts in interpreting the law of the great State of Colorado.

But Bill Doyle has done more than this, in his efforts to regularize and systematize the disposition of cases in the court, that have built up into a great backlog. This is a common problem in our State courts of appeals, as well as in the Federal judiciary. The outstanding job he has done is certainly worthy of note.

He has written an article entitled "Battle of the Backlog," which was published in the Journal of the American Judicature Society for June 1961. I am very proud of the work of Judge Doyle, and I ask unanimous consent that the article be printed at this point in the RECORD.

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

BATTLE OF THE BACKLOG IN THE COLORADO SUPREME COURT

(By William E. Doyle)

The judicial machine, like any other, comes in need of repairs and sometimes replacement of worn or obsolete parts. Much effort has gone into both aspects in Colorado during the past 5 years. The instant discussion will deal with a limited part of the repair effort—that which has sought to get out from under the worrisome and frustrating docket congestion condition. It includes some analysis of the factors which have been responsible for the condition, and consideration of the administrative changes which have been employed to cope with it,

an evaluation of the permanent adequacy of these means and predictions as to the demands of the future. Needless to say these are one man's observations and do not purport to reflect the attitude of the court or any judge other than the author.

As of October 1959, which is the date when the backlog reached its peak, there were more than 330 cases at issue and ready for disposition. At that time there was a total of 538 pending cases. The waiting period from the date that the case came to issue until the date of decision was in excess of 2 years.[1] When the time required for perfecting of the review, including the obtaining of the record on error and the preparation of briefs, was added it meant that an appeal was consuming in excess of 2½ years. This must also be considered in the light of the fact that a period approaching or exceeding 2 years had been required to try and obtain the judgment which was to be reviewed. The net result was that the litigant often lost interest in his cause by the time of decision. He might even die or his lawyer would pass to his reward or the issues would become moot.

What forces were responsible for the development of this condition?

First, although somewhat axiomatic, the fact that court reform is difficult to achieve is one factor in the accumulation of undecided cases. The courts themselves are so absorbed in daily demands that they find themselves unable to find time for administrative planning and streamlining. They need staff assistance to help formulate and implement a program. The public does not become concerned until the condition reaches a notoriously high level and this also slows efforts to achieve improvements.

Second, Colorado experienced an unparalleled population increase during the 1950–60 decade. We grew from 1,325,089 to 1,735,315—an increase of more than 400,000. There was an accompanying financial expansion which necessarily increased litigation tremendously. The number of filings increased sharply, from less than 200 docketed in 1952 to over 400 in 1959. Using machinery, personnel, and methods geared to prewar conditions, the court was not prepared to cope with the surge.

DELAY BEGETS DELAY

Third, although there are no figures to prove it, delay appears to beget more delay. Once a long period of waiting becomes an established fact the filing rate seem to increase and there is reason to suppose that many reviews are filed for strategic purposes. This delay can serve to improve the bargaining position of the party appealing. Thus, the battle of the backlog becomes even more a losing fight by reason of the existence of a bulk of undecided cases.[2]

Other explanations could be cited, none of which involve any lack of substantive effort on the part of the judges. For example, protracted illness of one or more judges greatly contributed to the condition during the early 1950's.

A practice grew up prior to 1956 of affirming cases without written opinion. No doubt this expedient permitted the court to curtail somewhat the disparity between filings and dispositions, but it was abandoned in 1957 and thereafter the backlog increased sharply. This is not offered as a criticism of the action taken in 1957. The no-opinion decision is generally conceded to be undesirable. An opinion, even though it be limited memorandum, furnishes an important safeguard against inefficient review.

The explanations offered above are based somewhat on speculation but are considered to be worth mentioning with an effective program of planning looking to prevention.

Discussion of the steps taken to increase case dispositions requires a brief prefactory consideration of the significant background work which involved surveying of the entire judicial system and recommending improvements or reforms.

The logical forerunner of the judicial department and the methods now being employed was the creation of the judicial council. Soon after assuming office as chief justice, Judge O. Otto Moore requested the Governor to appoint a committee of lawyers, judges, representatives of the law schools, and members of the assembly. In November 1957, a council composed of three representatives was appointed by Governor McNichols and it immediately commenced its deliberations. The 41st general assembly passed house bill No. 14 which gave legislative approval to the judicial council. Chief Justice Moore was then appointed chairman. Committees were appointed and investigations went forward. The council completed its work and was succeeded by the committee on the administration of justice of the legislative council. The general assembly thereafter passed Joint Resolution No. 16.[3] This created a study group composed of 12 members of the assembly to be aided by an advisory committee consisting of members of the bar, judges, and faculty members of the law schools. An appropriation was made for a professional staff and to defray necessary expenses. This appears to be a relatively permanent committee with a broad mission which includes investigation of congestion in the courts and the recommendation of measures to alleviate this congestion. A new judicial article to replace the present 1876 one is in contemplation.

The 41st general assembly also passed legislation creating the judicial department.[4] This administrative arm of the supreme court has had a direct and significant hand in solving the court's docket problem. Its activities are not, of course, limited to the supreme court's problems, but its work in improving the administration of justice in all of the courts is beyond the scope of the present discussion.

The appellate committee of the judicial council attacked directly the problem of the sharply increased caseload. It considered the feasibility of substituting a discretionary method for the present writ of error. This proposal contemplated a summary review and disposition of the less significant cases. A companion recommendation called for an intermediate appellate court to work in conjunction with this restriction of supreme court review.

JUDICIAL COUNCIL AND ASSEMBLY EFFORTS

The efforts of the study committees of both the judicial council and of the assembly have focused attention on the docket problem in our court, as well as the trial court, and the urgent need for action, and in this way have accelerated the program. The recommendation of the judicial council that an intermediate appellate court be created offers a long term, but presently impractical, solution of the docket problem. This plan may be adopted at some future time, but in the meantime short-term solutions have had to be employed and the purpose of the present discussion is to describe and evaluate the steps which have been taken.

The primary objective of the judicial department pertains to "* * * the supervision of all courts of record in the State of Colorado." Accordingly, most of its efforts are directed to aiding the justices in department supervision of trial courts, the conducting of meetings for judges and clerks, and the promulgation of court rules and manuals. In addition, this department has been of great value to the court in developing its own program for clearing the docket. Some of the areas in which it has demonstrated its competency include:

1. By performing administrative detail in connection with supervision of the courts which the court itself would otherwise be required to perform, it has relieved the individual justices of much time-consuming effort.

2. By doing research and submitting draft rules, it has relieved the justices in this area of legislative duties.

3. It has aided in the formulation of internal policies and procedures looking to more effective disposition of cases.

4. By preparing reports and charts, it has helped the court to maintain a continuing audit or self-survey so that it can be aware of the extent of progress, if any, in its case disposition.

Apart from the items listed, the department has intangible and immeasureable value. Its mere presence reminds the court that it must be active in its effort to bring the docket under control and to adopt effective preventive methods looking to avoidance of the future congestion.

RECENT INCREASE IN CASE DISPOSITIONS

In 1960, cases disposed of with full opinions reached a total of 369 in contrast to only 250 in 1959, and a mere 159 in 1958.

The previous 16 years show an annual average of approximately 170 dispositions with full opinions with a low of 136 in 1951. Thus, the 1960 disposition rate was more than 2½ times the average. A survey of all the highest State appellate courts revealed that no other court had disposed of as many cases with full opinions in 1959.

The report of the judicial administrator, published in September 1960, attributes this increase to "* * * present procedures, imaginative work, and tireless effort." It further declares that these factors have "* * * pointed the way to reduction and ultimate elimination of the critical backlog of 331 cases at issue that confronted the court a year ago." The report predicts that "* * * continuation of the present procedures should reduce delay to 13 months from issue to decision by 1960 and will have the court substantially current by the end of 1961." This report also acknowledges the employment of district and county judges in the backlog reduction program to be a significant influence in the results achieved.

THE PRESENT PROCEDURES

It seems worthwhile to recapitulate the present procedures and at the same time to evaluate them as permanent or temporary aids.

1. Employment of law clerks for research assignments: The general assembly authorized the employment of clerks in 1904 (see C.R.S. '53, 37–2–11). However, during the ensuing years no appropriations were forthcoming and clerks were never employed. In fact, it is questionable whether they were ever requested. In any event, a measure was passed in 1959 which not only authorized the clerks but also appropriated money to pay the salaries of $5,000 per year. Most of the members of the court agree that the addition of law clerks to the court's staff has been highly successful. The extent of their effective use will vary in individual

[1] Report of Judicial Administrator, 1959, p. 11.

[2] See Report of Judicial Administrator, p. 13, as follows:

"The high appeal rate may grow out of delays in the court that permit appealing parties to stall, uncertainties in the law that are generated by doctrinal changes or speculation that stems from presence of a substantial reverse rate. The effects of these factors, however, is not demonstrable from statistical data now available."

[3] Colorado Sessions Laws 1959, p. 924.

[4] Colorado Sessions Laws 1959, ch. 93, sec. 1–2.

instances; however, experience has shown that they are capable of performing a wide variety of tasks. For example, they have proven highly useful in preparing memorandums for the use of judges in connection with oral arguments. They can be used to research and pinpoint legal questions which arise in the mind of the judge as opinions are being written. They can be assigned the tasks of discovering the essential facts lurking inside a record, or they can be assigned the job of preparing a memorandum opinion to the dictates of the justice. This writer considers the law clerks a highly important adjunct and personally hopes that they continue on a permanent basis.

2. The hearing of cases in departments: The constitution, article VI, section 5, has authorized for some time the department system for disposition of most cases, the exceptions being constitutional law issues and cases which have a high degree of public importance. The number of cases which can be ready for disposition is doubled by the use of the department method. It also has the advantage of less formality and less deliberation with respect to minor features in the opinion. As a consequence there can be many more case dispositions by proceeding in this manner and experience has now established this fact.

3. The use of oral arguments in all cases: This is somewhat time consuming and probably does not of itself increase the disposition rate, but it serves to improve the quality of the opinions by bringing into focus the issues of the cases and the important factual material which counsel considers a significant part of the case. By obtaining the aid of attorneys in the process of getting a case to decision, it is less likely that the case will be decided on some foreign basis, which is always a risk in cases submitted without oral argument. And so, it is believed that the oral argument's contribution is in the area of improvement in rendering decisions rather than in the area of increasing the number of them.

4. The use of district, county, and retired supreme court judges to assist in opinion writing: This program was started in 1960 as a result of a measure sponsored by the assembly committee. It authorized the payment of an honorarium to the judges. They hear oral arguments, attend the conferences of the court without voice or vote, and write opinions which reflect the court's decision. These opinions are modified and are finally approved or reassigned. Formerly, these were published as per curiam decisions of the court. Now, however, they are assigned to individual members of the court who are responsible for their form and content.

5. Docket planning: The chief justice, working with the clerk of the court and sometimes the judicial administrator, sets up the docket several weeks in advance. This assures the continuing flow of cases to the members of the court, the maximum effective use of the district and county court judges, and the scheduling of logical alinements of cases.

6. Analysis of pending cases: The staff of the judicial department make some study of pending cases with a view to logical groupings for oral arguments regardless of the position of the case on the docket. Oftentimes this permits numerous sovereign immunity or guest statute cases to be set for argument on a single day. This method prevents repetitious argument and serves also to bring maximum information on similar legal issues to the attention of the court.

7. Publication of assigned cases: The regular circulation among the justices of the list of cases assigned to individuals, together with the date of the assignment, serves as an effective, even though subtle, persuasion technique. This brings to life the old cases and also serves to remind the judge who is not current of this fact. If this subtle reminder proves insufficient, the chief justice can take more drastic steps such as the reassignment of the case.

By the use of the methods listed, together with the tireless effort mentioned in the report of the judicial administrator, considerable progress in the reduction of the backlog has been made. The question might well be asked how there can be progress, even when the disposition by written opinions reaches a high of 370, in view of the fact that the number of filings continues to be high. As of 1959, the filings exceeded 400; however, the number of cases filed in 1960 declined to 364. In addition, a substantial number of writs are disposed of on motions. Thus, if the filings stabilize at 350 and the court's opinions are maintained at a level in excess of 250, we can with other dispositions stay ahead of the intake without help from district and county judges.

SITUATION SHOULD BE REEVALUATED CONTINUOUSLY

The foregoing is perforce a very brief discourse of the battle of the backlog in the supreme court, emphasizing the necessity for a continuously aggressive attitude on this subject so as to conquer the present congestion and avoid a future backlog beyond reasonable limits. This can be achieved through a program of continuous comparison of population increase, case filings and case dispositions. It will not cease to be a battle at any time however. Even when the waiting period is no more than 6 months, the fight to maintain it in that condition will have to be continued. One ray of hope can be offered. The court has definitely demonstrated its ability to handle the caseload without the aid of outside judges. Therefore, if it achieves a victory over the present congestion, there is every assurance that it is capable of waging the continuing battle to avoid future backlogs.

All the emphasis given to the mechanics of defeating the backlog and maintaining docket controls must not be interpreted to mean that quality of the decision or opinion should be sacrificed in any respect. It is submitted, however, that the objective of staying on a current basis and at the same time upholding the quality of the decision are not at odds. In fact, there is no validity whatever to the suggestion that the adoption of sound principles of judicial administration result in mechanizing the judicial process. Actually, the contrary is true. If the judge is relieved of administrative demands he can devote himself to the really important task of deciding cases and the writing of knowledgeable opinions.

THE CALENDAR

The PRESIDING OFFICER. In accordance with the order previously entered, the Clerk will proceed to state the items on the calendar, beginning with Order No. 458, H.R. 4539.

BILLS PASSED OVER

The bill (H.R. 4539) to amend section 723 of title 38, United States Code, to provide for immediate payment of dividends on insurance heretofore issued under section 621 of the National Service Life Insurance Act of 1940, was again announced as first in order.

Mr. MUSKIE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1690) to amend title VI of the Merchant Marine Act, 1936, as amended, in order to increase certain limitations in payments on account of operating-differential subsidy under such title, was announced as next in order.

Mr. MUSKIE. Over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H.R. 879) to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes, was announced as next in order.

Mr. MUSKIE. Over.

The PRESIDING OFFICER. The bill will be passed over.

AUTHORIZATION OF ANNUAL APPROPRIATIONS TO REIMBURSE COMMODITY CREDIT CORPORATION

The bill (S. 763) to authorize annual appropriations to reimburse Commodity Credit Corporation for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That sections 1 and 2 of the Act of March 8, 1938, as amended (15 U.S.C. 713a–1, 2), are hereby repealed.

SEC. 2. There is hereby authorized to be appropriated annually for each fiscal year, commencing with the fiscal year ending June 30, 1961, out of any money in the Treasury not otherwise appropriated, an amount sufficient to reimburse Commodity Credit Corporation for its net realized loss incurred during such fiscal year, as reflected in its accounts and shown in its report of its financial condition as of the close of such fiscal year. Reimbursement of net realized loss shall be with appropriated funds, as provided herein, rather than through the cancellation of notes.

SEC. 3. In the event the accounts of the Commodity Credit Corporation reflect a net realized gain for any such fiscal year, the amount of such net realized gain shall be deposited in the Treasury by the Commodity Credit Corporation and shall be credited to miscellaneous receipts.

BILL PASSED OVER

The bill (H.R. 258) to amend the District of Columbia Sales Tax Act to increase the rate of tax imposed on certain gross receipts, and for other purposes, was announced as next in order.

Mr. MUSKIE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

ACQUISITION OF LAND FOR ADDITION TO CUMBERLAND GAP NATIONAL HISTORICAL PARK

The bill (S. 1018) to authorize the Secretary of the Interior to acquire 9 acres of land for addition to Cumberland Gap National Historical Park, and for other purposes, was announced as next in order.

Mr. MUSKIE. Mr. President, I move that the Committee on Interior and Insular Affairs be discharged from the further consideration of House bill 5548, an identical bill.

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

Mr. MUSKIE. Mr. President, I move that the Senate proceed to the consideration of House bill 5548.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 5548) to authorize the Secretary of the Interior to acquire approximately 9 acres of land for addition to Cumberland Gap National Historical Park, and for other purposes.

The PRESIDING OFFICER. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1018 will be indefinitely postponed.

SELECTION OF SUPERINTENDENTS OF NATIONAL CEMETERIES

The bill (S. 1492) to amend the act of March 24, 1948, which establishes special requirements governing the selection of superintendents of national cemeteries was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1 of the Act of March 24, 1948 (ch. 143, 62 Stat. 84; 24 U.S.C. 275) is amended to read as follows: "Superintendents of national cemeteries shall be selected from among meritorious and trust worthy persons who served in the Armed Forces of the United States, and who either were retired for physical disability, or were discharged or released therefrom under honorable conditions and are entitled to receive compensation for disability under the laws administered by the Veterans' Administration."

ACQUISITION OF CERTAIN LAND FOR THE RICHMOND NATIONAL BATTLEFIELD PARK

The bill (S. 1775) to authorize the Secretary of the Interior to expend appropriated funds to acquire approximately 12 acres of land for the Richmond National Battlefield Park, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in order to further the purposes of the Act of March 2, 1936, chapter 113 (49 Stat. 1155; 16 US.C. 423j–423l), providing for the establishment of the Richmond National Battlefield Park in the State of Virginia, the Secretary of the Interior is hereby authorized to acquire, with funds which may be appropriated therefor, approximately twelve acres of land, or interests in land, which qualify for designation as a part of the park under the provisions of said Act of 1936.

SEC. 2. The Richmond National Battlefield Park is hereby redesignated the Richmond National Battlefield which shall be administered, protected, and developed by the Secretary of the Interior in accordance with the provisions of the Act of August 25, 1916, chapter 408 (39 Stat. 535; 16 U.S.C. 1–4), as amended and supplemented.

RELATIVE TO CERTAIN ALIENS

The concurrent resolution (S. Con. Res. 31) relating to certain aliens was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation pursuant to the provisions of section 244(a)(5) of the Immigration and Nationality Act (66 Stat. 214; 8 U.S.C. 1254(c)):

A–2151799, Arcobasso, Joseph,
A–5649963, Echevarria, Juan Domingo,
A–2079893, Kopi, George,
A–2753728, Lopez-Aldama, Marcelino,
A–4866820, Wong, Yuen Bo,
A–1956110, Ramirez-Cordova, Pedro,
A–11598412, Foon, Moy Wah,
A–4108177, Lial, Anastasio Leon,
A–4162490, Hlistowski, John,
A–4010788, Sisto, Anthony Vito,
A–5616068, Bruno, Vito,
A–9096677, Bustamante, Jose,
A–4864576, Nemeth, Paul,
A–4579619, Stewart, James,
A–2539330, Mikkelsen, Hans Christian Gunnar,
A–1893042, Steingesser, Benjamin,
A–5275541, Hedge, Alick Smith,
A–8957696, Salas-Araiza, Felipe,
A–10381924, Filippazzo, Salvatore,
A–11589558, Cantor, Louis,
A–4603964, LeNigris, Joseph,
A–1163875, Hay, Toy Wing,
A–4445005, Malicourtis, Vrasidas,
A–4310666, Mata-Molina, Socorro,
A–3699153, Miller, Jacob,
A–1969762, Sciacca, Antoniette,
A–11890548, Thing, Moy Nom,
A–5542123, Pagani, Aldo,
A–4028658, Newton, Harold,
A–3112318, Houy, Yee,
A–8196763, Parisi, Gioacchino.

SEC. 2. That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than six months:

A–10265245, Chan, Wan,
A–9167100, Chung, Young,
A–7463525, Katz, Manfred,
A–9777398, Key, Mok,
A–1990570, Kuo, Irene Hsing-Nee,
A–10401833, Wing, Chu,
A–9528675, Wong, Chan,
A–7651542, Yu, Bei Wun Tun,
A–9653774, Lin, Toh Jung,
A–6587841, Chung, Yin Own,
A–5966273, Loy, Jow,
A–6703136, Lydakis, George John,
A–6703135, Lydakis, Penelope George,
A–10258021, Shek, Tsang,
A–9678206, Nam, Chi,
A–6794998, Namkung, Helen Mineko,
A–9632204, Pavesic, Stojan,
A–9526171, Sam, Mak,
A–9752413, Kiviranta, Eino Aulis,
A–6943747, Partheniades, Nicholas.

KAZUO ITO AND SATOMI ITO

The bill (S. 1305) for the relief of Kazuo Ito and Satomi Ito was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Kazuo Ito and Satomi Ito shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act, upon payment of the required visa fees. Upon the granting of permanent residence to such aliens as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct the required numbers from the appropriate quota or quotas for the first year that such quota or quotas are available.

JAMES D. JALILI

The bill (S. 1527) for the relief of James D. Jalili was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, James D. Jalili shall be held and considered to have been lawfully admitted to the United States for permanent residence as of December 10, 1955, upon payment of the required visa fee.

DR. ALEXANDER CORPACIUS

The bill (S. 1716) for the relief of Dr. Alexander Corpacius was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Doctor Alexander Corpacius may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required in addition to his residence and physical presence within the United States since August 1957, and

(b) the petition for naturalization may be filed with any court having naturalization jurisdiction.

MAX BLEIER

The bill (H.R. 1353) for the relief of Max Bleier was considered, ordered to a third reading, read the third time, and passed.

MANSUREH RINEHART

The bill (H.R. 1477) for the relief of Mansureh Rinehart was considered, ordered to a third reading, read the third time, and passed.

KEJEN PI CORSA

The bill (H.R. 1620) for the relief of Kejen Pi Corsa was considered, ordered to a third reading, read the third time, and passed.

JACK KONKO

The bill (H.R. 1626) for the relief of Jack Konko was considered, ordered to a third reading, read the third time, and passed.

RICAREDO BERNABE DELA CENA

The bill (H.R. 1911) for the relief of Ricaredo Bernabe Dela Cena was considered, ordered to a third reading, read the third time, and passed.

MRS. SODE HATTA

The bill (H.R. 1915) for the relief of Mrs. Sode Hatta was considered, ordered

to a third reading, read the third time, and passed.

MRS. TOME TAKAMOTO

The bill (H.R. 2360) for the relief of Mrs. Tome Takamoto was considered, ordered to a third reading, read the third time, and passed.

MANUEL MARTINEZ-LOPEZ

The bill (H.R. 4557) for the relief of Manuel Martinez-Lopez was considered, ordered to a third reading, read the third time, and passed.

GODOFREDO M. HERZOG

The Senate proceeded to consider the bill (S. 333) for the relief of Godofredo M. Herzog, which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of the Immigration and Nationality Act, Godofredo M. Herzog shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 29, 1950.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

IVAN BALOG

The Senate proceeded to consider the bill (S. 1088) for the relief of Ivan Balog, which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after the word "fee", to strike out "Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available." And, in lieu thereof, to insert "Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962."; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ivan Balog shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this Act upon payment of the required visa fee. Upon the enactment of this Act, the Attorney General shall reduce by one number the number of refugees who may be paroled into the United States pursuant to sections 1 and 2(a) of the Act of July 14, 1960 (74 Stat. 504), during the fiscal year ending June 30, 1962.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

HUAN-PIN TSO

The Senate proceeded to consider the bill (S. 1054) for the relief of Huan-pin Tso, which had been reported from the Committee on the Judiciary, with amendments, in line 4, after the word "Act", to insert "the minor child", and in line 6, after the word "born", to strike out "son" and insert "alien child"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 101(a)(27)(A) and 205 of the Immigration and Nationality Act, the minor child Huan-pin Tso shall be held and considered to be the natural-born alien child of Mr. and Mrs. Ting Hsien Wang, citizens of the United States: *Provided,* That the natural parents of the said Huan-pin Tso shall not, by virtue of such parentage be accorded any right, privilege, or status under the Immigration and Nationality Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

ROGER CHONG YEUN DUNNE

The Senate proceeded to consider the bill (S. 1205) for the relief of Roger Chong Yeun Dunne, which had been reported from the Committee on the Judiciary, with amendments, in line 6, after the word "of", where it appears the first time, to strike out "the date of the enactment of this Act" and insert "January 10, 1950,", and in line 8, after the word "fee", to insert "and head tax"; so as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Roger Chong Yeun Dunne shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 10, 1950, upon payment of the required visa fee and head tax. Upon the granting of permanent residence to such alien as provided for in this Act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

AMENDMENT OF FEDERAL EMPLOYEES' GROUP LIFE INSURANCE ACT OF 1954

The Senate proceeded to consider the bill (S. 1070) to amend the Federal Employees' Group Life Insurance Act of 1954, as amended, so as to provide for an additional unit of life insurance, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That (a) subsection (a) of section 3 of the Federal Employees' Group Life Insurance Act of 1954, as amended, is amended by inserting "(1)" after the subsection designation and by adding at the end of such subsection the following new paragraph:

"(2) In addition to the insurance referred to in paragraph (1), each employee insured under this Act shall have additional group life insurance only as follows:

"If the annual compensation is—	The amount of additional group life insurance shall be—
Less than $10,000	$1,000
$10,000 or more	2,000."

(b) Subsection (b) of such section is amended by striking out "(a)" wherever it appears in such subsection and inserting in lieu thereof "(a)(1)".

SEC. 2. (a) Sections 4, 5(a), 6(b), and 6(c) of such Act are amended by inserting after the words "life insurance" and "life and accidental death and dismemberment insurance" where they appear in such sections the following: "(including additional group life insurance)".

(b) Section 6(b) of such Act is further amended by inserting after the words "such insurance" where they appear in the first sentence thereof a comma and the following: "other than additional group life insurance,".

SEC. 3. (a) Section 2(a) of such Act is amended by inserting before the period at the end thereof a comma and the following: "or solely because he was previously retired on annuity from Government civilian employment".

(b) Section 6(b) of such Act is amended by adding at the end thereof the following: "The life insurance of an insured retired employee who is reemployed under conditions which do not terminate his title to annuity shall cease if he again becomes insured as an employee, except that the amount of life insurance which shall be paid after his death shall in no case be less than the amount which would have been paid if he had not been reemployed."

SEC. 4. (a) The amendments made by the first section and section 2 shall take effect as of the first day of the first pay period which begins in the second month after the date of enactment and shall not be applicable in any case in which the employee's death or retirement occurred prior to such day.

(b) The amendments made by section 3 shall take effect as of the first day of the first pay period which begins after the date of enactment and shall be applicable in any case in which reemployment commences on or after such day or in which reemployment commenced and has not terminated prior to such date.

Mr. JOHNSTON. Mr. President, the Federal Employees' Group Life Insurance Act of 1954 made available to employees a plan of low-cost life insurance. In general, the plan provides insurance approximating an employees' salary rounded off to the nearest upper $1,000 with a maximum of $20,000 in the case of employees receiving a salary of $19,000 and above. Two-thirds of the cost of the insurance is paid by the employee and one-third is paid by the Government. The rate is now fixed at 37½ cents per thousand per biweekly pay period, of which 25 cents is paid by the employee and 12½ cents by the Government.

The insurance is subject to a reduction of 2 percent a month until it has been reduced to one-fourth of its original face value after the employee attains the age of 65 if he retired prior to such date or upon his retirement if he works beyond the age of 65. For example, an employee with a salary between $4,000 and $5,000 would have insurance with a face value of $5,000. Upon reaching the age of 65, if then retired or upon retirement if he has worked beyond the age of 65, the automatic reduction sets in.

In either case 3 years and 3 months later the insurance which once had a face value of $5,000 would be worth only $1,250. In most instances this small amount of residual insurance falls short of defraying final expenses let alone leaving anything to dependent survivors.

The measure before the Senate is designed to alleviate this situation to some extent. It does so by providing an additional small amount of insurance which will not be subject to reduction. It provides an additional $1,000 of insurance to employees whose salary is less than $10,000 and an additional $2,000 insurance to employees whose salary is in excess of $10,000. The cost of this additional insurance will be shared between the Government and the employee. In other words, the Government will pay one-third of the cost and the employee will pay two-thirds.

The total cost of this measure is estimated at $20.7 million a year of which the Government will pay $6.9 million and the employees through payroll deductions will pay $13.8 million. The committee believes that this is small cost compared with the great amount of additional benefits that will accrue to over 2 million Federal employees.

The bill as reported amends the existing Life Insurance Act in one other respect. It gives the Civil Service Commission authority to revise its regulations so as to correct an existing inequity. It will permit the Commission to provide insurance protection to reemployed annuitants whose reappointment is on a permanent basis or for a definite period in excess of 1 year. The Commission is in full agreement with the equity involved in this amendment and is prepared to amend its regulations in an appropriate manner as soon as the provision is enacted into law.

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

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

BILLS PASSED OVER

The bill (H.R. 5143) to amend section 801 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, was announced as next in order.

Mr. MUSKIE. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 320) to amend the provisions in part II of the Interstate Commerce Act concerning registration of State certificates whereby a common carrier by motor vehicle may engage in interstate and foreign commerce within a State was announced as next in order.

Mr. FONG. Over, by request.

The PRESIDING OFFICER. The bill will be passed over.

REPRINTING OF THE CONSTITUTION OF THE UNITED STATES OF AMERICA

The Senate proceeded to consider the resolution (S. Res. 165) to print "The Constitution of the United States of America, approved by the Continental Congress," and so forth, as a Senate document, which had been reported from the Committee on Rules and Administration, with an amendment, after line 8, to add a new section, as follows:

SEC. 2. There shall be printed ten thousand three hundred additional copies of such document for the use of the Senate.

So as to make the resolution read:

Resolved, That the revision of the document entitled "The Constitution of the United States of America, Approved by the Continental Congress, Transmitted to State Legislatures for Ratification and Ratified by Conventions of the Original Thirteen States, Literal Print. Historical Notes by Denys P. Myers" (Senate Document Numbered 126, Eighty-third Congress, second session), by Denys P. Myers be printed as a Senate document.

SEC. 2. There shall be printed ten thousand three hundred additional copies of such document for the use of the Senate.

The amendment was agreed to.

The resolution, as amended, was agreed to.

CONGRESSIONAL DELEGATION TO THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

The resolution (S. Res. 168) authorizing attendance of a delegation from the Senate at a meeting of the Commonwealth Parliamentary Association was considered and agreed to, as follows:

Resolved, That the Vice President is authorized to appoint four Members of the Senate as a delegation to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in London, England, at the invitation of the United Kingdom Branch of the Association, and to designate the chairman of said deletion.

SEC. 2. The expenses of the delegation including staff members designated by the chairman to assist said delegation shall not exceed $15,000 and shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

PRINTING AS SENATE DOCUMENT "STUDY MISSION TO EASTERN (AMERICAN) SAMOA"

The resolution (S. Res. 169) to print as a Senate document a committee print of a "Study Mission to Eastern (American) Samoa" was considered and agreed to, as follows:

Resolved, That there be printed with illustrations as a Senate document the committee print, with appropriate foreword, entitled "Study Mission to Eastern (American) Samoa" (report by Senators OREN E. LONG of Hawaii and ERNEST GRUENING, of Alaska), issued by the Committee on Interior and Insular Affairs during the Eighty-seventh Congress, first session.

FORMS FOR CERTIFICATES OF APPOINTMENT OR ELECTION OF SENATORS

The resolution (S. Res. 170) suggesting suitable forms for certificates of appointment or election of Senators was considered and agreed to, as follows:

Resolved, That S. Res. 110, suggesting suitable forms for certificates of appointment or election of Senators, agreed to on January 4, 1934, be, and the same is hereby, amended to read:

"*Resolved,* That, in the opinion of the Senate, the following are convenient and sufficient forms of the certificates of election of a Senator for a six-year term or an unexpired term, or for the appointment of a Senator to fill a vacancy, to be signed by the executive of any State in pursuance of the Constitution and the statutes of the United States:

"CERTIFICATE OF ELECTION FOR SIX-YEAR TERM

"To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

"This is to certify that on the — day of ——, 19—, A —— B —— was duly chosen by the qualified electors of the State of—— a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 3d day of January, 19—.

"Witness: His excellency our governor ——, and our seal hereto affixed at —— this —— day of ——, in the year of our Lord 19——.

"By the governor:

"C—— D——,
"Governor.

"E—— F——,
"Secretary of State."

"CERTIFICATE OF ELECTION FOR UNEXPIRED TERM

"To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

"This is to certify that on the — day of ——, 19—, A—— B—— was duly chosen by the qualified electors of the State of—— a Senator for the unexpired term ending at noon on the 3d day of January, 19—, to fill the vacancy in the representation from said State in the Senate of the United States caused by the —— of C—— D——.

"Witness: His excellency our governor, and our seal hereto affixed at —— this —— day of ——, in the year of our Lord 19—.

"By the governor:

"E—— F——,
"Governor.

"G—— H——,
"Secretary of State."

"CERTIFICATE OF APPOINTMENT

"To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

"This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of ——, I, A—— B——, the governor of said State, do hereby appoint C—— D—— a Senator from said State to represent said State in the Senate of the United States until the vacancy therein, caused by the —— of E—— F——, is filled by election as provided by law.

"Witness: His excellency our governor ——, and our seal hereto affixed at —— this——day of ——, in the year of our Lord 19—.

"By the governor:

"G—— H——,
"Governor.

"I—— J——,
"Secretary of State."

"*Resolved,* That the Secretary of the Senate shall send copies of these suggested forms and these resolutions to the executive and secretary of each State wherein an election is about to take place or an appointment is to be made in season that they may use such forms if they see fit."

CONGRESSIONAL DELEGATION TO THE COMMONWEALTH PARLIAMENTARY ASSOCIATION

The concurrent resolution (S. Con. Res. 29) authorizing attendance of delegations from the Senate and House of

Representatives at meetings of the Commonwealth Parliamentary Association was considered and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Vice President and the Speaker of the House of Representatives are authorized to appoint four Members of the Senate and four Members of the House of Representatives, respectively, to attend the next general meeting of the Commonwealth Parliamentary Association, to be held in London, England, at the invitation of the United Kingdom Branch of the Association, and to designate the chairmen of the delegations from each of the Houses to be present at such a meeting.

SEC. 2. The expenses incurred by the members of the delegations and staff appointed for the purpose of carrying out this concurrent resolution shall not exceed $15,000 for each delegation and shall be paid from the contingent fund of the House of which they are Members, upon submission of vouchers approved by the chairman of the delegation of which they are members.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "COMMUNIST TRAINING OPERATIONS"

The concurrent resolution (H. Con. Res. 308) providing for additional copies of parts 1, 2, and 3 of hearings entitled "Communist Training Operations" was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ENTITLED "THE NORTHERN CALIFORNIA DISTRICT OF THE COMMUNIST PARTY"

The concurrent resolution (H. Con. Res. 309) providing for additional copies of hearings entitled "The Northern California District of the Communist Party" was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT 336

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 311) providing for additional copies of House Document 336 entitled "Facts on Communism—Vol. I," which had been reported from the Committee on Rules and Administration with an amendment on page 1, after line 11, to insert a new section, as follows:

SEC. 2. There shall be printed ten thousand three hundred additional copies of such document for the use of the Senate.

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

PRINTING AS HOUSE DOCUMENT INAUGURAL ADDRESSES OF THE PRESIDENTS

The concurrent resolution (H. Con. Res. 320) authorizing the printing of the inaugural addresses of the Presidents as a House document and providing additional copies was considered and agreed to.

PRINTING OF ADDITIONAL COPIES OF HOUSE DOCUMENT NO. 198

The concurrent resolution (H. Con. Res. 327) authorizing the printing of additional copies of House Document No. 198 entitled "The Commission on Intergovernmental Relations," was considered and agreed to.

PRINTING AS HOUSE DOCUMENT TRIBUTES TO THE HONORABLE SAM RAYBURN

The Senate proceeded to consider the concurrent resolution (H. Con. Res. 342) authorizing the printing as a House document of the tributes extended to the Honorable SAM RAYBURN and providing for additional copies, which had been reported from the Committee on Rules and Administration with an amendment in line 6, after the word "and", to strike out "twenty-five" and insert "twenty-seven".

The amendment was agreed to.

The concurrent resolution, as amended, was agreed to.

OFFICE EQUIPMENT FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

The joint resolution (H.J. Res. 392) was considered, ordered to a third reading, was read the third time, and passed.

LUCY LEE SILCOX WOOD

The resolution (S. Res. 176) to pay a gratuity to Lucy Lee Silcox Wood was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Lucy Lee Silcox Wood, widow of Harlan Wood, an employee of the Senate at the time of his death, a sum equal to nine 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.

JACQUELINE E. AUCHAMPAUGH

The resolution (S. Res. 177) to pay a gratuity to Jacqueline E. Auchampaugh was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Jacqueline E. Auchampaugh, widow of Lee M. Auchampaugh, an employee of the Senate at the time of his death, a sum equal to five 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.

COMMENCEMENT OF TERM OF SERVICE OF SENATOR JOHN G. TOWER, OF TEXAS

The resolution (S. Res. 178) to establish the date of the commencement of the term of service of JOHN G. TOWER, a U.S. Senator, from the State of Texas was considered and agreed to, as follows:

Resolved, That the term of the service of the said JOHN G. TOWER shall be deemed to have commenced on the 15th day of June 1961.

BILL PASSED OVER

The bill (H.R. 7576) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes, was announced as next in order.

Mr. MUSKIE. Over.

The PRESIDING OFFICER. The bill will be passed over.

PREPAID DUES INCOME OF CERTAIN MEMBERSHIP ORGANIZATIONS

The bill (H.R. 929) to amend the Internal Revenue Code of 1954 to permit the prepaid dues income of certain membership organizations to be included in gross income for the taxable years to which the dues relate was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H.R. 3279) to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes, was announced as next in order.

Mr. MUSKIE. Over. It is not a calendar matter.

The PRESIDING OFFICER. The bill will be passed over.

PERMANENT RETIREMENT INCREASES

The bill (H.R. 5432) to make permanent certain increases in annuities payable from the civil service retirement and disability fund was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. That concludes the call of the calendar.

LONGEVITY STEP INCREASES FOR POSTAL EMPLOYEES

Mr. MUSKIE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 443, Senate bill 1459.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 1459) to amend the provisions of law relating to longevity step increases for postal employees.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with an amendment.

REVERSALS IN PRESIDENT KENNEDY'S POSITION ON MAJOR ISSUES

Mr. BENNETT. Madam President, we have seen many reversals in President Kennedy's position on major issues. One of the more recent is that relating

to the economic growth of our Nation. In speech after speech in the presidential campaign last fall, Mr. Kennedy did his best to convince the voters that Russia was rapidly overtaking the United States in its rate of economic growth. On one occasion he said:

> If we don't get going again, the Soviets will be on our heels momentarily.

He indicated that the Soviet Union was growing several times faster than the United States, and on one occasion put the figure at "between two and three times as fast." As late as April 1960, President Kennedy said:

> Why should we be satisfied when the Soviet Union moved ahead 10, 11, and 12 percent, and we move ahead 1 and 1½ percent?

In that statement President Kennedy suggested that the Soviet Union was moving ahead six to eight times as fast as the United States.

The reversal came at the President's last press conference, when he said that if our growth rate increases to just 4½ percent, from the current rate of 3½ percent, "the Soviet Union will not outproduce the United States in the 20th century."

And in the same press conference President Kennedy observed that while in 1913 the U.S.S.R. gross national product was 46 percent as large as ours, in 1959 it was still only 47 percent as large, a gain of only 1 percent in 46 years. The President then said:

> If both countries sustained their present rate of growth, 3½ percent in the United States and 6 percent in the Soviet Union, Soviet output will not reach two-thirds of ours by 1970, and our rate will be easier to sustain and improve than the Soviet rate.

I congratulate President Kennedy upon his forthright renunciation of the fallacious statistics which helped him win his election. It is unfortunate that he could not have accepted the Republican arguments about growth rate a little earlier—perhaps last September or October—but we are happy to welcome him to our ranks, even as a latecomer.

Looking over the 1960 campaign, I think we might say the three crucial issues were the missile gap, the question of U.S. prestige abroad, and the matter of the economic growth rate. As for the missile gap, the administration admitted during its first month in office that it did not really exist after all. As for U.S. prestige abroad, this is a subject about which the President has had very little to say ever since certain events occurred last April on the shores of Cuba.

And in connection with prestige, it is interesting to note that the USIA prestige polls, which seemed so important to Mr. Kennedy during the campaign, were discontinued by the new administration in February—a fact which was not disclosed until May.

As for the third major issue, the economic growth rate, the President has, as we have seen, reversed his position on this issue, and now agrees that the Republican arguments of last fall were quite sound.

So we can see the political education of John F. Kennedy is progressing rapidly. It is unfortunate that he is being forced to learn his lessons the hard way, when he could have learned them so much more easily if he had just paid a little more attention to the speeches of Richard M. Nixon, last fall.

THE CAPTIVE EUROPEAN NATIONS, AND BERLIN

Mr. JAVITS. Madam President——

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from New York.

Mr. JAVITS. I wish to address myself to a matter which I think is of very great seriousness to our country, the significance today of the national observance of Captive Nations Week. Senators will recall that with others of my colleagues I had the honor to sponsor the original resolution with reference to the designation of Captive Nations Week, together with Senator DOUGLAS, of Illinois. The purpose of Captive Nations Week is to keep vibrant and alive the spirit of hope in our Nation for the ultimate freedom through self-determination of the 100 million people of the Baltic countries, Estonia, Latvia, Lithuania, the middle European countries, Poland, Czechoslovakia, and Hungary, and the Balkan countries, Rumania, Bulgaria, and Albania, still held captive by the imperialism in the Kremlin.

It will be recalled that the Communist propaganda machinery literally "blew its top" when this resolution was first adopted and Captive Nations Week was inaugurated.

This year both the President of the United States and the Governor of the State of New York have by proclamation declared Captive Nations Week.

Why? There is a very important reason, for we face an international issue at this time which is of decisive significance to the peoples of the captive nations. That issue is the will and determination on Berlin which our Nation has shown and is showing together with its allies, the United Kingdom and France, and all the other nations of the North Atlantic Treaty Organization, who are about to give their answer to Khrushchev; and I am convinced it will be a decisive "no" to the request, demand, or invitation that we leave Berlin. The hope of the peoples of the captive nations for ultimate freedom is not dim and it is brighter now than before.

Berlin is the key to hope for the peoples of the captive nations.

Let me repeat that statement. Berlin is the key to hope for the peoples of the captive nations. If we back down on Berlin, it will be a signal to them that their hopes shall probably be unrealized for the proximate future. If we stand fast on Berlin—as we show every prospect of doing now—it will be a signal of hope to the 100 million captive peoples and the greatest single positive factor since World War II that they will yet have their freedom, for it will represent the determination of the United States and its allies that the obligations that captive peoples shall have self-determination, solemnly assumed by the Soviet Union at the end of World War II, and then violated, will yet be redeemed because we will hold the Soviet Union to its commitments.

Recently I read in the newspaper that whoever was speaking to certain groups in New York yesterday said that the ultimate hope for their freedom was dim. I do not think so. I think the hope for ultimate freedom is brighter now than ever before, and the reason for it is our stand on Berlin.

A right of national self-determination was incorporated in the agreements arrived at with the Soviet Union immediately after World War II and expressly made applicable to these captive European nations. It is a pillar of U.S. foreign policy and a basic principle of international justice. The United States can demonstrate by its attitude on Berlin that it cannot and will not accept the enslavement of the once-free captive nations of Europe, which violates the understandings arrived at with the Soviet Union, has no basis in international law, and is morally repugnant to free men.

Madam President, it is often said that we have no positive policy to pursue on Berlin; that we have to find alternatives, whether it be a "free city" or some other "gimmick." Madam President, there is a positive policy on Berlin. It is incorporated in Senate Resolution 164, which I had the honor of submitting, which is still pending before the Senate Committee on Foreign Relations. There is little we could do to more effectively signalize Captive Nations Week than to make the Communists understand that we have some power in the world, too, in terms of what will happen in their areas, as they seem to be exercising power in terms of what happens in the free world. We should act on this resolution with respect to Berlin. The resolution calls for four-power negotiations on the means whereby a free and united Germany may be created and within it a free and united Berlin; seeks means by which the security of Europe, both East and West, may be guaranteed; rejects a unilateral abrogation by the U.S.S.R. of the post-World War II agreements regarding access to Berlin, the rights of its people for reunification of Germany; and pledges of the United States to take whatever measures may be required, together with France and the United Kingdom, to maintain these agreements.

Madam President, nothing less will impress the Communists with our seriousness than concurrence by the Congress and the Executive in the fact that serious and portentous measures may have to be taken in respect to Berlin, and that they are worth taking. We are serious; we look a serious risk in the face.

We heard only the other day a rumor that the Soviet Ambassador, at a party, said he did not think the American people meant what our Government was saying in respect to Berlin. Madam President, the Congress has every opportunity to nail that down by acting on the resolution, or on some other resolution, expressing itself in accord with what I deeply feel to be the will of

the country and the will of the whole free world.

Captive Nations Week is a unique and significant time when this can be done.

I repeat, Madam President, the hope for ultimate freedom for these people is not dim. It is brighter than it was before. I think it is brighter than ever, so long as we take the position we are taking in respect to Berlin. Berlin is the key to hope for the peoples of the captive nations.

In conclusion I wish to compliment the National Captive Nations Committee, the Assembly of Captive European Nations, and the many other organizations and their leaders who are cooperating in the manifesto which signalizes this observance. I hope very much that the Committee on Foreign Relations will pay the most serious attention to the possibilities which this offers to us to act upon a resolution on Berlin now, during Captive Nations Week.

Madam President, I yield the floor.

TRIBUTE TO MAJORITY LEADER MIKE MANSFIELD

Mr. MUSKIE. Madam President, I am sure that all of us have been impressed by the quietly competent performance of the distinguished majority leader, the Senator from Montana [Mr. MANSFIELD]. His emphasis has been upon teamwork, upon sharing of responsibility, upon maximum consideration of differences of view with minimum strain upon time and energies of the Members of the Senate, and upon results.

The record of this session of the Senate attests to those results.

On this point an article by Russell Baker, published in the New York Times today, July 17, is an excellent analysis of the majority leader's kind of leadership. I ask unanimous consent that the article be printed in the RECORD at this point.

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

SENATE SHOWS HUSHED NEW LOOK; MANSFIELD SETTING QUIETER STYLE—"BAND" WILSON CALLED WILLFUL IS GIVING PRESIDENT MOST OF WHAT HE WANTS UNDER COLLECTIVE LEADERSHIP PLAN

(By Russell Baker)

WASHINGTON, July 16.—Like the Soviet Union after Stalin's death, the Senate has entered an unreal and puzzling transitional era of collective leadership.

Traditionally the focus of opposition to energetic Presidents, this meek, compliant new Senate has turned in the last 7 months into the quietest, most efficient and dullest fort on the New Frontier.

Under the new style of collective leadership directed by MIKE MANSFIELD of Montana, its results are startling. What President Kennedy wants, President Kennedy pretty much gets. His congressional troubles no longer come from the body whose Members have often worn with pride Woodrow Wilson's epithet—"a little band of willful men." Now the troubles come from the once herdlike House of Representatives.

MAJOR GAIN FOR KENNEDY

The change from the turbulent days when Joseph R. McCarthy, of Wisconsin, challenged the White House from Capitol Hill and LYNDON B. JOHNSON of Texas built the Democratic leadership into the second most powerful office in Washington has been one of President Kennedy's singular blessings.

With little more excitement than a meeting of General Motors stockholders, the Senate has given him very much what he requested in unemployment insurance, social security expansion, depressed-areas rehabilitation, education, farm law, and a score of other programs.

Its manner has been as startling as its results. The slashing personal attacks from the floor, the rollicking ructions of late night sittings, the open horse trading and personal vendettas that made the Senate a cockpit of drama have almost disappeared.

In its place is the bland, new throwaway style of the corporation board rooms heavy with understatement, dully efficient, disdaining debate and bombast and even the surgical stroke of wit.

In the gentlemanly hours between noon and teatime the Senate processes the President's programs so effortlessly that the papers find it hardly worth reporting.

LITTLE EXCITEMENT LEFT

Long holiday weekends are the rule. Night sessions are extraordinary. For days at a time, while it waits upon the obstreperous House, it offers the galleries no spectacle more exciting than a parade of Members offering old newspaper clippings and other such chaff for reprinting in the CONGRESSIONAL RECORD.

Over coffee in the Senate dining room, and there is plenty of time for coffee these days, conversation proceeds inevitably from self-congratulation on this year's performance to uneasy speculation that the Senate has lost its old tone and style.

The general feeling is that at the moment Washington has one Senate in search of a character.

"We're in one of those pauses between cycles," one member of the hierarchy suggests.

Part of the explanation of the new Senate is simple political arithmetic. Sixty-four Democrats under a Democratic President make for a much more placid political situation than 65 Democrats under a Republican President.

In the Eisenhower years, the big Democratic majority made the Senate a vaguely hostile power to the White House. Now the majority is simply troop strength.

JOHNSON'S ROLE CREATIVE

The change has been dramatized by the change of leadership. LYNDON JOHNSON's problem as leader from 1954 to 1960 was essentially creative, his old colleagues now concede. He had to produce results that bore a Democratic imprint without going far enough to invite a Republican veto.

Senator MANSFIELD's job is to get the troops up on the line. Creative leadership now comes from the White House. Mr. MANSFIELD's duties are to keep up communications and sustain troop morale. Where Mr. JOHNSON had to make strategy and lead the battle, Mr. MANSFIELD has only to execute strategy backed by the awesome power of the White House.

Mr. JOHNSON tackled his problem with brilliance, ruthlessness, drive, and charm. His Senate was a six-ring circus with LYNDON JOHNSON performing in every ring—pulling a last-minute tie-breaking vote out of the Democratic cloakroom at midnight like Hairbreadth Harry rescuing the beautiful Belinda, forcing some chastened and humiliated nonentity to change his vote and tip the scales while the galleries chuckled.

It was magnificent and dramatic, but it inevitably left scarred egos in a body where vanity is often more powerful than logic.

Mr. MANSFIELD, by contrast, operates with the sweet benignity of a shepherd watching his flock. Under the collective leadership he has devised, responsibility is farmed out to the committee chairmen who know the most about the bill in question.

In Mr. MANSFIELD's words:

"I'm not the leader, really. They don't do what I tell them. I do what they tell me."

The MANSFIELD philosophy is to lead without leading.

"We've had a dispersal of responsibility," he explains. "How can I know everything that's going on? The brains are in the committees."

"Arm twisting" is out for Mr. MANSFIELD, who enjoys the affection of all his colleagues and does not want to lose this valuable weapon. The assistant leader, HUBERT H. HUMPHREY, of Minnesota, acts not exactly as "arm twister," but as the "tireless persuader." Constantly he is arguing the administration's case with one of the most engaging and persuasive personalities in the Senate.

ALL FEEL A BIT BIGGER

Collective leadership has resulted in spreading a sense of responsibility and restoring self-importance to those who felt overshadowed by Mr. JOHNSON. In the words of one southerner, a warm friend and admirer of Mr. JOHNSON, "under MIKE, I guess all of us feel just a little bit bigger."

As a result, Mr. MANSFIELD has had southern conservatives and northern liberals taking their turn managing bills on the floor with admirable results for the administration.

WAYNE MORSE, of Oregon, and PAUL H. DOUGLAS, of Illinois, both known in the past for an unhappy talent for alienating votes on the floor, have taken their turns at managing the depressed-areas and education bills. They have come through with a tact and skill that impressed the crustiest southern parliamentarians.

Two other important factors are operating for Mr. Kennedy. One is his decision against requesting civil rights legislation. This foreclosed any Republican opportunity to create a successful coalition with the South against social and economic legislation.

Coupled with Mr. Kennedy's personal cultivation of the powerful southern committee leaders, the decision has also insured that even when the southerners oppose, they do not obstruct.

REPUBLICAN BLOC HELPFUL

Finally, the administration usually has with it the so-called liberal Republican group, a bloc varying from 8 to 13 members, depending on issues.

These are largely the Republicans from urban States, who complain that Mr. Kennedy has preempted the middle of the road and left them no alternative but to go along or yield the center and, with it, their grip on their constituencies.

The consequence is an unbeatable de facto coalition of northern and western Democrats and liberal Republicans on most socio-economic issues.

With his big Democratic majority in relative happiness and the liberal Republicans usually joining them, the President finds himself with more serene Senate relations than the White House has enjoyed since the first years of the New Deal.

Senator MANSFIELD's problem, as one man puts it, is like that of a man driving a big, freshly fueled and greased bus down a straight, broad superhighway with no other traffic from any direction.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, notified the Senate that, pursuant to the provisions of section 1, Public Law 85–305, the Speaker had appointed Mr. SMITH, of Mississippi, as a

member of the Civil War Centennial Commission.

The message announced that the House had passed, without amendment, the joint resolution (S.J. Res. 116) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1962.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H.R. 6874) to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction of facilities, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. BROOKS of Louisiana, Mr. GEORGE P. MILLER of California, Mr. TEAGUE of Texas, Mr. ANFUSO, Mr. MARTIN of Massachusetts, Mr. FULTON, and Mr. CHENOWETH were appointed managers on the part of the House at the conference.

ORDER OF BUSINESS

Mr. MUSKIE. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MUSKIE. Madam President, I move that the order for the quorum call be rescinded.

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

LONGEVITY STEP INCREASES FOR POSTAL EMPLOYEES

The Senate resumed consideration of the bill (S. 1459) to amend the provisions of law relating to longevity step increases for postal employees, which had been reported from the Committee on Post Office and Civil Service with an amendment, on page 1, after line 4, to strike out:

(a) There are established for each employee longevity steps A, B, and C. For each longevity step to which he is entitled each employee shall receive an amount equal to one step increase for his position.

And, in lieu thereof, to insert:

(a) There are established for each employee longevity steps A, B, and C. For each longevity step to which he is entitled—

(1) each employee, other than a postmaster at a post office of the fourth class or a rural carrier, shall receive an amount equal to one step increase for his position,

(2) each rural carrier shall receive an amount equal to one step increase for salary level PFS–4, and

(3) each postmaster at a post office of the fourth class shall receive an amount equal to one step increase for salary level PFS–1 or to 6 per centum of his basic salary, whichever is the lesser.

In computing the percentage increase under this subsection the amount of the increase shall be rounded to the nearest dollar. A half dollar or one-half cent shall be rounded to the next highest dollar or cent, respectively.

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 subsections (a) and (b) of section 3558 of title 39 of the United States Code are amended to read as follows:

"(a) There are established for each employee longevity steps A, B, and C. For each longevity step to which he is entitled—

"(1) each employee, other than a postmaster at a post office of the fourth class or a rural carrier, shall receive an amount equal to one step increase for his position,

"(2) each rural carrier shall receive an amount equal to one step increase for salary level PFS–4, and

"(3) each postmaster at a post office of the fourth class shall receive an amount equal to one step increase for salary level PFS–1 or to 6 per centum of his basic salary, whichever is the lesser.

In computing the percentage increase under this subsection the amount of the increase shall be rounded to the nearest dollar. A half dollar or one-half cent shall be rounded to the next highest dollar or cent, respectively.

"(b) Each employee shall be assigned to—

"(1) longevity step A at the beginning of the pay period following the completion of ten years of service; and

"(2) longevity step B at the beginning of the pay period following the completion of thirteen years of service; and

"(3) longevity step C at the beginning of the pay period following the completion of sixteen years of service."

SEC. 2. No increase in compensation shall result from the amendment made by this Act prior to the first day of the first pay period following the date of its enactment.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. MONRONEY. Madam President, the bill (S. 1459) was reported by the Subcommittee on Postal Affairs, of which I have the honor of being chairman. That is a subcommittee of the Committee on Post Office and Civil Service. We spelled out an amendment, to which the Senate has now agreed, and the bill received the unanimous approval of the Committee on Post Office and Civil Service, which reported it to the Senate.

The bill is designed to eliminate discrimination against postal employees with respect to longevity pay increases by providing benefits comparable to those enjoyed by regular civil service employees.

Under present law, Federal employees subject to the Classification Act receive longevity increases after 10, 13, and 16 years' service within a given grade, while postal employees receive longevity increases after 13, 18, and 25 years' service. This bill would grant postal employees longevity increases after 10, 13, and 16 years' service.

Each longevity pay increase under the Classification Act is equal to the regular within-step increase of the grade, varying from $105 in grade 1 to $260 for the top grades. Postal employees receive longevity pay increases in the fixed amount of $100. Under the bill, postal employees' longevity pay increases would be equal to the within-step pay increases for that grade, in exactly the same manner as other Government employees.

It was necessary to make two technical changes in the bill to provide comparable treatment for rural carriers and fourth-class postmasters by tying the amount of their longevity pay increases to the nearest equivalent salary grade in the regular postal field service. Thus, rural carriers are given the same longevity pay as city carriers in level 4 of the postal field service, and fourth-class postmasters are given longevity pay increases equal to that in level 1 of the postal field service or 6 percent of their basic salary, whichever is lesser.

The amounts of present and proposed longevity payments are set forth in detail in tables appearing on page 3 of the committee report, which is on the desk of each Senator.

This bill provides nothing more than common justice for postal employees, most of whom enter and retire from the postal service in the same grade level; namely, grade 4. No matter how good a letter carrier may be, the odds are 99 to 1 that he will retire at the end of 20, 30, or 40 years while still a letter carrier, at the top of grade 4, with only longevity increases to look forward to.

Equality of treatment in the matter of longevity increases is therefore even more important to these faithful and devoted Federal employees than to those whose salaries are fixed under the Classification Act.

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

Mr. MONRONEY. I am happy to yield to the Senator from Missouri.

Mr. SYMINGTON. I am always interested in what the distinguished Senator from Oklahoma has to say, because he studies each bill carefully before he brings it to the Senate. As I understand, as chairman of the Subcommittee on Postal Affairs, the Senator from Oklahoma believes that the bill would merely bring about equalization of pay, and therefore corrects a current injustice from an economic standpoint.

Mr. MONRONEY. The Senator is correct. Unlike other employees of the Federal Government, the postal employees affected by the bill are now frozen at their starting grade and often die at their starting grade. Statistics reveal that classified workers such as young high school or business college graduates, who start at low grades, due to the ever-expanding work and the kinds of office and other work that they might do step up and have the opportunity to reach grade 6, 7, 8, or 10. A letter carrier, on the other hand, remains a letter carrier. Unfortunately, it has not been the policy of the Post Office Department to search the ranks of carriers for those in the postal field service who are deserving of promotions to supervisors, and jobs of that kind.

Mr. SYMINGTON. Madam President, I congratulate the Senator from Oklahoma for his clear and convincing presentation.

Mr. MONRONEY. I thank my distinguished friend from Missouri for his ever present support for civil service workers, and particularly the letter carriers.

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

Mr. MONRONEY. I yield.

Mr. KEATING. I commend the committee for bringing the bill before the Senate. The bill would merely bring about elemental fairness in putting the postal workers in line with other Government workers. Certainly what is sauce for the goose is sauce for the gander.

Madam President, I am pleased to support S. 1459. This bill does no more than simple justice to the post office employees of this country. We must treat with fairness and sympathy the problems of the loyal and industrious workers who deliver the Nation's mail, and in a case of this kind, when they demand no more than treatment equal to that now given to other Government employees, I am happy to champion their cause.

I see no basis whatever for the argument that post office workers should continue to receive longevity increases after 13, 18, and 25 years of service, while other Government employees receive such increases after 10, 13, and 16 years. What is sauce for the goose should certainly be sauce for the gander.

Conversion of the longevity increases for post office workers from fixed to within-step increases is also a wise and fair provision of this bill. When the fixed increases were established for post office workers in 1949, they were roughly comparable to the within-step increases then enjoyed by other Government employees. Such is no longer the case. Within-step increases are now substantially greater than the fixed increases provided for post office employees.

S. 1459 will restore equality of treatment for all employees of the Federal Government.

Mr. MONRONEY. Madam President, the bill will eliminate one of the problems that we have had in the past when we have had to give special recognition to the field service postal workers in pay increases because they were denied the opportunity that the normal classified workers have to move upward in salary scales by promotion from starting grades. I thank my distinguished colleague, who has always been a friend of the letter carrier.

Mr. PASTORE. Madam President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. PASTORE. I wish to join the distinguished Senator from Missouri in commending the distinguished chairman of the subcommittee for bringing this subject to the attention of the Senate at this time. As a former member of the Post Office and Civil Service Committee I know firsthand the letdown in morale the situation which he has described has caused. I am very happy that it is now being brought to our attention. As I understand, the measure is merely an adjustment which would accord postal employees the same treatment as other Federal civil service employees. The bill is merely a matter of equity and justice, and I am glad that the situation is being corrected today.

Mr. MONRONEY. I thank my distinguished colleague, who has always been a most effective champion of Government employees. He has occupied the chairmanship of subcommittees of the Committee on Post Office and Civil Service for many years.

Mr. JOHNSTON. Madam President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JOHNSTON. As chairman of the Committee on Post Office and Civil Service I commend the distinguished Senator from Oklahoma [Mr. MONRONEY] the chairman of the Postal Affairs Subcommittee and the other members of the subcommittee, the Senator from Texas [Mr. YARBOROUGH], the Senator from North Carolina [Mr. JORDAN], the Senator from Kansas [Mr. CARLSON], and the Senator from Delaware [Mr. BOGGS], for the attention given this measure in public hearings held on it and for their fine work in resolving minor differences so that the bill now before us is completely equitable to all concerned.

I was happy to introduce the bill for the reason that I think Congress has an obligation to correct inequities wherever they are found to exist.

The bill is designed to give postal employees the same treatment in the matter of longevity increases as currently enjoyed by employees subject to the Classification Act.

The bill simply provides that postal employees when they become entitled to a longevity increase shall receive an amount equal to the within-step increase of their grade. This is the way it is handled under the Classification Act and there is no reason why it should not be done in the case of postal employees.

It was brought out in the hearings that the principle of longevity increases for both classified and postal employees was established by law in 1949.

In the case of employees subject to the Classification Act, the law provided that they be in the same amount as the within-grade step increases. However, in the case of postal employees, longevity increases were fixed in a flat amount of $100.

Presumably, this happened because at that time $100 was the amount of within-step increases in the postal service. Thus, at that time the difference in the two laws amounted to little more than an inconsistency in the way they were worded. However, with the passing of time and the growth of within-step increases as the result of numerous pay adjustments, the inconsistency has grown into a real inequity.

My bill is designed to correct the inequity by placing postal employees on a basis similar to Federal employees under the Classification Act with respect to longevity increases.

I appreciate the consideration it has received on both sides of the aisle. Certainly, seeing that justice is done is not a partisan question and I am glad the bill has been approached in this manner.

Mr. MONRONEY. I thank the Senator from South Carolina. He has expedited the consideration of the bill in every way.

Mr. MORSE. Madam President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished senior Senator from Oregon.

Mr. MORSE. I commend the Senator from Oklahoma and the Senator from South Carolina, who is the chairman of the Committee on Post Office and Civil Service, as well as all the members of the subcommittee who worked on the bill, because as one who has followed this subject for many years in the Senate I wish to say that enactment of the bill is long overdue.

However, there is one problem in connection with the committee report which I wish briefly to discuss with my friend from Oklahoma in connection with this colloquy on the floor. I turn to page 2 of the report, and read:

> An employee in the postal field service receives a within-step increase each year after entering the service until he reaches the top step of his pay level at the end of his sixth year of service. These within-step increases bear a direct relationship to his pay in very much the same manner as is the case under the Classification Act. In level 1, the within-step increase is $130. In level 2, it is $135. In level 3, it amounts to $145. In level 4, it is $160, and so on up to the top of the postal pay schedule. However, when a postal employee becomes eligible for a longevity increase, he receives only the flat $100.

Madam President, it is my understanding that this has been the practice from time immemorial in connection with postal employees. It is rank discrimination against them in comparison with the rights which have been bestowed upon civil service employees.

With that as my major premise, I move into the next paragraph of the report:

> The bill corrects this anomaly by providing that longevity increases shall be in the same amount as the regular periodic within-step increases of the various pay levels. Also, the bill changes the service requirement for longevity increases from 13, 18, and 25 years to 10, 13, and 16 years in order to more nearly correspond with the 10, 13, and 16 years within-grade requirement under the Classification Act.

In other words, Madam President, the committee seeks to eliminate this discrimination against postal employees, and they deserve our thanks. It is a discrimination which has prevailed for a long time. The enactment of the bill is therefore long overdue.

Now I read further:

> The Post Office Department objects to the "within service" concept in this measure as compared with the "within-grade concept" under the Classification Act. The committee does not consider this a valid objection on the basis of fact. In the postal service, "within service" and "within grade" are to all intents and purposes virtually one and the same thing. This is true because the majority of postal employees enter the service as a city carrier, a clerk, or as a rural carrier and retire at the end of their career from the same job and grade.

I wish to say to my friend from Oklahoma that I believe we need to make a little clearer legislative record of this matter this afternoon than the committee report does. Therefore I should like to ask him some questions. I will enumerate the questions first and then we can go back to them one by one.

First, I would like to have the Senator from Oklahoma tell the Senate the basis of the objections of the Post Office Department. It does not seem to me that the statement in the committee report is very clarifying on that matter.

Second, I would like to have the Senator from Oklahoma, for legislative history purposes, tell us the difference between the within-service concept and the within-grade concept. I think it is not enough to say that the committee does not consider this objection of the Post Office Department to be valid, because it says to all intents and purposes they are virtually one and the same thing. We need to prove that on the floor of the Senate.

Next I would like to have the Senator from Oklahoma tell me on what possible basis the Post Office Department, which has the moral responsibility to protect the legitimate best interests of the post office workers, should come forward with this objection which the committee, as I understand, considers at best to be a rather technical and inconsequential and unmeritorious objection.

I am not at all surprised to get that kind of objection from this administration of the Post Office Department, because I have no confidence whatever in this administration of the Post Office Department. Be that as it may, I would like to have the RECORD show what possible basis there is for this objection by the Post Office Department.

Presumably, it comes from the Postmaster General. I would like to have the record crystal clear as to what the answer is to whatever objection the Postmaster General has filed in this matter.

Mr. MONRONEY. I thank my distinguished colleague for helping to make this record clear. I, too, was disappointed that the Post Office Department in its testimony did not come up with a better effort in connection with correcting this long-standing inequity. The complete letter from the Acting Postmaster General, Mr. H. W. Brawley, is found at page 12 of the hearings. The controlling paragraph is the fifth paragraph, which states:

> Shortening the service requirement from 13, 18, and 25 years to 10, 13, and 16 years, as proposed, is patterned after the Classification Act provision. Although we recognize merit in making the Postal Field Service Compensation Act and the Classification Act longevity requirements comparable, piecemeal changes of this kind increase, rather than decrease, the differences because other related provisions remain unchanged. If similarity of treatment in regard to longevities is what is desired, then all other provisions should also be brought into line.
>
> For example, all postal service is counted toward longevities, not just time in grade as in the Classification Act. As a result, postal employees, with few exceptions, now receive longevity payments earlier than Classification Act employees. Shortening the time required under the Postal Field Service Compensation Act would increase this time gap.

This is the reason given by the Post Office Department for contending that the bill should not be passed. It was clear from the hearings that the reason why there are adequate longevity pay increases in the classification service is that the personnel move up in grade very fast. A classified worker who starts as a GS–2 will probably reach GS–4 within a couple of years, and perhaps GS–6 within 3 or 4 years. So she does not begin to accumulate longevity. Whereas, as I said in the beginning, the only hope of a man who starts his Federal service as a letter carrier—and 90 percent or more of them die as letter carriers—is to receive in-step increases solely in grade 4. At the end of 6 years, he is through, except for the longevity pay increase, which then is far below the within-grade increases he had been receiving. It is only $100, but an in-step increase in grade 4 amounts to $160. But that is the end of it. Then he must wait until he has 13 years of service after which he will get a $100 longevity increase.

I am glad the distinguished Senator from Oregon has raised this question. If he will look at the table on page 16 he will find that the vast majority of the postal employees are in grade 4. It is comprised of 170,000 employees. The nearest number to that is in grade 3, 17,000. Grade 5 is next, with 14,000. So this validates the fact that they go in as grade 4; they have six step increases in the grade; and then it is all over until they complete 13 years of service after which they become eligible for their first longevity increase.

On the other hand, in the classified service, if the Senator will note the table on page 17, he will see that very few comparable people get longevity steps, because they are promoted so rapidly. They do not stay in a grade long enough to acquire enough service to earn a longevity increase.

Mr. MORSE. Madam President, I thank the distinguished Senator from Oklahoma for making this explanation for the RECORD and for calling attention to the letter from Mr. Brawley, which appears on page 12.

Is there anything in Mr. Brawley's letter, or is there anything in the record of the entire hearings, to indicate that the Post Office Department offers any factual rebuttal to the observation made by the Senator from Oklahoma, which was that all letter carriers—who started their Federal service as letter carriers and in most instances will end their lives as letter carriers—are clearly discriminated against in relation to other civil service employees? Does Mr. Brawley or anyone else in the Post Office Department offer any factual justification for the continuation of the discrimination?

Mr. MONRONEY. Having heard all the testimony, and several other members of the subcommittee having heard the testimony, I feel that I may say that I observed no justification for the objection of the Department to the bill, except that they wished to make a further study. However, Congress is well aware of the situation. In every pay bill, we have always been cognizant of the difficulty encountered by the postal workers, all of them being grouped in Grade 4 and being denied an opportunity for promotion on the same bases as other Federal employees. Such normal promotions and upgrading are denied to this large group of the most faithful Federal employees by the very nature of their jobs.

When the average citizen thinks of a Federal employee, he thinks first of the letter carrier, who calls at his home every day, and who renders to the citizen the kind of service he wants. Yet most Americans would be shocked, I think, if they understood the lack of promotion, the lack of opportunity, and the discrimination which is historically applied to the postal workers; if they understood that longevity pay increases were not comparable with those in the Classified Service, a group which receives longevity increases if they remain in the same grade, in an amount equal to their regular within-grade increases. The classified workers are rewarded, and will continue to be rewarded, if they should stay in the same grade by receiving longevity increases equal to their within-grade increases.

The Post Office Department has told the committee that it expects to develop a different promotional plan. This would still be limited treatment, because the bulk of the postal workers, by necessity, must still be in the clerk-carrier fields, and those grades are Grades 4 and 5, from which it would take power greater than is contained in our missiles program to remove this large group from Grades 4 and 5 status to some of the higher atmospheric reaches of the Federal service.

Mr. MORSE. I have read Mr. Brawley's letter, and have tried to find some argument or evidence submitted by the Post Office Department concerning this subject which would justify its adverse report in connection with a part of the bill. I have found none. The Brawley letter is a typical bureaucratic runaround. When a Government agency is confronted with a piece of proposed legislation against which they have no case, they seek to study it or try to sidetrack it by a desire to make further study.

To the second suggestion made by Mr. Brawley on behalf of the Department, I point out that it does not propose to cover all the Federal employees. It proposes to cover postal employees about whom there is no question as to discrimination in connection with the longevity problem, in relation to other civil service employees. I do not believe Mr. Brawley ever grasped the purpose of the bill; or if he did grasp the purpose of the bill, then he sought to circumvent the purpose of the bill. In neither case do I believe he acted effectively or efficiently; and that goes for his superiors, too.

I am glad to support the bill. I hope the next time the Senate considers a postal bill we will have received a more intelligent report from the Post Office Department than we have received in this instance.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. MORSE. I yield.

Mr. HUMPHREY. I join with the Senator in his expression of support for this measure. I commend the Senator from Oklahoma for his work on it, and I compliment the diligence of the chairman of the committee, the distinguished Senator from South Carolina [Mr. JOHNSTON], who has always exhibited great concern that justice and equity be accorded the postal workers.

The argument to which I have listened today concerning longevity pay schedules is certainly one which we have heard

before. We have had very much the same kind of replies from the Department in previous administrations as we have received in this one. I should like to think that when the Democrats win elections, somehow or other things will change a little.

Mr. MORSE. If the Senator from Minnesota thinks there is any difference in the Post Office Department now, he is sadly mistaken. [Laughter.]

Mr. MONRONEY. Madam President, the ranking minority member of the committee, the distinguished Senator from Kansas [Mr. CARLSON], was very faithful in his attendance at all the hearings and during the committee's consideration of the bill. I know that what he will have to say about the bill will be important.

However, before I yield the floor, I should like to say that the fallacy of the Department's position is shown in the statistics on page 17, which show that only 6.1 percent of all of the classified workers receive longevity pay increases. On the other hand, in the postal service, 30 percent receive longevity, and most of it ties solely and strictly, in the heavy proportion of cases, to grade 4, and to a slightly less degree to grade 5 in the postal service.

Madam President, I yield the floor.

Mr. MORSE. Madam President, I thank the Senator from Oklahoma very much for making this legislative history with me.

Mr. CARLSON. Madam President, I heartily endorse this bill. As a member of the Committee on Post Office and Civil Service, I assisted in securing approval of the bill in the committee.

In addition, I wish to pay tribute to the chairman of the subcommittee, the Senator from Oklahoma [Mr. MONRONEY]. In the subcommittee, we discussed and studied this proposed legislation. I also pay tribute to the Senator from Texas [Mr. YARBOROUGH], the Senator from North Carolina [Mr. JORDAN], and the Senator from Delaware [Mr. BOGGS].

We held some rather extended hearings, in which we went thoroughly into the problem.

As stated today, there was some opposition by the administration—specifically, by the Bureau of the Budget, the Post Office Department, and the Civil Service Commission.

Madam President, Senate bill 1459 provides that the longevity increase for a rural carrier shall be the same as that for a city carrier. Second, it provides a special formula for determining the longevity increase for a postmaster at a post office of the fourth class.

I heartily endorse this proposed legislation; and as a member of the Senate Post Office Committee, I assisted in securing approval of these amendments in the committee.

This measure is designed to place postal employees on a comparable basis with Federal employees subject to the Classification Act, with respect to longevity increases.

The enactment of this measure should correct an inequality that has existed since 1949 in regard to longevity increases paid the classified and postal employees.

It has been said this is a pay bill; but it is not. It is merely a bill to correct a longstanding injustice and inequity which we should correct, and this bill will do so.

Longevity increases have long been recognized, both in the postal service and in other branches of the Federal service and in outside industry, as rewards for merit performance on the part of all employees. There is thus a recognition of experience and know-how, and incentive for employees to do their best on the job. This measure provides that incentive.

Longevity increases, or, for that matter, all salary increases, are not automatic increases, but are given only on the basis of merit, performance, and faithful service.

The only reason why longevity grades exist is to reward long, efficient service. It is too much to ask a man to stay on the job for years without an increase in salary as a recognition of his faithful efforts in behalf of his government.

During the hearings, our committee received testimony from many of the outstanding leaders and representatives of the postal employees and Federal workers generally.

Among those who testified were representatives of the United Federation of Post Office Clerks, the National Association of Postmasters, the National Association of Special Delivery Messengers, and the National Postal Union. I ask unanimous consent, Madam President, to have printed at this point in the RECORD the entire list of those who appeared before our committee.

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

STATEMENTS

J. B. Cobb, president, National Alliance of Postal Employees.

William C. Doherty, president, National Association of Letter Carriers, accompanied by Jerome J. Keating, vice president; Reuben B. Kremers, secretary-treasurer; James H. Rademacher, assistant secretary-treasurer; James P. Deely, director, NALC Health Benefits Department; J. Stanly Lewis, assistant director, Health Benefits Department; and George A. Bang, director, NALC Life Insurance Department.

Everett G. Gibson, legislative director, National Federation of Post Office Motor Vehicle Employees, AFL–CIO.

Hon. J. J. Hickey, a U.S. Senator from the State of Wyoming.

Daniel Jaspan, legislative representative, National Association of Postal Supervisors, accompanied by Donald N. Ledbetter, secretary.

James K. Langan, operations director, Government Employees' Council, AFL–CIO.

John W. MacKay, president, National Postal Union, accompanied by David Silvergleid, secretary-treasurer, and Walter O. Noreen, executive vice president.

Tommy M. Martin, president, National Rural Letter Carriers Association, accompanied by Max H. Jordan, vice president, and John W. Emeigh, secretary.

Harold McAvoy, National Association of Post Office and Transportation Service Mail Handlers, Watchmen, Messengers, Mail Handlers, Bureau of Facilities.

John McCart, legislative representative, American Federation of Government Employees.

Ross A. Messer, legislative representative, National Association of Post Office and General Services Maintenance Employees.

Hon. Richard J. Murphy, Assistant Postmaster General, Bureau of Personnel, Post Office Department, accompanied by Louis J. Doyle, General Counsel, and Dr. Herbert Block, Compensation Division, Post Office Department.

Paul A. Nagle, president, National Postal Transport Association, accompanied by Wallace J. Legge, industrial secretary.

Roy M. North, legislative representative, National Association of Postmasters, accompanied by Charles F. Shuler, postmaster, Elkton, Va.

John F. O'Connor, legislative director, United Federation of Post Office Clerks.

Bun Raley, legislative representative, National League of Postmasters of the United States.

George L. Warfel, president, the National Association of Special Delivery Messengers.

Mr. CARLSON. Madam President, I ask unanimous consent to have printed at this point in the RECORD part of a statement made by William C. Doherty, president of the National Association of Letter Carriers. He discussed this matter in a fashion which everyone who reads this RECORD will understand. These excerpts are to be found on pages 22 and 23.

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

EXCERPT FROM STATEMENT BY WILLIAM C. DOHERTY, PRESIDENT, NATIONAL ASSOCIATION OF LETTER CARRIERS

Mr. DOHERTY. Mr. Chairman and members of the subcommittee, my name is William C. Doherty. I am president of the National Association of Letter Carriers with headquarters at 100 Indiana Avenue NW., Washington, D.C. I am accompanied by Jerome J. Keating, vice president; Reuben B. Kremers, secretary-treasurer; James H. Rademacher, assistant secretary-treasurer; James P. Deely, director of the NALC Health Benefits Department; J. Stanly Lewis, assistant director, NALC Health Benefits Department; and George A. Bang, director of the NALC Life Insurance Department.

Before beginning my brief statement today I would like to express my appreciation—and the appreciation of the 143,000 members whom I represent—for being permitted to appear before you and to express our views regarding this bill, S. 1459.

There is no reason, I am sure, why I should make a long and detailed statement today. The bill before you is short, clear, and concise. It seeks merely to adjust an inequity against letter carriers and numerous other postal employees which, in my opinion, came into being through a simple case of lack of foresight.

As you gentlemen no doubt know, the principle of remuneration for longevity was first introduced into postal pay schedules in 1945, through Public Law 134.

However, because of some technical considerations, of which I feel you are cognizant, the longevity provisions of the law did not really become operative until the law was amended in 1949 to make allowance for service prior to 1945.

The reason why this contemplated legislation is so necessary, if justice is to be obtained for all concerned, is embodied in the very wording of Public Law 134, as amended.

I am morally certain that it was the intention of the Congress in writing the law to make the longevity step increases the same as the automatic step increases.

This was certainly the procedure the Congress used in creating the longevity step increases for classified employees. As you know, this law was also passed in 1949, the

same year that Public Law 134 was amended. To me, Mr. Chairman, it is inconceivable that the Congress would deliberately adopt two entirely different principles of remuneration for longevity in the same year, one for postal workers and one for classified employees.

And yet this is just what Congress did. In writing the law for postal employees it specified that each longevity increase be set at $100, which was the same as the automatic pay increase which applied at that time. Yet, in writing a longevity provision for classified employees the Congress specified that each longevity increase should be at the same rate as their automatic yearly increases.

* * * * *

Let us consider a letter carrier with 25 years' service and three dependents. This man is in level 4–7C and his take-home pay is $175.17 per pay period. A letter carrier with 18 years' service and three dependents is in level 4–7B and his take-home pay is $171.57 per pay period.

So the difference between these two men is only $3.60 per pay period—or, $1.80 a week.

Longevity pay, gentlemen, is intended as an incentive reward; a reward for long and faithful service. What kind of incentive is it for a man—after 25 years of dedicated service—to look forward to just $1.80 a week in increased pay?

And especially how much of an incentive is it if he must wait 7 whole years to get that pittance?

I would like to add, gentlemen, that there is a further inconsistency in the law which requires correction in the interest of simple justice. As you know, the act makes postal employees eligible for longevity increases after 13 years of service, after 18 years of service, and after 25 years.

On the other hand, a classified employee is eligible for an increase only 3 years after he reaches the top grade in his pay level.

The inequity built into this discrepancy lies in the fact that the vast majority of all postal employees continue in the same level during their entire postal careers. The ratio of postal supervisors to letter carriers is small indeed, particularly since the practice in most post offices is to discriminate unfairly against letter carriers in the matter of promotions to supervisory grades.

So if letter carriers also received their longevity increase after 3 years in the top grade of their pay level they would actually be getting this richly deserved increase after 10 years of service, after 13 years of service, and after 16 years, just as this bill, S. 1459, proposes.

Mr. MORTON. Madam President, will the Senator from Kansas yield?

Mr. CARLSON. I yield.

Mr. MORTON. I merely wish to commend the Senator from Kansas and the Senator from Oklahoma for bringing this measure to the floor.

I had the privilege of serving for several years on this committee. I have always been sympathetic to proposed legislation of this type. I think this is a measure that is only just and fair, and I am glad the Senate Committee on Post Office and Civil Service has brought it to us at this time. I intend to support it.

Mr. CARLSON. I appreciate very much the remarks of the distinguished Senator from Kentucky. Those of us who have had the privilege of serving for many years on the committee know of his interest in the Federal employees, and particularly in the postal employees. I commend him for the statement he has made today.

Mr. JAVITS. Madam President, will the Senator from Kansas yield?

Mr. CARLSON. I am glad to yield to the Senator from New York.

Mr. JAVITS. I also wish to identify myself with the views which have been expressed by the Senator from Kansas. I favor the bill about which he has spoken so eloquently.

I wish to state my support of the longevity pay bill now before us.

Longevity pay is an equitable and time-tested way of giving incentive to, and reward for, experience. It is also the counterpart of an employee's pride in dedicated service. None of us doubts, I am sure, that the competent and interested employee with years of training and experience behind him, is more valuable and can do a better job than can the competent and interested employee who is relatively new. Indeed, one of the principal ingredients of competence is experience.

Time and again we have heard, in congressional committees, testimony that one of the main reasons for inefficiency, waste, and duplication in the Government is the enormous turnover. From long experience with thousands of postal employees, I know that it takes time to train a new worker in the intricacies and technical demands of our postal system. I also know the pride these employees take in their work and in their Department, and their concern over the unusual high turnover which the postal service has been experiencing.

The Federal Government cannot lag behind private industry in providing to its working force reasonable and equitable incentives and rewards for competence. Indeed, the Federal Government, whenever possible, should show the way. I feel that by approving the longevity accruals provided in this bill, we shall be acting within the framework of fiscal responsibility, for there are tangible benefits—in terms of efficiency, personnel control, experience, and technical know-how—to be gained by giving such rewards.

I compliment the Senator for his fine statement on the bill.

Mr. CARLSON. I thank the Senator from New York for the statement he has made. I extend to him my thanks in behalf of those who will be the recipients of the benefits provided under this measure. Those of us who have the privilege of serving with him in the Senate know he is always interested in the welfare of all our citizens; and he has taken a particular interest on behalf of the Federal civil workers; including the postal employees. I commend him for the position he has taken.

Mr. YOUNG of Ohio. Madam President, will the Senator from Kansas yield to me?

Mr. CARLSON. I am pleased to yield to the Senator from Ohio.

Mr. YOUNG of Ohio. May I say that after studying the hearings, the committee report, and the bill, I have become somewhat concerned in regard to this matter. I have been tremendously impressed by the statements made by the distinguished junior Senator from Kansas [Mr. CARLSON], the junior Senator from Oklahoma [Mr. MONRONEY], and the senior Senator from Oregon [Mr. MORSE].

However, at the same time, I state frankly that I am troubled because of the fact that, as all agree, we are now in a period of international anarchy, and are compelled to make appropriations of billions of dollars for the defense of our country. Yet, in regard to this measure which calls for longevity pay increases for the postal employees, I find that representatives of the Post Office Department, representatives of the Bureau of the Budget, and representatives of the Civil Service Commission all have filed reports opposing enactment of this measure.

Furthermore, in the committee report I find it stated that the estimate of the Post Office Department is that the increased cost to the Department, if this measure is enacted into law, would approximate $59 million a year. This is denied by officials of the postal employees' organizations, who estimate the cost at $30 million. It is denied by the staff members of the Committee on Post Office and Civil Service, who estimate the increased cost at about $45 million a year. I suspect this figure is probably accurate.

One question occurs to me which I should like to ask the distinguished Senator from Kansas. The enactment of this measure will apparently add to the deficit in the Post Office Department. Yet no action that I know of has been taken to date on the request of our President for an increase in second- and third-class postal rates—third-class mail being sometimes referred to as junk mail—or even of first-class mail rates.

Personally, I would hesitate to vote, and I hope I may not be compelled to vote, in favor of increasing first-class postage rates. At the same time, frankly, as one who wants to cast a proper vote in this instance and who has been greatly impressed by the statements made by proponents of the bill, I ask whether there has been any explanation of why these three agencies are opposing the bill. May I ask the distinguished Senator from Kansas to please give us an answer to that question?

Mr. CARLSON. Madam President, I shall be most pleased to respond to the Senator from Ohio. First, in regard to postal rate increases, the House of Representatives and its appropriate committee are considering the question at the present time, and the Senate committee will wait until it is determined what action they take.

Second, In regard to the position of the administration concerning this particular bill, I wish to refer to what was said by Mr. Murphy, as appears on page 14 of the hearings. I asked what I considered to be an interesting question. As appears on page 14 of the hearings, I said:

The Bureau of the Budget, the Post Office Department, and the Civil Service Commission are all opposed to this proposed legisla-

tion based on the letters we have from them, but you—

Meaning Mr. Murphy—

made the statement, I believe, in response to a question of Senator MONRONEY, that you did not think our postal employees were overpaid?

Mr. MURPHY. Yes, sir.

Senator CARLSON. I think that is a very fair statement. I agree with that.

Concerning that, would it not be better to come up with a general pay increase than just pick out certain sections and certain individuals?

Mr. MURPHY. I would feel this way: It is certainly not for me, Richard J. Murphy, to make a decision as to whether or not there should be a pay increase. This is a matter for the Congress and the President jointly to decide.

He did not say they were opposing it, but that they could come up with the very same thing in the future.

Mr. YOUNG of Ohio. I thank the Senator for answering my question. I certainly am not taking the position that postal employees are overpaid.

Nevertheless, I do know that within the past year and a half there was quite a scandal over the payment of $100 or more by applicants for postal jobs to others to take the civil service examinations for them in order to make them eligible. Therefore, despite the present pay rate, there apparently are plenty of applicants for these positions. So, it appears that postal workers are not underpaid. I believe, of course, the same standards should apply to them as to other Federal employees, but I have been troubled over the fact that the Bureau of the Budget, the Post Office Department itself, and the Civil Service Commission are all opposed to the bill.

Mr. CARLSON. Madam President, does the Senator from West Virginia [Mr. RANDOLPH] desire to have the floor?

Mr. RANDOLPH. No; I do not wish the floor in my own time. I would like to use only a few minutes in comment while the persuasive Senator from Kansas continues to present any pertinent discussion on the pending measure.

Mr. CARLSON. I yield to the Senator from West Virginia.

Mr. RANDOLPH. Madam President, I wish to express, not a pleasantry, but a fact that in the Committee on Post Office and Civil Service there has been a minimum of partisan consideration of legislation dealing with postal and career service employees. I am sure the esteemed chairman of our committee, who is in the chamber at the present time, the Senator from South Carolina [Mr. JOHNSTON], and the conscientious chairman of our subcommittee, the junior Senator from Oklahoma [Mr. MONRONEY] would embrace the statement I have just made.

I make this assertion because with the chairman of the committee and the ranking minority member participating in this debate, I desired to have the record clear on that point.

Madam President, Senate bill 1459 is not only a bill which has to do with longevity pay increases for postal employees, but it is a measure which is in the public interest. That is important, because we are inclined, perhaps, to overlook the devotion and diligence with which this group of Government workers carries forward a particular phase of Government activity. The pending proposal is consistent with the national welfare, and would provide an equitable reward for valuable service rendered.

I concern myself with the colloquy between the active Senator from Ohio [Mr. YOUNG] and the Senator from Kansas [Mr. CARLSON] in reference to the current status of legislation which would have to do with an increase in postal rates in this country.

There is pending in the Committee on Post Office and Civil Service Senate bill 1812. It is a measure of which the distinguished present Presiding Officer, the Senator from Oregon [Mrs. NEUBERGER], is a cosponsor. That proposed legislation has the support, not only of those Senators whose names are carried on the bill, the Senator from Oregon [Mrs. NEUBERGER], the Senator from New Jersey [Mr. WILLIAMS], the Senator from Arizona [Mr. HAYDEN], the Senator from Maine [Mr. MUSKIE], and the Senator from West Virginia who now speaks, but of other Members who are concerned with the mounting deficits in the handling of our mails in a complex system of service to an ever-increasing population.

Although I definitely do not think these two subjects are joined together, it is important for those of us who have introduced that bill to indicate we did proceed merely as a gesture. We did it because we believe the continuing deficits in the conduct of the Post Office of the United States are a subject which should be considered carefully in hearings by the Senate committee. I wish to document what I believe to be the feeling of the five Members who have sponsored that legislation in the Senate.

I am grateful that the Senator from Kansas has yielded to me for these comments.

Mr. CARLSON. Madam President, I appreciate the words of the Senator from West Virginia in regard to my service and the service of the chairman of the committee. It has been a distinct pleasure to work with the Senator from West Virginia and the other Senators on the committee.

I now yield the floor.

Mr. KUCHEL. Madam President, I am pleased to have a statement which was prepared by the distinguished minority leader, the Senator from Illinois [Mr. DIRKSEN], in behalf of Senate bill 1459, the bill which now pends in the Senate. I ask unanimous consent that the full text of that statement be incorporated in the RECORD at this point in my remarks.

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

STATEMENT BY SENATOR DIRKSEN

I wish to speak in favor of S. 1459. The purpose of this bill is to place postal employees on a comparable basis with the Federal employees subject to the Classification Act with respect to longevity increases.

Under the present law, postal field service employees receive longevity increases of $100 at the end of 13 years', 18 years', and 25 years' service. But employees whose compensation is fixed by the Classification Act receive longevity increases in the amount equal to the regular within-step increase of the grade at the end of 10 years', 13 years', and 16 years' service.

It is apparent, therefore, that the postal employees are not treated by the same yardstick in the matter of longevity as are the classified employees.

My study of S. 1459 and the report on that bill, No. 474, has convinced me that the main purpose of S. 1459 is to equalize the longevity benefits and to make them more uniform for all classes of workers.

It would appear that there is discrimination in the law pertaining to longevity benefits for postal employees. I am sure this was not the intent of the Congress. I hope, therefore, that favorable consideration will be given to S. 1459.

Mr. KUCHEL. Madam President, I speak today as a friend of the American postal workers. All too often I think they represent the forgotten men and women in Federal public service.

Before us now is a bill to eliminate one rather glaring statutory inequality by which they suffer in comparison with civil service personnel generally. This is in connection with longevity pay increases to classified workers, on the one hand, and postal employees, on the other.

I pay my respects to my friend the able chairman of the subcommittee [Mr. MONRONEY] and to my friend the able ranking minority member of the subcommittee [Mr. CARLSON]—indeed, to all the members of the committee who serve under my able friend from South Carolina [Mr. JOHNSTON], and who, together, sent this bill to the Senate with a favorable report.

Madam President, I refer briefly to page 4 of the report on S. 1459:

During the hearing, it was brought out that the principle of longevity increases for both classified and postal employees was established by law in 1949. In the case of employees subject to the Classification Act, longevity increases were fixed at the same amount as the within-grade step increases. However, in the case of postal employees, the longevity increases were pegged at $100 which at that time was the amount of the within-grade increases in the postal service.

At that time, this difference in the Classification Act and the Postal Pay Act amounted to little more than an inconsistency in law. With the passing of time and the growth of the within-grade increases under both acts due to intervening pay adjustments, it has grown from an initial inconsistency into a glaring discrimination against postal employees.

Congress clearly had no such result in mind when it passed both laws in the same year. It is rather the uncontemplated result of two separate laws drafted differently but with the same objective in mind.

I agree that we have such a glaring discrimination against the men and women in the postal service, and I agree, too, that Congress never intended it. But we have it, and the bill before us will eliminate it.

Madam President, I refer briefly to the hearings on the proposed legislation, particularly to page 23, the testimony of William C. Doherty, president, National Association of Letter Carriers, who said in part:

Let us consider a letter carrier with 25 years' service and three dependents. This man is in level 4–7C and his take-home pay is $175.17 per pay period. A letter carrier with 18 years' service and three dependents is in level 4–7B and his take-home pay is $171.57 per pay period.

So the difference between these two men is only $3.60 per pay period—or, $1.80 a week.

Longevity pay, gentlemen, is intended as an incentive reward; a reward for long and faithful service. What kind of an incentive is it for a man—after 25 years of dedicated service—to look forward to just $1.80 a week in increased pay?

And especially how much of an incentive is it if he must wait 7 whole years to get that pittance?

I would like to add, gentlemen, that there is a further inconsistency in the law which requires correction in the interest of simple justice. As you know, the act makes postal employees eligible for longevity increases after 13 years of service, after 18 years of service, and after 25 years.

On the other hand, a classified employee is eligible for an increase only 3 years after he reaches the top grade in his pay level.

There is no possible justification whatsoever for such a regrettable distinction as the law provides. Longevity pay is, indeed, an incentive reward for continuing faithful service. But, presently, the incentive to postal workers is a myth and a sham, and, from a practical standpoint, there is really no reward at all.

What we are about to do here today is simple justice—that is all—to the American postal worker.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. YARBOROUGH subsequently said: Madam President, I wish to congratulate the chairman of the Committee on Post Office and Civil Service, the able Senator from South Carolina [Mr. JOHNSTON], for his leadership in securing Senate passage of S. 1459, which would equalize the longevity step increases for postal employees, on producing a step toward equalization. As a member of the Senate Committee on Post Office and Civil Service and the Subcommittee on Postal Affairs, which heard the evidence, I felt that the record was clear that the overwhelming evidence showed that the proposed legislation was badly needed. I want at this time to cite one instance in the record which was not cited previously on the floor of the Senate this afternoon. The portion to which I direct attention is on page 29 of the record of the hearings. I was questioning Mr. Rademacher, the assistant secretary-treasurer of the Letter Carrier organization. Raleigh, N.C., a medium sized city, so-called, was selected for illustration. In that city there are 400 postal employees. In 12 years in Raleigh, N.C., there was one promotion in 12 years among 400 of those employees. That evidence shows that the opportunities for letter carriers, clerks, and others in the postal organization to go up does not exist as it does with the general civil service employees of the Government, and that is the reason why the legislation, which would place postal employees on the same basis as Federal civil service workers generally, was badly needed. The measure provides longevity increases after 10, 13, and 16 years of service. These longevity raises are particularly important for the postal employees as a majority of them start out and remain at the clerk-carrier level. In the Post Office and Civil Service Committee hearings, we were told of one post office of 400 employees where only one promotion had been made in 12 years. This situation could be duplicated in many cities, and illustrates the importance of this longevity adjustment for attracting and retaining our valued postal service workers.

This bill's speedy passage is another testament to the concern of the senior Senator from South Carolina [Mr. JOHNSTON] for building a first class postal service for the benefit of the country.

I ask unanimous consent that my remarks be placed in the RECORD immediately prior to the passage of the bill.

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

The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1459) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsections (a) and (b) of section 3558 of title 39 of the United States Code, are amended to read as follows:

"(a) There are established for each employee longevity steps A, B, and C. For each longevity step to which he is entitled—

"(1) each employee, other than a postmaster at a post office of the fourth class or a rural carrier, shall receive an amount equal to one step increase for his position,

"(2) each rural carrier shall receive an amount equal to one step increase for salary level PFS–4, and

"(3) each postmaster at a post office of the fourth class shall receive an amount equal to one step increase for salary level PFS–1 or to 6 per centum of his basic salary, whichever is the lesser.

In computing the percentage increase under this subsection the amount of the increase shall be rounded to the nearest dollar. A half dollar or one-half cent shall be rounded to the next highest dollar or cent, respectively.

"(b) Each employee shall be assigned to—

"(1) longevity step A at the beginning of the pay period following the completion of ten years of service; and

"(2) longevity step B at the beginning of the pay period following the completion of thirteen years of service; and

"(3) longevity step C at the beginning of the pay period following the completion of sixteen years of service."

SEC. 2. No increase in compensation shall result from the amendment made by this Act prior to the first day of the first pay period following the date of its enactment.

Mr. JOHNSTON. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. HUMPHREY. Madam President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

POLITICAL AND RELIGIOUS ATTITUDES OF THE POLISH PEOPLE

Mr. WILEY. Madam President, recently I had printed in the RECORD a very challenging article by Mr. Welch, an attorney in town, with respect to Poland. When Secretary of State Dean Rusk was before the Committee on Foreign Relations last week I presented him with the facts contained in the article, and he said he would give the committee a report of the Department views on the article. A report has now been sent to the committee for its records.

In view of the fact that I had Mr. Welch's article, which also appears on Bowdoin College Alumnus, printed in the RECORD, I now ask unanimous consent that the report by Secretary Rusk be printed in the RECORD following my remarks.

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

REPORT BY SECRETARY RUSK

Mr. Welch's article, which appeared in the August, 1960, issue of the Bowdoin College Alumnus, contains a number of interesting and pertinent observations. However, his conclusions with regard to the political and religious attitudes of the Polish people and trends in Poland in 1960 and now are substantially at variance with the great bulk of reports available to the Department of State from a large number of public and private sources, some of them based on long observation of the Polish scene. Certain statements in the article with regard to church attendance, wage levels, and construction in Warsaw are demonstrably inaccurate.

Poland has had a Communist government for about 15 years, and some of Mr. Welch's observations concerning conditions there should come as no surprise. Far-reaching government and party controls are a feature of any Communist society. Among other things, it must be expected that practice in various professional fields such as the law would be under a large measure of official control. The extension of governmental controls in the field of religion is also a policy of Communist governments (however, it should be mentioned here that the reports of official Americans and of private visitors with whom the Department has come into contact stand in sharp contrast to Mr. Welch's assertion that Sunday church services are poorly attended in Poland).

We do not know the basis of Mr. Welch's estimate that "over 90 percent of the Polish people are Communists or Communists in sympathy." The Polish political system does not provide for an active opposition and hence this figure is impossible to estimate with any accuracy. However, the major Polish-American organizations, whose members enjoy personal ties with the Polish people, would certainly take issue with Mr. Welch's figure. The Poles have traditionally demonstrated a strong spirit of independence, evidenced for example in 1956 when

they took forceful measures to eliminate some of the abuses of the Stalin era. Nor would the Department concur in Mr. Welch's view that the advantages which the Polish people obtained in 1956 have been nullified during the years since then. He might wish, for example, to compare the acreage figures for collective farms in 1955, when a policy of compulsory collectivization was in effect, with the figures for today.

The Department disagrees strongly with Mr. Welch's remarks concerning the negative attitude of the Poles toward the "people of the West" and toward Americans specifically. Americans have traditionally enjoyed the closest of ties with the Polish people, due in part to our close blood relationships; the size of the first and second generation Polish-American population is equal to about 10 percent of the present population of Poland. The Department is confident that the Polish people continue to view the people of this country, as we view them, with warm friendship and respect. Officers of the Department who witnessed the warm welcome for Vice President Nixon on his arrival in Warsaw in the summer of 1959 can vouch for the existence of this feeling. Enthusiastic crowds thronged the streets along Mr. Nixon's route, rendering it difficult for police to maintain space for his car to proceed. The Vice President said he was "overwhelmed" by the friendship which he saw on every side, adding that he interpreted it as an expression of the friendship existing between the people of both countries rather than a welcome for him personally. American visitors to Poland may, like Mr. Welch, have had complaints about the portering service in Polish hotels, but as far as the Department is aware they have not interpreted such matters as evidencing Polish hostility. On the contrary, many of them have made a point of registering to the Department their strong impressions of the hospitality and friendliness of the Polish people. This view is confirmed by the experience of Americans who have lived in Poland for long periods of time on U.S. Government assignments.

Mr. Welch makes the observation, pertinent with respect to most Communist countries, that internal conditions render it very difficult for Americans to communicate with the rank and file of the population. United States-Polish relations have seen considerable improvement in this regard in recent years. Mr. Welch is among 12,000 Americans who visited Poland in 1960. Most of these visitors were Americans of Polish extraction, and, like the individual who accompanied Mr. Welch, many spoke the Polish language and had relatives or close friends in Poland. They visited every corner of the country, seeing Polish life in its many aspects and acquainting the Poles with our way of life. Over 2,000 Poles visited the United States during the past fiscal year. The exchange of information between the United States and Poland has also been facilitated by radio broadcasting (our broadcasts are not jammed by Poland), by arrangements under which each country publishes and distributes in the other country a periodical depicting its current life, and by the U.S. informational media guarantee program, which facilitates the purchase by Poland of over a million dollars worth of U.S. publications annually. All these programs help increase understanding in Poland of the United States and its policies.

Mr. Welch mentions the recent economic gift to Poland of $130 million, a reference to the agreement concluded on July 21, 1960, providing for the sale to Poland of grains, cotton, dry milk, and other surplus agricultural commodities totaling $130 million in export market value. These commodities are sold for Polish currencies, but with the provision that after a specified length of time the Polish Government will pay us in dollars for any unused portion of the zloties accrued to us. These shipments have contributed significantly to the improvement of levels of consumption in Poland, and the department believes that the Polish people appreciate this evidence of our interest in their welfare. U.S. Government assistance in this form is coupled with assistance rendered by the several U.S. voluntary agencies active in Poland, proof of the strong interest of private Americans, also, in the well-being of the Polish people.

With respect to Mr. Welch's statements concerning East Germany, it is our view based on extensive documentation and reporting that in any free election held in the Soviet zone of Germany the Communist regime would be voted out of office by an overwhelming majority of the East German population. While there are undeniably members of the East German Socialist Unity (Communist) Party and functionaries of the East German regime who have acquired a vested interest in the continuation of Communist rule, the vast majority of the East German people are completely unsympathetic to the Communist system as evidenced by the fact that since 1949 over 2 million East Germans have voted "no," "with their feet," as refugees fleeing to West Berlin and West Germany. During the first 6 months of 1961 for example 103,000 East Germans have fled to the West as refugees.

INDIVIDUAL VIEWS OF SENATOR ALEXANDER WILEY ON ADMINISTERED PRICES OF DRUGS

Mr. WILEY. Madam President, I have received a number of requests for my individual views, filed in connection with the report of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, relating to the investigation of administered prices in the drug industry. I ask unanimous consent that my individual views may be printed in the RECORD, so that I may have copies circulated.

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

INDIVIDUAL VIEWS OF SENATOR ALEXANDER WILEY

After more than 2 years of investigations and hearings, the Senate Antitrust and Monopoly Subcommittee has produced its report on the drug industry. This is part of the series of subcommittee reports dealing with administered prices. It is noteworthy that while the report analyzes most carefully the various aspects and practices of pharmaceutical research, production, promotion, and sales—it nowhere concludes that these practices are in any way in violation of either the letter or the spirit of our antitrust and monopoly laws. Indeed, all of part I of this report—as clearly indicated by its title—deals with "The Reasonableness of Price." Upon reading of the report it becomes evident that the subcommittee's criticisms of the drug industry are leveled not at clearly defined legal violations but at a more flexible concept of "reasonableness," which is subject to different interpretations and coloring depending on the interpreter's point of view.

Our Federal antitrust laws are not generally concerned with the question of price reasonableness. The brief is inherent in our free enterprise philosophy that prices are best adjusted and determined by the free operation of the forces of supply and demand in the marketplace. It is only when these forces are unreasonably restricted by monopolistic practices that the Government must step in. Consequently, the real question before this subcommittee at all times must be the factual determination as to the existence of illegal restraints of trade—not the speculation as to whether prices are reasonable or unreasonable. It is obvious that once we undertake to substitute Government judgment of what is reasonable or unreasonable for the free play of prices in the marketplace—the final product would be a general Government price-fixing program.

This is not to say that the situation in the drug industry requires no public or governmental scrutiny. It has been argued that the drug industry derived a higher rate of return on its investment than other American industries. It has been argued that the pharmaceutical companies have at times exaggerated in their claims for the therapeutic value of certain drugs. It has been argued that the drug companies have spent an unreasonable portion of their budgets in order to indoctrinate doctors so that they would prescribe high-priced trademarked products. It has been argued that the patent provisions and the licensing agreements among drug manufacturers produced concentration of production and power in the hands of a few large manufacturers.

I shall endeavor later to respond in part to these arguments, not in order to protect the drug industry but in an effort to set the record straight. But be this as it may, let me emphasize it again that it is part of a free enterprise system to permit differences in income and profit, to allow free use of advertising and promotion, and to leave business management to those responsible for it—as long as the public welfare is not directly and immediately threatened. Indeed, it is part of our democratic system that individuals and companies be permitted to try, to experiment and even to make mistakes. It is our belief that it is this opportunity to experiment that is the core of democracy and the true reason for its success. Otherwise, we are destined to follow the example of the totalitarian governments which prescribe to everybody what to do, what to worship, what to produce, and at what prices to sell.

Yet economic freedom is not a license to act contrary to the public interest or to be free from public scrutiny. Governmental scrutiny and reevaluation of the activities of all segments of the population, including business, is an important tool to preserve the national interests. Even the most prominent exponent of free enterprise, Adam Smith, stated in his writings:

"People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices."

I do not share this extreme suspicion of business which has been evidenced in many of the documents of this subcommittee. Still, there is often a tendency, on the part of both individuals and of business to become preoccupied with their own point of view and their own narrow outlook in a manner which is contrary to the best public interest.

I believe that it is the function of the Government, on behalf of the general public, to act as a constant overseer making certain that special interests do not predominate, and that the general welfare is protected. Consequently, I believe that the

recent investigation of the drug industry, despite some serious faults, has performed an important public function in making the industry reevaluate its responsibility to the public, in making the public aware of both the accomplishments and the shortcomings of this industry, and in giving Congress an opportunity to examine the need for new legislation. Indeed, any unbiased observer will concede that the investigation of the drug industry has resulted not merely in criticisms but has also provided the industry with an opportunity to convey to the public a picture of its important contribution to American health and welfare.

Reading the conclusions contained in this report on the drug industry, I am not certain that they contain an unbiased evaluation of the economic facts of the pharmaceutical industry and I feel it incumbent upon myself to comment on several issues which I believe have been either completely overlooked or else have been improperly emphasized in the majority views.

THE ROLE OF PROFITS IN THE GROWTH OF THE AMERICAN PHARMACEUTICAL INDUSTRY

The growth of the American pharmaceutical industry in recent years has been phenomenal and required tremendous capital outlays. It is easy, in our search for lower prices, to accuse the drug industry of unconscionable profits and to demand Government controls. But it must be remembered that the Soviet Union, in which the profit motive does not exist and in which the drug industry is completely regulated, produced no single new drug since the Communist revolution. It must be remembered also that the drug industry is a fairly young industry in this country, and that it has taken large fortunes to build it to the point of its present prominence.

From 1939 to 1958 the American pharmaceutical industry's production grew eightfold. In 1939 the total value of pharmaceutical preparations produced in this country was $386 million. In 1958 it amounted to $2,951 million. In order to keep up with the increasing medical needs of the country, to develop better products and to make more drugs available to an increasing population—the drug industry needed new plants, new research facilities, and new capital. It is the drug industry's success story that provided the necessary capital for the industry's growth.

Before the Second World War we exported only $10 million worth of drugs a year, and we imported over $20 million worth. We now export more than $284 million worth of drug products a year. Between 1939 and 1958 there has been a tremendous increase of 2,800 percent in drug exports. At the same time the exports of manufactured goods generally only doubled. Thus, while competition from other countries has curtailed the expansion of our exports, our drug exports have been constantly increasing. Why is this so? Primarily because our drug industry is advanced and progress-minded and can compete in any market.

The drug industry story is a success story. But success cannot be accomplished through miracles. Unless the drug industry was given an opportunity to reap the harvests of its successes and to invest large portions of it in the development of its facilities and its research, this phenomenal success would not have been possible.

In a period of mere years we became the leading pharmaceutical manufacturers of the world. It was the profit motive which stirred the pharmaceutical industry into further research and growth. It was the profit made by this industry and which was plowed back into it that provided the capital for improvement and growth. Without the profit motive and without the profits being reinvested in the industry—the state of the American pharmaceutical industry today would not be what is is.

True, some may feel that medical research and medical expansion should be subsidized by the Government—but that would also spell out the end of our economic liberty.

In assessing whether the prices of the pharmaceutical industry have been excessive, one must remember that this is a high risk industry, which in 1958, for example, had to test some 14,000 substances before it could produce a mere 40 marketable drugs. This is a high obsolescence industry, where one product can have almost 99 percent of the market 1 year and be reduced to a mere 3 percent 2 years later. It must also be remembered that while wages increased 70 percent between 1948 and 1958, and construction cost increased 64 percent, the increase in the wholesale drug price was only 3 percent.

MONOPOLISTIC TENDENCIES IN THE DRUG INDUSTRY

In analyzing the competitive situation in the drug manufacturing field, it must be pointed out from the outset that more than 1,300 companies are engaged in the manufacturing of prescription drugs—with no one company accounting for as much as 10 percent of the total sales. This is a field where new drugs may, in a matter of a few years, completely replace drugs which were widely used previously. This is a field where different drugs can be prescribed to take care of a particular medical need—and the final choice is left to the treating physician, as to whether he prescribes one particular drug over another, or whether he chooses the drug of one company over the drug of another.

It is true that new drugs are controlled by the companies responsible for their invention, development, and production. Yet, this is part of the American philosophy which recognizes that the inventor is entitled to the fruits of his invention. This is the philosophy incorporated in our patent and trademark system.

It has been argued before the subcommittee that the pharmaceutical industry has overstressed trademarks and has following restrictive licensing practices—thus, in fact, monopolizing the market. It has been proposed further, that prescriptions by generic name, rather than by trademarked names, would provide the patient an opportunity to buy a cheaper product rather than be limited to the trademarked prescription issued to him.

It is appropriate, therefore, that we remember that by undertaking to do away with trademarks and patents—we would be interfering with the very foundations of our economic system. Trademarks are, indeed, major tools in the promotion of quality, and of competitive economic enterprise. It is noteworthy that while the subcommittee has under consideration the possibility of either eliminating or curtailing the use of trademarks in the drug industry—the Communists, on the other hand, are beginning to appreciate the merits of the trademark. A recent dispatch from Red China tells that "Brand Names Win Peiping Backing—Labels, Many in English, Aid Bid To Improve Products."

The story reported by Reuters from Peiping (New York Times, June 4, 1961) states that "Communist China has become brand-name conscious, with newspapers supporting the trend in an effort to improve the quality of consumer products."

On the topic of trade names, I should like also to call attention to recent British attitudes and thinking. The British Hinchliffe Committee on the Cost of Prescribing, has concerned itself with problems similar to those before this committee. One of the proposals before that committee was that standard drugs rather than trademarked products, should be prescribed, as a means of reducing prices. It is interesting that the two pharmacist members of the British committee then proceeded to point out that if the practice was spread to do away with prescriptions by brands, and cheaper unbranded generic products were to be generally used—the British drug industry would be unable to recoup its expenditure on research, and Britain will become dependent on forign countries for new advances in treatment. The same argument would hold true in this country. There will be no motivation for the drug companies to expend large amounts of money on research and development unless the industry is guaranteed patent and trademark protection in order to recoup its investments.

CONCLUSION

I have been in the past, and I still remain critical of the manner in which some of the drug hearings, on which this report is based, were conducted. Likewise, I should like to stress that some of the cures that have been suggested for dealing with the drug evils—real or illusory—are sufficiently drastic to kill not only this particular patient but the whole concept of free enterprise.

Yet, at the same time, the response of the press and the public to this investigation indicates that there is some concern and dissatisfaction with the past practices of the drug industry. We shall be erring seriously if we ignore this.

The essence of the main complaint against the drug industry was the fact of the industry's success. But we must now ask ourselves: Is it a crime to be successful in an economy that believes in free enterprise? After all, one of the major aims of our economy is to encourage success, to promise success to those who enrich society by new discoveries, by improved methods of production and by the use of their genius. Let us not be in too much of a hurry to sacrifice this time-tested economic philosophy. Quite often, in our hurry to correct immediate and present ills we are too ready to sacrifice some of our basic philosophies. Many of the previous congressional investigations have illustrated this danger. Much too often both the public and its representatives unwittingly undertake to accomplish a desired immediate result through the sacrifice of some longstanding principles of government and economics—such principles as government of law and the belief in economic freedom. Yet, we must remember that it was not through price controls and planned economy that this country achieved an economy of plenty and a position of world leadership.

This report is critical of the patent policies applicable to new drugs. It is critical, furthermore, of the industry's use of trade names.

Patents have long been utilized in order to encourage the American creative genius. If we eliminate the incentives under the present patent provisions—would we be doing away with our present motivation for search, exploration, and discovery?

In the matter of trademarked drugs, let us likewise be cautious before we substitute Government controls for the professional judgment of trained physicians. To decide by Government fiat that drugs must be prescribed by generic name and thus deny the physician the right to prescribe a brand-named product manufactured by a pharmaceutical house known and trusted by him—may well be destructive to the traditional doctor patient relationship.

Bearing in mind the dangers of undue interference with our economic system, I do not mean to relieve the drug industry of its

responsibilities in this area. As long as thousands of people in this country—old, indigent, and sick—remain unable to pay the high price of drugs, it is the drug industry's moral responsibility—and indeed, the moral responsibility of all others connected with the health and welfare of the Nation—to continue in their efforts to make medical care and attention available to all those that desire them—regardless of wealth and position. We all believe in free enterprise, but free enterprise does not mean selfiessness. To me it means public cooperation, widespread moral responsibility, and constant striving for private and public improvements.

Let us remember, in conclusion, that our philosophy and system of economic freedom are not designed to protect the rights of the few, but to foster the interests of the many. The most leading proponent of economic freedom, Adam Smith, stated: "Consumption is the sole end and purpose of all production."

Let us remember that economic freedom is justified only as a tool for improving the interests of the public at large.

SCIENCE, TECHNOLOGY, AND EDUCATION

Mr. KUCHEL. Madam President, earlier this year President L. A. DuBridge of the California Institute of Technology delivered a commencement address at Union College, Schenectady, N.Y. I have had, recently, an opportunity to read the text of the address in the monthly publication of Cal-Tech. It is a splendid and learned dissertation, entitled "Science, Technology, and Education." It is most thought provoking. I commend it to all my colleagues in the Senate.

President DuBridge is an outstanding American, perhaps one of the great citizens of the world in the field of education. I need not dwell upon the reputation which Cal-Tech enjoys, both at home and abroad.

Madam President, I ask unanimous consent that the text of the address be printed in the RECORD.

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

SCIENCE, TECHNOLOGY, AND EDUCATION

(By L. A. DuBridge)

Science, technology, and education are at once the three great achievements, the three great problems, and the three great opportunities of modern civilization.

They are really not three independent entities, of course; technology grows out of science, and both are unthinkable without education.

One can, however, push the interdependence of these three problem children too far. For example, one of the greatest popular fallacies ever perpetrated by the American people on themselves is the one that the Russians got ahead of us in space because they had smarter, or more, or better educated scientists and engineers than we had. Therefore, it is said, "their educational system must be better than ours; hence they'll soon surpass us in all fields and we will soon become a second-rate power."

Here, indeed, is a lovely mixture of "sequiturs" and "non sequiturs." It is true that, if our educational system were markedly inferior to theirs, we would be in serious trouble. We would become a second-class power. But it is also true that the Russians' big rockets were not made in the Russian schools—nor does their bigness prove the corresponding smartness of their engineers.

In fact, we know now that for military purposes the smart engineer will design the smallest and simplest rocket—not the biggest—for a given military purpose. Our Minuteman rocket is better than the Atlas precisely because it does the same military mission with smaller weight, smaller thrust, and less cost. Its designers are the smartest rocket engineers on earth. But have you ever heard anybody stand up and say so? No—because we can't yet separate the biggest from the best. We think, somehow, they must be identical.

What really happened in the rocket field was that the American scientists and engineers, considering the problem of delivering a thermonuclear bomb of the size available at the time, concluded that a 300,000- to 400,000-pound-thrust rocket could do the job. So they designed, developed, and built such a rocket. If they had been smarter, would they have built a bigger one? Not at all. If they had been really smart, they would have multistaged it more efficiently, and thus made the first stage smaller.

And the Russians?

They, apparently, were considering a different military problem: either they had a large warhead, wanted to send it farther, or else had some other problem posed to them. They apparently decided they needed a bigger rocket—say 800,000 pounds. So that's what they built. They were smart, too, of course. But they were also lucky. For then along came the space problem—a problem not really considered very important in the United States 10 years ago—and the big Russian boosters were a natural for that job.

Were we dumb not to start space work back in 1953, say? I don't know. Looking back, it would have been nice if someone had convinced Congress that going into space was important and worth spending a billion dollars or so on a larger rocket to make it possible. If the decision had then been made, the rocket could certainly have been built—as the Russians proved. But the lack of such a decision was not attributable to a shortage of scientists and engineers. If anything, it was a shortage of psychologists, or propaganda experts.

More specifically, it was the shortage of a few men who had vision, knowledge, persistence, and persuasiveness to sell to the President, the Congress, and the American people a concept which, in 1953, would have sounded utterly insane—sending a 5-ton capsule into space.

Somebody sold that idea to someone in Russia—or else the Russian engineers weren't smart enough to develop a light hydrogen bomb, so they had to solve the military problem by brute strength and awkwardness. I suspect that is what they did, and that the space venture came as an extra dividend—an unearned run, as they say in baseball.

At the same time, one must concede that the Russians capitalized on this unearned run in a big way, and poured an enormous and well-directed effort into making it pay huge dividends to the glory of the Soviet State.

I say all this to emphasize the point that, to judge a whole educational system, the whole scientific and technical strength of a nation, and even the whole worth of a political system, on the basis of one technical achievement—like a big rocket—is to grossly misunderstand the essential interrelations which exist between education, science, technology, and true national strength.

But what do we mean by true national strength?

I think there is only one sensible meaning to this term; namely, the strength and the ability to use our talents and resources to meet the national goals which we ourselves set.

If this be the definition, then it is obvious that different nations will have different goals and, hence, will give different meanings to the term "national strength." Hence, various nations will develop their talents and resources in different directions.

NATIONAL GOALS

In the Soviet State, the national goals are clearly to enhance the power and prestige of the state itself in order to promote the spread of communism throughout the world. The desires, needs, and aspirations of individual people are secondary to the needs of the state.

In the free world, the priority of goals is reversed. The aspirations of individual people come first; the enhancement of the power and prestige of the state is secondary.

This does not mean that a free people will willfully neglect the essential needs of the state. Quite the contrary. We believe deeply that free peoples can build a basically stronger society than those who live under a dictator. But the purpose of the state will be to protect freedom—not to destroy it; it will be not to impose domination of the state either over its own people or the peoples of other countries.

Now, understanding this contrast between the national goals of a free nation and of a dictatorship is essential to the formulation of our national policies relating to the development and use of our talents and our resources. If we allow ourselves to be led into a mad race to follow and to copy every achievement, every practice, and every policy of the Soviet Union, in the belief that this is the only way to match their strength, then we will, in the process, destroy our own national character; we shall abandon our own national goals; and we might as well organize a Communist state here and now and be done with it.

Obviously we are going to do no such thing. But we would do well to be alert to this danger, else we may drift too far down this road only to find that it is too late to retrace our steps.

All of this has a direct bearing on the subject of science, technology, and education. For these three interrelated activities are essential features of our national strength—just as they are essential features of the strength of the Soviet Union. But because of the differences in goals of the two countries, the ways in which we develop our activities in these areas will be vastly different—or at least they should be.

We have heard much since the launching of Sputnik I about the excellence of the Russian educational system and the decadence of our own. But before we begin copying the Russian system we would do well to inquire about the purposes of the two systems.

EDUCATIONAL GOALS

As I see it, the purpose of the Soviet educational system is twofold:

1. To indoctrinate its people in the glories of communism and to shield them from insidious truths about the operation of other social and political systems.

2. To select young people of particular types of talents and to train them in areas which the state believes are essential to its goals and purposes.

I believe the Russians have developed a system which matches these purposes pretty well. Clearly, from time to time, they themselves find defects in the system and change it to meet new needs. But, clearly also, the system has produced those types of scientists, engineers, technicians, and political leaders which they desired. And it

has produced men and women well trained in these specialties, and apparently, has produced them in adequate numbers.

The goal of our educational system is quite different; namely, to offer to all our young people the opportunity to develop their own talents and abilities in such ways as will lead them into the types of careers and the kinds of lives which they believe will be most fruitful, most satisfying, and most useful. Thus, we offer not only opportunities to those whose talents lie in scientific and technical fields, but also to those who wish to become bankers, lawyers, political and social scientists, businessmen, housewives—or just good citizens.

How well does our educational system match these goals and these objectives?

No one would maintain that the match is perfect, that our system is ideal and could not be improved. On the contrary, we have far to go to build a system adequate to our needs and our ideals. But the important thing is that, as we change things, we do not abandon our goals but seek only better ways to achieve them.

Wherein have we failed?

We hear much about how we have sacrificed intellectual quality in our pursuit of the goal of developing the whole child. We did, in fact, up until a few years ago, swing pretty far in this direction. We tended in many cases to put extracurricular recreational and social activities ahead of the classroom, both in our thinking and in our school expenditures—and even in the training of our teachers. Often, too much classroom time was devoted to frills and trivia that were only remotely related to sound intellectual development. Many educationists insisted that methodology was far more important than substance—and many teachers were graduated from college, loaded with methods courses, and with only the slightest understanding of the subjects they expected to teach.

We are now reversing this trend—too slowly perhaps—but we have started. We now realize that while every child, every school, every locality, every school level offers different problems, the goal of intellectual opportunity should be the same for all; that all peripheral activities should lead us closer to and not further from that goal.

We have also tended, in past years, both in our schools and in college, to neglect the highly gifted student. Our Nation sorely needs the trained talents of such students. But, even here, we must always keep in mind that our basic purpose is not to train talented men to serve the state—but to give the individual student the opportunity to reach the highest levels to which his own talents and ambition can take him. It is the tenet of a free society that when that is done to the maximum extent the nation, too, will be stronger and will prosper.

SCIENCE AND TECHNOLOGY IN A FREE SOCIETY

This theme of individual opportunity carries over into the realms of science and technology. Shall we educate scientists and engineers primarily to make bigger rockets to enhance the prestige of the Nation? Or shall we educate them in order that they may seek and apply new knowledge in any field they select? If we are truly devoted to the ideals of a free society, the answer is self-evident.

We must also ask how, in a free society, we shall set up and organize our scientific enterprises. Shall we do as the Russians have very recently done, and place all science under the rigid control of a powerful agency of the state—an agency which will allocate all funds, determine what scientific projects shall and shall not be pursued, and at what level, and with how many people?

Or shall we continue the policy which has always been followed in America of saying that scientific discovery is the product of the free unfettered minds of individual people, that it shall be the policy of the citizens and their Government to encourage the investment of private funds, State funds, corporate funds, and even Government funds, in such a way as to provide the best scientists of the Nation the opportunities to pursue their investigations into the unknown in whatever directions they believe are most fruitful?

If our goal is to provide the biggest rockets to impress the Hottentots with the glories of our political system, then we should pursue the Soviet plan. But if we believe in free inquiry, and if we believe that the advancement of knowledge on a broad front will, in the long run, do the most to advance the welfare of people everywhere, then we should continue our present policy.

SCIENCE IN RUSSIA

The Russians have admittedly assigned their best scientists and engineers to work on rocket and space technology. Their achievements in this field have been brilliant. But they have paid a heavy price in the neglecting of research in many key areas of basic science. Not all basic research has been stopped, of course, but the scale, breadth, and depth of their scientific work is grossly inferior to ours—or to that of the British. Count the awards of Nobel Prizes in physics, chemistry, and medicine: 61 American scientists have received Nobel Awards, and only 5 Russians.

Witness also the fanfare with which the Russians hurriedly built a 10-billion electron-volt nuclear accelerator, at very great cost, in order to advertise, for a time, that they had the most powerful nuclear machine in the world. The machine was indeed built—but it has never worked properly and is now almost inactive.

Both the United States and CERN (the cooperative European laboratory in Switzerland, now directed by an American physicist) have in successful operation far more powerful and productive machines. The Russians have not advertised this situation in their international propaganda and, unfortunately, neither have we. We did not build our machine just to beat the Russians; we did it because we believe in the advance of scientific knowledge.

I contend that we should believe in freedom and should be proud of the achievements of a free society; that we are justified in using and promoting that freedom because, in the long run (and in the short run too), a free society will contribute most to human welfare throughout the world.

Similar observations apply in discussing the organization and promotion of technology—of applied science. In technology, however, the problem is a little different. Science, as I have said, proceeds most effectively through the method of free inquiry—through projects evolved, pursued, and stimulated by men with ideas. Technology proceeds this way, also—in part.

For example, inventive groups throughout the country have developed a myriad of new consumer products, so we have more television sets and refrigerators and automobiles and new food products—and more Metrecal—than all the rest of the world put together. But we have better industrial processes, more advanced communication techniques, and better public health and medical care than the rest of the world, too. These are the products of free technology.

But there are other areas in which technology must be mobilized, directed, and supported by the Government—military weapons, space technology, nuclear energy, certain areas of public health, for example. Here again we have not done so badly. I don't believe for a minute that we are behind the Russians in overall military strength—or even in the specific field of missiles. (As I said before, the biggest rocket booster does not necessarily mean the best military weapon.) Only in space technology have we lagged, for reasons I have already given.

And here I come to one serious defect and criticism of our democratic society—the decisionmaking process in our Government is slow, inefficient, and lacking in courage and imagination. We did not foresee the huge prestige value of space exploration—and, once we did realize it, we were slow in making decisions as to which of many competing lines of endeavor we should pursue and which to abandon.

In both military and space development we have tended to put a small effort on many things, instead of concentrating large efforts on a few essential things. We have trouble in setting priorities among our various national objectives, and once having set them, we lag in making the essential technical, fiscal, and political decisions to implement our program vigorously. This may all result in making more varied advances on a broad front—but we forgo the opportunity of making quick breakthroughs in certain critical areas.

THREE CHOICES

What do we do about this? We have three choices: (1) We may say that things are good enough as they are and do nothing; (2) we can abandon our democratic process and put decisionmaking in the hands of a dictator or a small group of commissars; or (3) we may retain our democratic government, but improve its decisionmaking processes.

Obviously we shall try to do the latter. But it is not going to be easy. And, since I am not a political scientist, I am not competent to invent a solution. Nevertheless, it is a problem to which I hope the Government will devote a serious, extensive, intelligent, and sustained effort in coming years.

We have some terribly important decisions impending just now; not only decisions in politics, international affairs, and national defense. We also face decisions in science, technology, and education.

In education, for example, we as a nation face a major task: how shall we, as rapidly as possible and on an extensive scale, improve the intellectual excellence in our educational system? First, we must recognize that intellectual excellence is our goal that—according to the National Education Association—the "central purpose of education, at all levels, is to develop the rational powers of men." There are many things to do to instill this ideal and to achieve it. Can we, at both local and national levels, bring ourselves to make the necessary decisions to give intellectual excellence the primary place in our school programs? We could devote untold billions of dollars a year into doing more of the same things we are now doing. We could also, for a much lower sum, improve the quality of what we do—improve curricular materials and learning aids; challenge students at all levels to really use their full capacities; make the education of teachers a more substantive, more meaningful, and more challenging process.

PROBLEMS AND DECISIONS IN SCIENCE

In science, too, we face problems and decisions. Shall we see to it that free inquiry by free minds continues to be fostered in all fields, and that such inquiry shall command all the financial support it needs—for its own sake? Or shall we let free scientific research be solely the byproduct of the difficulties we encounter in the technological fields of industrial production, space technology, or national defense?

But it is in technology that the decisionmaking machinery of our Federal Government faces its sharpest challenge. Where do

the real technical problems lie in the field of national defense? Do we have the courage to concentrate on them and stop the diffusion of our efforts in pursuing a host of marginal or obsolete areas—or by pursuing exotic notions which have the aura of glamor, but little substance of military effectiveness?

In our space program, shall we concentrate effort on pursuing space explorations which have a sound technical base and a useful scientific goal, or shall we let our space program be confined to trying to lift bigger packages into space than the Russians do? Are we interested in space gymnastics or space science? I don't mean that space science won't require big things, too. But we must make some decisions on what our goals should be.

These are all problems which may seem remote to the graduating classes of 1961 But many of you will be immersed in these and similar questions very soon; all of you, as citizens, will be immersed in them eventually. They are not problems that are either superficial or temporary; they go to the heart of the problem of the future of a democratic society. How we handle them will be your business for many more years than it will be mine. They are problems that are interesting, exciting, challenging—and terribly, terribly important.

INCREASED COMPENSATION AND REINSTATEMENT OF NATIONAL SERVICE LIFE INSURANCE

Mr. HUMPHREY. Madam President, I move that the Senate proceed to the consideration of Calendar No. 470, H.R. 879.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H.R. 879) to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill (H.R. 879) to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes, which had been reported from the Committee on Finance, with amendments, on page 1, line 6, after the word "thereof", to strike out "$20" and insert "$19.50"; in line 8, after the word "thereof", to strike out "$38" and insert "$37"; in line 10, after the word "thereof", to strike out "$58" and insert "$57"; on page 3, after line 2, to insert:

(b) Section 334 of title 38, United States Code, is amended by inserting before the period at the end thereof the following: ", except that the peacetime rate for a disability rated 10 per centum shall be $15.50".

At the beginning of line 7, to strike out "(b)" and insert "(c)"; on page 4, after line 6, to strike out:

SEC. 3. Section 312(4) of title 38, United States Code, is amended by striking out "three" and inserting in lieu thereof "seven".

At the beginning of line 10, to change the section number from "4" to "3", and in the same line, after the amendment just above stated, to strike out "This" and insert "The first section and section 2 of this"; in line 13, after the word "of", to strike out "this Act" and insert "such sections"; and after line 14, to insert a new section, as follows:

SEC. 4. (a) Subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"Section 275. Limited period for acquiring insurance

"(a)(1) Any person heretofore eligible to apply for participating national service life insurance between October 8, 1940, and April 24, 1951, both dates inclusive, shall upon application made in writing within two years after January 1, 1962, submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application, and payment of the required premiums, be granted insurance under the same terms and conditions as are contained in standard participating policies of national service life insurance.

"(2) All premiums paid and other income received on account of national service life insurance granted under the authority contained in this subsection and on any total disability income provision which may be attached thereto shall be segregated in the national service life insurance fund and, together with interest earned thereon, shall be available for the payment of liabilities under such life and disability insurance.

"(3) Notwithstanding the provisions of section 782 of this title the Administrator shall determine annually the administrative costs which in his judgment are properly allocable to such life and disability insurance and shall thereupon transfer the amount of such costs from any surplus otherwise available for dividends on such life and disability insurance from the national service life insurance fund to the general fund receipts in the Treasury. The Administrator of Veterans' Affairs is directed to submit to the Senate Committee on Finance and the House Committee on Veterans' Affairs, at the end of each fiscal year, a detailed report on additional costs occasioned by issuance of new policies under this section.

"(b) Any person heretofore eligible to apply for insurance under section 620 of the National Service Life Insurance Act of 1940, as amended, or subsection (a) of section 722 of this title, shall, notwithstanding any time limitation for filing application for insurance contained in such sections, upon application made in writing within two years after January 1, 1962, be granted insurance under subsection (a) of section 722 of this title, subject to the other limitations and conditions applicable to such insurance.

"(c) Any person heretofore eligible to apply for insurance under section 621 of the National Service Life Insurance Act of 1940, as amended, shall, upon application in writing made within two years after January 1, 1962, and submission of evidence satisfactory to the Administrator showing such person to be in good health at the time of such application and payment of the required premiums, be granted insurance under subsection (b) of section 723 of this title subject to the limitations and conditions applicable to such insurance, except that (1) until January 1, 1964, limited convertible term insurance may be issued but not renewed after the applicant's fiftieth birthday, and (2) the premiums charged for such insurance and for any total disability income provision which may be attached thereto shall include an additional amount for administrative costs as determined and fixed by the Administrator at the time of issue. The Administrator is authorized to transfer annually an amount representing such administrative costs from the revolving fund to the general fund receipts in the Treasury.

"(d) Notwithstanding the provisions of section 782 of this title, a medical examination when required of an applicant for issuance of insurance under subsection (a) or (c) of this section shall be at his own expense by a duly licensed physician.

"(e) No insurance shall be granted under this section to any person referred to in section 107 of this title."

(b) The analysis of subchapter I of chapter 19 of title 38, United States Code, is amended by adding at the end thereof the following:

"725. Limited period for acquiring insurance."

Mr. HUMPHREY. Madam President, I ask unanimous consent that the committee amendments to H.R. 879 be considered and agreed to en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota?

There being no objection, the committee amendments were considered and agreed to en bloc.

Mr. HUMPHREY. Madam President, the bill is designed to provide certain increases in the rates of disability compensation. There were committee amendments to the bill.

One of the amendments added a new section, the purpose of which is to restore for 2 years after January 1, 1962, the eligibility of veterans who served between October 8, 1940, and April 24, 1951, to apply for national service life insurance. This particular amendment, of course, was in the bill as originally introduced by the Senator from Louisiana [Mr. LONG] in the Senate.

Another committee amendment deletes section 3 of the bill as it was passed by the House. This section proposes to increase from 3 to 7 years the period after service during which multiple sclerosis first becoming manifest may be presumed to be service connected. The present law provides for a 1-year period for chronic diseases generally and for a 3-year period for tuberculosis, leprosy, and multiple sclerosis.

It is believed that this statutory period is ample and most liberal in comparison to other chronic diseases.

One other amendment which was provided related to rates of compensation.

Madam President, I ask unanimous consent that pertinent portions of the report of the Committee on Finance may be printed in the RECORD.

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

PURPOSE OF BILL

This bill seeks to provide increases in the rates of service-connected disability compensation to reflect the changes which have occurred in the cost of living since the last compensation increase in 1957 as well as to more adequately compensate the seriously disabled veterans. It would increase the monthly rates payable to veterans of all wars and peacetime service who have a service-connected disability rated between 10 and 100 percent or who are entitled to receive compensation at one of the higher statutory award rates, which presently run to a maximum of $450 or as much as $600 monthly if the veteran is entitled to the $450 rate, needs regular aid and attendance and is not being cared for in a Veterans' Administration hospital.

The exact percentage increases for various degrees of disability and for those eligible to receive statutory awards, as amended by the Committee on Finance, appear in the following table, along with estimates of cost.

Increased compensation and reinstatement of national service life insurance

Degree and paragraph	Cases		Current wartime rate	H.R. 879 as amended by Committee on Finance	Percent of increase	Current peacetime rate	H.R. 879, as reported peacetime rate	Total costs, H.R. 879 as amended by Committee on Finance
	Wartime	Peacetime						
10(a)	752,739	47,724	$19	$19.50	2.6	$15	$15.50	$4,802,778
20(b)	285,824	14,410	36	37.00	2.8	29	30.00	3,602,808
30(c)	271,120	15,985	55	57.00	3.6	44	46.00	6,890,520
40(d)	157,989	6,866	73	77.00	5.5	58	62.00	7,913,040
50(e)	105,202	4,885	100	106.00	6.0	80	85.00	7,867,644
60(f)	82,416	4,090	120	127.00	5.8	96	102.00	7,217,424
70(g)	41,203	2,180	140	148.00	5.7	112	118.00	4,112,448
80(h)	25,261	1,010	160	169.00	5.6	128	135.00	2,813,028
90(i)	7,122	190	179	190.00	6.1	143	152.00	960,624
100(j)	74,987	9,626	225	245.00	8.9	180	196.00	19,845,072
(l)	2,775	292	309	335.00	8.4	247	268.00	939,384
(m)	2,094	295	359	385.00	7.2	287	308.00	727,668
(n)	377	16	401	435.00	8.5	321	348.00	159,000
(o)	142	45	450	500.00	11.1	360	400.00	106,800
(p)	2,194	160						1,393,200
(q)+(r)	3,085	705	150(600)	200.00(700.00)	16.7	480	560.00	4,378,800
(s)	10,600	900	265	285.00	7.5	212	228.00	2,716,800
Total								76,447,028

(k) Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, rates (a) to (j) increased monthly by $47 additional to basic compensation paid monthly for veteran with these disabilities. (This $47 rate unchanged.)

Anatomical loss, or loss of use of a creative organ, or 1 foot, or 1 hand, or both buttocks, or blindness of 1 eye, having only light perception, in addition to requirement for any of rates in (l) to (n), rate increased monthly for each loss or loss of use by $47 additional to basic compensation paid monthly for veteran with these disabilities. (This $47 rate unchanged.)

(l) Anatomical loss, or loss of use of both hands, or both feet, or 1 hand and 1 foot, or blind both eyes with 5/200 visual acuity or less, or is permanently bedridden or so helpless as to be in need of regular aid and attendance, monthly compensation.

(m) Anatomical loss, or loss of use of 2 extremities at a level, or with complications, preventing natural elbow or knee action with prosthesis in place or has suffered blindness in both eyes having only light perception, or has suffered blindness in both eyes, rendering him so helpless as to be in need of regular aid and attendance, monthly compensation.

(n) Anatomical loss of 2 extremities so near shoulder or hip as to prevent use of prosthetic appliance, or suffered anatomical loss of both eyes, monthly compensation.

(o) Suffered disability under conditions which would entitle him to 2 or more rates in (l) to (n), no condition being considered twice, or suffered total deafness in combination with total blindness with 5/200 visual acuity or less, monthly compensation.

(p) In event disabled person's service-incurred disabilities exceed requirements for any of rates prescribed, Administrator, in his discretion, may allow next higher rate, or intermediate rate, but in no event in excess of $450.

(q) Minimum rate for arrested tuberculosis. (This $47 monthly rate is unchanged.)

(r) If entitled to compensation under (o), or the maximum rate under (p), and in need of regular aid and attendance, while not hospitalized at Government expense, additional monthly aid and attendance allowance.

(s) If total disabled and (1) has additional disability independently rated at 60 percent or more, or, (2) is permanently housebound.

COMMITTEE AMENDMENTS

(a) The committee gave careful consideration to the President's proposal on this general subject and agrees that the least disabled veterans, having generally the ability to supplement their compensation payments, do not require the same assistance as the more seriously disabled. Accordingly, the bill has been amended to provide increases for those veterans whose disabilities are rated as 10, 20, and 30 percent, in line with the rates proposed by the President. This amendment results in very minor decreases in the specific proposed rates for these cases, but in view of the large numbers in these categories (over 72 percent of all veterans on the rolls), the fiscal result is substantial, and will make more funds available for the seriously disabled group. The House-passed bill proposed an increase in monthly compensation of $1 for the 10-percent disabled, $2 for the 20-percent disabled, and $3 for the 30-percent disabled; whereas the bill as amended by the Committee on Finance provides a monthly increase of $0.50 for the 10-percent disabled, $1 for the 20-percent disabled, and $2 for the 30-percent disabled. These changes are in accordance with the recommendations of the Bureau of the Budget in the following report.

BUREAU OF THE BUDGET,
June 28, 1961.

Hon. HARRY F. BYRD,
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

MY DEAR MR. CHAIRMAN: This is in response to your request for a report on H.R. 879, a bill to amend title 38, United States Code, to provide increases in rates of disability compensation, and for other purposes.

H.R. 879 would provide increases in service-connected disability compensation rates, ranging from 5.3 percent to veterans with a 10-percent disability to 16.7 percent to veterans in receipt of certain statutory awards. The first-year cost of H.R. 879 is estimated at $87.9 million.

H.R. 879, except for the increases proposed for the lower percentages of disabilities, is generally consistent with the President's recommendation in his message on budget and fiscal policy that legislation be enacted to provide a selective increase in compensation rates for veterans with the more severe service-connected disabilities to offset rises in the cost of living since the last increase in 1957. In our view, in order to be consistent with this recommendation, H.R. 879 should be amended to limit the increases for the 10-, 20-, and 30-percent disabilities to the amounts recommended in a draft of legislation to increase disability compensation rates which the President transmitted to the Congress on April 27, 1961.

H.R. 879 more than doubles the percentage increase recommended by the President for the 10- and 20-percent disabilities, and increases the rate proposed for the 30-percent disability by nearly 50 percent. The basis for such increases over the President's proposal seems to be that of providing an increase (roughly 5 percent) for these lower percentages of disabilities that is equivalent to the increase in cost of living since 1957. However, a full cost-of-living increase for these categories of the disabled is of questionable merit because their compensation rates have risen faster than the increases in cost of living during the past decade and because, particularly in the case of the 10- and 20-percent disabled, the disabilities in many cases may have very little effect on actual earning capacity; thus the economic position of veterans with such minor disabilities is not inevitably worsened by rises in the cost of living.

Further, H.R. 879 would continue to afford preferential treatment to the least severely disabled veterans and those whose earning capacity is least affected by the disability concerned—the 10-percent disabled. Since 1952 the 10-percent disabled have received rate increases amounting to 20.6 percent, or substantially greater increases than for any other disability group except the 100-percent disabled. Under the President's proposal this preferential gap between the 10-percent disabled and others was substantially narrowed; H.R. 879 would broaden it again. It is difficult to see how the least severely disabled veterans warrant such markedly preferential treatment.

Finally, H.R. 879 does not follow the recommendation of the President that proportionately greater increases be given to the more severely disabled. Under H.R. 879, each of nine disability categories (10 to 90 percent) receive approximately the same percentage increase.

In summary, H.R. 879 gives unwarranted increases to the less severely disabled, perpetuates the inequities as between the 10-percent disabled and the other categories of disabled, and does not provide proportionately greater increases for the more severely disabled than for the less severely disabled. If the increases for the 10-, 20-, and 30-percent disabled were held to the levels proposed by the President, these objections would be substantially overcome.

Finally, this office concurs in the views of the Veterans' Administration, which are stated in that agency's report to your committee on H.R. 879, indicating the undesirability of extending the period from 3 to 7 years during which presumptive service connection may be granted for multiple sclerosis.

For the foregoing reasons, therefore, we strongly urge that H.R. 879 be amended to limit increases to the 10-, 20-, and 30-percent disabled to those recommended by the President, and that section 3 of H.R. 879, extending the period of presumption for multiple sclerosis, be deleted from the bill. If so amended, the bill would be in accord with the program of the President.

Sincerely yours,

PHILLIP S. HUGHES,
Assistant Director for Legislative Reference.

(b) The second committee amendment deletes section 3 of the House-passed bill. This section proposes to increase from 3 to 7 years the period after service during which multiple sclerosis first becoming manifest may be presumed to be service connected. The present law provides a 1-year period for chronic diseases generally and a 3-year period for tuberculosis, leprosy, and multiple sclerosis. It is believed that this statutory period is ample and most liberal in comparison to other chronic diseases. Also, it should be pointed out that under existing law there are administrative provisions whereby chronic diseases generally incurred within a reasonabe time after the present presumptive period following military service can be and are handled on an individual basis where there is a likelihood that the condition or disease had its inception during military service. The Veterans' Administration and the Bureau of the Budget do not believe that the proposed extension for multiple sclerosis can be justified and recommended the deletion of this section of the House-passed bill.

(c) The third committee amendment adds a new section, the purpose of which is to restore for 2 years after January 1, 1962, the eligibility of veterans who served between October 8, 1940, and April 24, 1951, to apply for national service life insurance. This amendment is identical to Senate bill S. 977, introduced by Senator LONG of Louisiana, and similar to amendments proposed by him and passed by the Senate on four previous occasions. A full explanation of this amendment follows the general statement on the bill.

Mr. KUCHEL. Madam President, I ask unanimous consent that a statement prepared by the distinguished Senator from Nebraska [Mr. CURTIS] may be printed in the RECORD at this point.

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

STATEMENT BY SENATOR CURTIS

H.R. 879 is an important bill which raises the disability compensation for veterans. It is a bill that is very meritorious because it deals with those defenders of our country who are disabled. It should be passed without delay. A great many letters and other communications have been received in my office pointing up the need for enactment of S. 879.

It occurs to me that it is unwise to add on to this measure an amendment which might tend to either delay or defeat its enactment. I voted against the Long amendment, added when the measure was before the Committee on Finance. The Long amendment does not relate to disability compensation but relates to life insurance.

The Long amendment opens up national service life insurance to veterans. It was placed as an amendment on H.R. 879 without hearings. The Veterans' Administration and the Bureau of the Budget are opposed to it. It is true that, after action was taken on the Long amendment, hearings were held, but I believe I am correct in stating that no executive committee meeting was ever held to discuss the views presented in the hearings. I believe this is an unwise manner in which to legislate and I want the RECORD to show my position. The Nation has a special obligation to those veterans who, because of their service to their country, have become uninsurable at ordinary rates. I would favor opening up national service life insurance for this category of veterans. The amendment carried in this bill, however, goes far beyond that.

It is my opinion that one of the most important things that we can do for the approximately 20 million veterans and their families is to preserve our basic American way of life. This is a private enterprise system. To place the Government in the business of writing life insurance is not in the best interests for veterans or any other group in the country. Such action alone will not destroy our private enterprise system. A number of governmental programs, when taken together, do weaken our private enterprise economy. The Long amendment should never have been placed on this bill in the manner in which it was.

It should be borne in mind that in the field of life insurance there is no monopoly. There is a multitude of excellent and well-run companies. Competition is keen. The competition between stock companies and mutual companies, the latter being owned by the policyholders, is likewise keen. The competition is not limited. Life insurance is provided by many fraternal groups and other nonprofit systems in which Government does not take a part. The Long amendment should never be enacted, at least until an exhaustive comparison of costs has been made. The determination and allocation of costs of a Government program are difficult, inexact, and controversial. If, in a Government program, it becomes possible to determine the total cost, there may be doubt as to whether or not the Government program can compete with insurance that is available by non-Government sources.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 879) was read the third time and passed.

Mr. HUMPHREY. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. RUSSELL. Madam 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.

NO SUPPORT FOR POLITICAL HAY

Mr. KEATING. Madam President, yesterday's newspapers report that the Secretary of Agriculture, Orville L. Freeman, has called the protest of Farmer William T. Smith, of Big Flats, N.Y., a "propaganda stunt." He accused the junior Senator from New York of seeking to make "political hay" by meeting with Mr. Smith. Mr. Smith is the upstate New York farmer who used the payments he received under the administration's new feed-grain program to buy a new Cadillac.

I want to point out first that the Secretary took time out from his busy day on Friday to meet with five Illinois corn farmers who drove all the way to Washington to challenge the action of Farmer Smith. The Secretary gave them a "sympathetic reception" and then had some harsh remarks to make about the real needs of corn and feed farmers as he understands them. I am no great political agriculturist but I have the strangest feeling that the Secretary was mowing a little "political hay" of his own. Fortunately, Mr. Secretary, there is no official Government support on this kind of hay, so you need not worry about any quotas on your output.

As far as I can tell, the main charge against Mr. Smith by the Secretary and by the five Illinois farmers whom I mentioned and who met with a member of my staff on Friday, is that Smith is not representative of corn farmers throughout the country. I do not deny this. I do not think Mr. Smith would either. All he is saying, and I agree with this, is that this is a fine "kettle of fish" when a Federal program permits an otherwise well-off American to buy luxury items wholly at the expense of taxpayers, many of whom cannot afford the same items.

My figures are approximate, but, as I remember, Mr. Smith had around 260 acres of corn. I believe that when the program went into effect he took 108 acres out of production, naturally taking out his poorer land. Then he got free fertilizer from the Government to fertilize the remaining 152 acres, and he expects to produce at least as much as, and probably more, out of that acreage than he did out of the land he took from production. He has received about $6,500 for the land he took out of production. I do not think the taxpayers would generally agree with that kind of economics.

I agree that we should help relatively low-income farmers, but to completely and aggressively control the production of every single bushel of a given crop, in this case, feed grains, goes well beyond this objective. This is what the administration's feed-grain program does to a degree and in a manner unprecedented in the history of Federal farm subsidies.

I have been doing a lot of thinking about this program and about the dramatic way in which Mr. Smith chose to illustrate its faults. Farmer Smith has clearly demonstrated the difficulties that are bound to be encountered when the Government accepts the full responsibility for a sector of our economy. He had to speak out. Unless Farmer Smith and those like him challenge this program, we will soon be on the road to the complete federalization of agriculture.

Somebody has got to blow the whistle on the ever-increasing cost and scope of our farm programs. I opposed the feed grain bill on the floor of the Senate. I made it very clear that this program did not meet with my approval. Instead of a market economy, legislation like this leads us down the road toward a completely controlled economy, which I cannot support.

I understand the Secretary's responsibility to the farmers of the Nation, and I know how he feels. But, for the life of me, I cannot see how the vast unsubsidized sector of our farm economy can continue taking it on the chin. Poultry and dairy farmers of New York State and other States have been very seriously affected by the feed-grain program. Feed grain prices in New York State have gone up approximately $2 a ton since its enactment. What do we do about this? Once you support the feed market, then the Government is bound to have to support every other sector of the agricultural economy which touches upon, or is affected by, this market.

I received a letter from a New York State silo manufacturer. He says he wants support too. He is losing a great deal of silo business because people are taking their corn land out of production. So he wants a subsidy for the silos that he would have sold to put the corn in that would have been grown if the Government had not stepped in and kept the corn out of production and therefore also out of his prospective silos. It goes on and on.

And even more importantly, what about the consumer—you and I and everyone else who buys and eats food products? If we cannot find a more logical and natural way to stabilize our farm economy and help small producers make a go of it, the end result will be higher and higher prices at the supermarket. These prices need not be pressed ever upward by the Government. This is no way to run a railroad. What we need is farm legislation that will aid the people whom the Secretary rightly insists need aid, but does not at the same time grant an out-and-out "boondoggle" to those who do not.

Mr. President, in fairness to the Secretary, I ask unanimous consent that an article from yesterday's New York Times discussing the Secretary's reaction to Farmer Smith appear at this point in the RECORD.

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

[From the New York Times, July 16, 1961]

FARMER WHO BOUGHT A CADILLAC CALLED PROPAGANDIST BY FREEMAN—SECRETARY SAYS UPSTATE FOE OF POLICIES IS NOT TYPICAL OF AMERICAN GROWERS—DEFENDS U.S. FEED GRAIN PROGRAM

WASHINGTON, July 15.—The upstate New Yorker who bought a $6,100 Cadillac with money the Government paid him not to plant corn is not typical of American farmers, according to the Secretary of Agriculture.

Secretary Orville L. Freeman said today that only a small minority of farmers was as fortunate as William T. Smith, the Cadillac owner. Mr. Smith owns a 1,200-acre farm at Big Flats, N.Y.

Millions of farmers have net incomes of less than $1,000 a year and would be badly hurt if Federal aid to farmers were stopped as proposed by Mr. Smith, the Secretary asserted.

Mr. Smith, a conservative Republican, was feted by Senator KENNETH B. KEATING, of New York, and other Republican Senators in Washington on July 7. They lauded his success in dramatizing his opposition to Government farm programs.

Mr. Smith had urged that farm prices be allowed to seek natural market levels even though "some people are going to get hurt."

Referring to Mr. Smith as wealthy and a farmer businessman, Secretary Freeman said:

"What he really meant was that he would not be hurt, while millions of full-time farmers, who have no ancillary business to fall back on, would be left to the mercy of a market that would offer them a return much lower than the shockingly meager one cited [$1,000 a year].

"This is a solution so clearly repugnant to Americans that it cannot be taken seriously."

Secretary Freeman said the typical Corn Belt hog and dairy farm last year had 109 acres of crop land, a capital value of $56,240, gross farm income of $11,939 including Government payments, operating expenses of $7,323, and net income of $4,716.

"Quite obviously, in this typical situation Government payments did not go for a Cadillac or any other luxury," the Secretary said.

He asserted that Mr. Smith had lent himself to political exploitation.

"He was whisked to Washington by a Republican Senator from New York who arranged an elaborate press conference for him at the Capitol," Mr. Freeman went on.

"I am not surprised that the Senator should have exploited this rare opportunity to make political hay. But in plain fairness to the 1,200,000 other American farmers who are cooperating in good faith in the feed grains adjustment program, I believe the public is entitled to a more rational view of the program than the one created by a partisan propaganda stunt."

The Secretary said the program was initiated by the Kennedy administration to reduce the costly oversupply of feed grains (corn and grain sorghums) in Government hands.

The Government now holds 2,800 million bushels of feed grains. Mr. Freeman said this supply was built up substantially during the Eisenhower administration. He said the cost of handling and storing these grains has totaled more than $1,500 million since 1952.

Mr. Freeman said the present program would reduce the production of corn and sorghum by 800 million bushels in 1 year, would reduce the surplus by several hundred million bushels, and would ultimately save the taxpayers $500 million in carrying costs.

To persuade farmers to cooperate in the program by reducing their normal acreage, he noted, the Government has agreed to compensate them in part with grain from Government stocks. Cooperating farmers receive certificates for Government grain and can redeem them for cash.

Mr. Smith received the money for not growing corn on 104 acres described as his poorest farmland. He expressed his opposition to the program by making a downpayment on the Cadillac and placing a sign on it expressing his thanks to President Kennedy and Secretary Freeman.

AUTHORIZATION OF APPROPRIATIONS FOR THE ATOMIC ENERGY COMMISSION

Mr. HUMPHREY. Madam President, I move that the Senate proceed to the consideration of Calendar No. 414, Senate bill 2043.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2043) to authorize appropriations for the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill.

LEGISLATIVE PROGRAM

Mr. HUMPHREY. Madam President, I wish to make an announcement, and then permit the Senate to proceed with other subjects. When the Senate concludes its business today, it will adjourn until tomorrow at 12 o'clock noon. Tomorrow there will be yea-and-nay votes on amendments which I am sure will be offered to Senate bill 2043. Senators should therefore be on notice of such a possibility.

When and if action is completed upon S. 2043, the Senate then will proceed to the consideration of the resolution relating to Reorganization Plan No. 5, which relates to the National Labor Relations Board. There will, of course, be a yea-and-nay vote on the resolution covering that plan.

The majority leader has asked me to make one further announcement. It concerns the agricultural bill as reported from the Committee on Agriculture and Forestry. It is the definite intention of the leadership to call up on Monday next the farm bill, so that all Senators who are interested in it should be on notice that on Monday next the comprehensive farm bill, as reported by the Committee on Agriculture and Forestry, will be the pending business in the Senate.

Mr. KUCHEL. Madam President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. KUCHEL. Does the Senator contemplate that sessions will be held daily during the remainder of this week?

Mr. HUMPHREY. I presume that will be the case. The majority leader did not indicate to me his precise desire, but he is present, and the question can be discussed a little later.

SIDEWALK CAFES IN WASHINGTON

Mr. HUMPHREY. Madam President, I read with great interest an editorial entitled "Pursuit of Pleasantness," published in the Washington Post and Times Herald of July 12. The editorial states:

Sidewalk cafes are coming to Washington because Commissioner Tobriner thinks they would be fun. This is a splendidly sensible idea. It will bring a felicitous addition to a city that, with its broad and tree-lined boulevards, is already very pleasant to walk through.

In these days of international crises, perplexing and complex problems, it is rather consoling to find one situation with respect to which we can arrive at a firm resolution. I am pleased that we have been able at least to come to a timely decision on this question of more felicitous and pleasant living.

The sidewalk cafe proposal, in which some of us have been interested, is now coming to fruition. I can hardly wait. I only hope that once sidewalk cafes have become a reality we can depend upon the weather man to be as cooperative as he ought to be, and makes sure that the afternoons are sunshiny, balmy, and pleasantly warm, and not too humid; in other words, I would recommend warm Minnesota temperatures for Washington for the sidewalk cafes in the summertime, and I am perfectly willing to have Florida temperatures for Washington in the wintertime.

I ask unanimous consent this most reassuring editorial on a topic of some concern and interest to many of us may be printed in the RECORD at this point.

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

[From the Washington Post, July 12, 1961]

PURSUIT OF PLEASANTNESS

Sidewalk cafes are coming to Washington because Commissioner Tobriner thinks they would be fun. This is a splendidly sensible idea. It will bring a felicitous addition to a city that, with its broad and tree-lined boulevards, is already very pleasant to walk through. The District Building, once full of misgivings, is now preparing to issue its first sidewalk restaurant permit to Harry P. Zitelman, the proprietor of Bassin's, directly across Pennsylvania Avenue. Some 20 other restaurants have also made inquiries.

Mr. Zitelman is just back from a trip to Mexico and San Francisco, where he inspected sidewalk cafes with care. He plans his grand opening within a matter of weeks, and he will invite Mr. Tobriner and other friends of fresh air like Senator HUMPHREY, who recently proposed cafes on the Capitol's terraces. Mr. Zitelman reports that he is seeking a strolling accordion player, and he is thinking of a radiant heating system to keep his customers outdoors all winter. If the public response is favorable, a new dimension will be given to the amenities of dining out in Washington.

FREEDMEN'S HOSPITAL

Mr. HUMPHREY. Madam President, earlier today I sent to the desk for introduction and appropriate reference a bill to construct a new main building for Freedmen's Hospital, the teaching hospital of Howard University College of Medicine and the major hospital facility for Negro citizens in the District of Columbia, and to transfer administrative control of Freedmen's from the Department of Health, Education, and Welfare to Howard University. It is

essentially the companion bill to the one approved last Thursday by the House Education and Labor Committee.

For many years I have been generally aware that Freedmen's physical plant was deficient in certain respects. But I never had the opportunity to see personally the extent of these supposed inadequate facilities. Recently the plight of Freedmen's was brought to my attention once again. This time I decided to see for myself.

Madam President, at 8 a.m. one weekday I arrived unannounced and asked for a tour of the facilities. Dr. Mitchell Spellman, associate professor of surgery of the College of Medicine, Dr. Frank Jones, chief of medical services, and Dr. Charles E. Burbridge, hospital superintendent, were recruited to serve as guides.

I want the RECORD to be clear that the hospital had no advance notice of my coming. I had worked late in the office. Feeling that there were a good many things that needed to be done in this community, I got up very early the next day and proceeded forthwith to Freedmen's Hospital. I wanted to take a look at this place.

These fine people took me and an aid from cellar to attic. Let me say simply that we were amazed and concerned and horrified by what we saw. I was able to observe at firsthand what had prompted the reports about inadequate conditions. Now I want to tell the Senate what I saw. I want every Senator to know what we are supporting as the teaching hospital of the Howard University College of Medicine. I want every Senator to know the hospital facilities and services available to a large proportion of the population of the District of Columbia. This is a story the entire Nation should know.

Let me say at this point that very few communities in the Nation would tolerate conditions like the ones I found. I insist that the Capital of the United States be worthy of the Republic.

It seems to me that it is the duty of Congress and the citizenry of the District of Columbia to make the Capital of the United States the most beautiful, the most wonderful community in the world. Instead of that, Madam President, there are blighted areas in the Capital, areas of deterioration, that are shocking. I submit that if America wants to present a good image to the world, it ought to wash its own face first. There are a few blotches on the face that need to be cleaned up. One of them is Freedmen's Hospital.

To put it frankly, Freedmen's Hospital is a national disgrace. I am not talking about the people who work there. I do not understand how we are able to get those wonderful people to do the work they are doing there—nurses with inadequate facilities even for their uniforms, and doctors with no offices. These are doctors who have been trained in the finest medical centers of the world and who are devoting their lives to the health and welfare of some of our citizens.

By the way, those citizens pay for the hospitalization they receive. I say that the Federal Trade Commission ought to investigate the situation. I cannot imagine what the standards for health and fire protection can be, to permit the hospital to continue in this fashion. Congress has been derelict in its responsibility. There is no excuse for it.

Physical conditions at Freedmen's have deteriorated to the point where condemnation of the main building should begin immediately. The hospital is obsolete, outmoded, and uneconomical in every respect. Not only that, it is a firetrap. I cannot improve on Secretary Ribicoff's description when he said recently, "Freedmen's Hospital, putting it frankly, is a dump." I commend the Secretary for his descriptive language.

Here are some specific examples of what I found. I found a surgical ward so overcrowded that beds were set up in the center of the room, in violation of the fire laws. I found contaminated bed linen piled up in the center of the ward, simply because there was no place else to put it.

I want the RECORD to be clear that the doctors and nurses in the hospital have done everything humanly possible to maintain these facilities. Doctors and nurses in any other community would have walked out long ago in disgust, or at least could have and perhaps should have.

I found 2 toilets and 2 washbasins for this entire ward of about 30 patients, in addition to 4 or 5 occupants of the so-called private rooms. In actuality, these private rooms are oversized broom closets, containing a bed, a small bureau, and a night table. There is not room for anything else. The charge for the room is $21 a day. That is wholesale, open robbery.

I found the nurses' station set up on a wooden table in the narrow hallway. Residents and interns must also use this table for instruments and equipment. I found totally inadequate facilities for the preservation and dispensing of drugs for the ward patients. In one instance a drug dispensary was located on a stair landing. That is happening in the Nation's Capital. Madam President, any drugstore in the city of Washington which permitted such conditions to exist would soon find the authorities of this community investigating it.

I was taken to the basement, where an outstanding cardiovascular research program was being conducted by the faculty and students of the college of medicine. Some of the most advanced cardiovascular research in the country is being done at Freedmen's, but it is being done in abandoned storage rooms. These quarters are so cramped that I could hardly turn around. This project urgently needs more space if its full potential is to be realized.

Frankly, if we do not do something about it in domestic legislation, I will attach an amendment to the foreign aid program, because if there ever was a needy, underdeveloped area, here it is.

The cardiovascular program has received gifts of badly needed isotopes which, however, cannot be used because there is insufficient room for proper storage and handling. Moreover, because Freedmen's is a Federal facility it is not eligible to receive research grants under the auspices of the National Institutes of Health, the principal sources of these funds.

Of course, that is ridiculous. I do not know why the Federal Government should not be able to help a Federal institution, except that we in Congress are so blind that we have not permitted it. Therefore I shall offer appropriate legislation to correct that obvious abuse.

Yet these medical scientists struggle along with this horse-and-buggy equipment in the atomic age—and it looks at times as if it were an unkept stable—broadening our knowledge in this vital field of cardiovascular research. These men are to be highly commended for their initiative and their dedication.

In the basement I found battered and broken lockers stacked along narrow corridors. These are used by the medical students for their microscopes, lab equipment, books, and personal belongings. It is the only place in the entire hospital reserved for them. I add that we bring people here from all over the world to study in this hospital. I suppose we want to prove to them that we are poor. This is one living example of how underdeveloped one can get.

Nearby I found the snackbar where the nurses, interns, residents, and doctors eat hurried lunches and suppers. The room measures about 20 by 20 feet. If one successfully forces his way into the crowded room, and manages to acquire some food, he can then stand at a high table and eat it. That is one way to insure tension, gastritis, and ulcers.

There are no chairs, table, or lounge facilities. In my opinion, if similar working conditions existed in a boiler factory, the union would be out on strike—and I would encourage it to do so; I might even help to lead it.

Upstairs similar overcrowded conditions existed in the women's ward and the psychiatric wing. I found what appeared to be a janitor's closet serving as the room for administering electric shock treatments.

I repeat: It was a room that served as a janitor's closet which was selected as a facility for administering electric shock treatment to persons who were paying patients in that hospital. They were not relief cases; they were patients who carried insurance. I think the insurance companies ought to sue the Federal Government, if they can. This condition is an outrage.

The patients pay $18 or $21 a day. They get excellent medical and nursing care. Yet they are taken to facilities which might just as well be in a blacksmith shop. All this takes place in the Federal Capital, under Federal jurisdiction, under conditions permitted by Congress.

In another room I found a high-intensity X-ray therapy instrument installed in a doctor's private office, with the control panel mounted out in the hall. When the machine is in use, the doctor must leave his desk to avoid ra-

diation poisoning. But there was no other place to install it.

I could narrate many other examples. I spent a full morning there, and I have been under a full head of steam ever since. I shall be a pest in this body until something is done to improve those conditions. Either the conditions ought to be improved, or the hospital should be closed, because patients are robbed when they are charged for their stay in the hospital. They are mistreated by being admitted there.

I could relate many other examples, but I believe even these would not illustrate how Freedmen's is critically outmoded as an efficient and functional center for medical treatment and teaching.

Freedmen's is constructed on a horizontal plane; in fact the corridors run through two complete city blocks. Today hospitals are built on a vertical plane with patients surrounding a core of services. This plan eliminates the long and difficult trips through the narrow and crowded corridors to reach such services as the X-ray room, the plaster room, or orthopedic therapy. Moreover, the wards are too large and they are poorly lighted due to the high ceilings. There are inadequate facilities for consultation meetings.

In short, the hospital is overcrowded, dilapidated, and rundown. But, of greater importance, the facilities are fundamentally unsuited for the efficient and economical operation of a community hospital, much less for the operation of teaching facilities for an important medical school.

In saying this, I want to pay special tribute to the medical and administrative staffs of the hospital. They are among the best I have ever encountered. I come from a State which has the finest hospital services in the world, the Mayo Clinic, at Rochester, Minn.; and one of the outstanding medical schools in the world, the University of Minnesota, with its Mayo Foundation. By the way, some of the doctors at Freedmen's are graduates of the University of Minnesota Medical School and have served at the Mayo Clinic. These dedicated persons continue to work in the abominable conditions I have described. They continue to do the very best they can. And they continue to save lives and bring their patients back to health. I talked with a number of the nurses and doctors as they made their morning rounds. These were skilled and dedicated people, doing an amazing job with the meager tools at their disposal. They are to be highly commended.

In order to understand fully the importance of making Freedmen's a first-class treatment and teaching hospital, we must understand Freedmen's unique history in training Negro medical personnel and providing medical services to the Washington community.

Freedmen's Hospital was established almost 100 years ago as a Freedmen's Bureau to care for the newly freed slaves fleeing the ravaged lands of the South. While a number of these Bureaus existed throughout the North, only Freedmen's Hospital in Washington remains today as an organized and functioning unit. In 1868 Freedmen's was formally designated as the teaching hospital of the Howard University College of Medicine. Through various agreements with the Federal Government, this relationship with Howard has continued through the years.

By all accounts, this has been a highly productive relationship. More than half of all Negro medical personnel—doctors, nurses, and technicians—trained in this country come from Howard University and Freedmen's Hospital. This is a splendid record and further illustrates the need for new facilities immediately.

Substantial numbers of native citizens from the Caribbean, South America, and Africa also have been trained and educated here. A tremendous reservoir of good will for the United States exists in the hearts of these foreign graduates. Once again this stands as a tribute to Freedmen's. But this record should not be jeopardized by Congress failing to recognize the need for a new and expanded Freedmen's Hospital.

Today four primary functions are performed at Freedmen's.

First. Medical care on an inpatient and outpatient basis is provided for all types of illnesses. In fiscal year 1960, 129,162 days of medical service were rendered to 14,299 inpatients. The outpatient service treated 95,414 persons.

Second. The hospital is the major teaching facility in the education of doctors, nurses, and other adjunct professional and technical personnel in 20 separate training programs. For example, the hospital conducts courses for dietitians, X-ray technicians, physical therapists, et cetera. At present there are approximately 190 hospital trainees, 150 medical students, and 60 affiliates for a total training roster of about 400 students.

Third. The staff coordinates and integrates the hospital programs with preventive medicine through the operation of outpatient clinics and cooperation with governmental and voluntary health and welfare agencies. This is an extremely vital function in an area of predominantly lower income families.

Fourth. The Howard University medical faculty and students do fundamental medical research of all types. During fiscal year 1960, 61 research projects—financed through grants to Howard—were underway at Freedmen's. As I mentioned earlier, the college of medicine is among the pioneers in the field of cardiovascular research.

In summary, Freedmen's Hospital is a community service hospital. It is a teaching hospital. And it is a research hospital. Each of these facets of its operation must be considered and assessed in planning a new hospital building. This fact justifies the need for an 850-bed hospital, as called for in my bill, rather than the 500-bed facility usually mentioned. I will expand upon this important point in a few moments.

We must, however, first understand how Freedmen's Hospital is financed. What are the major sources of income for the hospital? Administration of the hospital is under the control of the Department of Health, Education, and Welfare. Medical services, however, are the responsibility of the Howard University College of Medicine. Through the HEW appropriations bill, the Federal Government provides the major portion of the operating revenues. Last fiscal year $3,497,000 was appropriated. The District of Columbia government and other neighboring counties provide funds for the care of indigent patients. Last year $480,000 was received from these sources. Finally, the patients make direct payment to Freedmen's for their medical services. Last year almost $1,500,000 was received in patient contributions.

Let me also make this point. While occupying a bed in Freedmen's crowded wards is not an enjoyable experience, neither is it inexpensive. Every nonindigent patient pays $18 per day for a ward location and $21 per day for the so-called private room. This fee does not include the cost of medication, special treatments, operating room expenses, X-rays, or other miscellaneous charges. In my opinion Secretary Ribicoff should have amended his statement about Freedmen's to read, "Freedmen's Hospital, putting it frankly, is a rather high-priced dump."

Since its establishment after the Civil War, Freedmen's Hospital has received Federal money to help finance the operation of the hospital and the medical school's clinical training. The Federal Government also has been the only source for construction money. As a Federal facility, Freedmen's is ineligible to receive funds administered under the Hill-Burton Act and any construction grant must be appropriated directly.

In almost 100 years, Freedmen's has received and expended less than $3.5 million for new construction and major renovations. This includes all funds appropriated for past facilities and those now in use.

This averages out to about $35,000 per year since the founding of the hospital, an unbelievably small sum when the job which this hospital has accomplished through the years is considered.

The main hospital building was constructed in 1908 at a cost of $400,000. With the exception of the operating rooms, there never has been a major renovation. In 1940 the annex was built at a cost of $700,000, primarily to serve as a tuberculosis treatment center. As this disease declined, these facilities have been used for all types of chronic chest diseases. This year Freedmen's budget includes $238,000 to renovate the third floor of the annex for general surgical cases. This renovation will relieve some of the overcrowding in the wards, but, at best, it is a stopgap measure.

In short, the Federal Government has not met its responsibility to provide Freedmen's Hospital with an adequate physical plant. Every other major hospital facility in the Washington metropolitan area has either constructed or is constructing a new physical plant. These have been financed largely through Hill-Burton funds. Congress now clearly has the responsibility to appropriate directly funds for a new Freedmen's Hospital.

For the past 20 years, officials of Freedmen's have attempted to acquire these construction funds. Until 1950 these requests were denied at the Department level. In that year the Federal Security Agency approved a small amount for construction planning. However, the Bureau of the Budget denied this request, and the item was not included in the President's budget.

In 1954 the Budget Bureau did approve a planning grant of $50,000, but the House disallowed the item. In 1955 Secretary Oveta Culp Hobby appointed a 10-member group to serve as the Freedmen's Hospital Study Commission which was charged to study and recommend future policies for the hospital. This Commission submitted a strongly worded recommendation to build a new hospital immediately. And this was 6 years ago.

Since 1955, the Senate has come the closest to providing a new hospital for Freedmen's. In 1958 the Labor and Public Welfare Committee approved a bill which would have transferred administrative control of Freedmen's to Howard University and provided for the construction of a new hospital and not to exceed 500 beds. That bill did not, however, come up for consideration on the Senate floor.

While this unsuccessful 20-year quest for construction funds was underway, Freedmen's physical plant steadily deteriorated. This fact emphasizes our responsibility to act decisively this session. It is time we collectively recognized the immediate need for a new Freedmen's Hospital. The time for more studies, more commissions, more inspections—and more procrastination—has passed. Now is the time for action.

My bill is, in essence, the companion measure to the bill reported last Thursday by the House Committee on Education and Labor. There is, however, one important difference. The House bill authorizes the construction of a hospital not to exceeded 500 beds. Both are too limited, but the House bill is far too limited. My bill, however, increases the authorized limit to 850 beds. I believe it is essential to write authorizing legislation with this larger figure.

In 1955 the Freedmen's Hospital Study Commission recommended a 500-bed hospital, and this figure has been repeatedly used in all subsequent legislation. However, the Commission report admits that this figure was not reached by a scientific analysis of the hospital's actual needs. No department-by-department survey was made at that time.

This year, however, the staff at Freedmen's has recommended the minimum size which would permit the hospital to function both as a community medical service and teaching hospital. The many facets of Freedmen's operation, particularly the teaching and research functions, establish certain minimum bed requirements in order that a full spectrum of clinical cases will be available. This is essential in order to support accredited residency programs in a number of specialties, and expand the programs in other areas.

For example, an 850-bed hospital would permit the establishment of residency programs in clinical pathology and orthopedic surgery and the expansion of programs in psychiatry and neurology. The survey by Freedmen's medical department heads disclosed a need for a minimum of 850 beds. I have a copy of this carefully drafted statement, prepared on a department-by-department basis, and I ask unanimous consent, Mr. President, that this survey be included in the RECORD at the conclusion of my remarks.

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

Mr. HUMPHREY. Hospitals are built for the present, but, if people are wise, they are also built for the future. The 6-year-old figure of 500 beds, established without supporting evidence, should not be controlling on us today. It has taken 20 years to get action on this project. It would be a grave mistake not to provide facilities which establish an adequate basis for a full-range treatment and teaching program. We must realize that many decades will pass before another Freedmen's building program is undertaken. We must therefore make a special effort to build adequately now.

The hospital requirements for the entire Washington metropolitan area also justify the larger figure of 850 beds. After presently planned hospital construction in the Washington area is completed, there will be 6,484 beds available for an estimated 2.1 million persons, or an average of 3.1 beds per 1,000 persons in the metropolitan area. This is substantially below the Hill-Burton formula which establishes 4.2 per 1,000 as the acceptable ratio. The District needs additional hospital beds in the immediate future, regardless where they are located.

In short, the evidence for a hospital with a capacity not to exceed 850 beds is overwhelming. I suggest most strongly that Congress act on the basis of this evidence.

The second major provision of this bill concerns the transfer of administrative control of Freedmen's Hospital from the Department of Health, Education, and Welfare to Howard University, which presently is responsible for medical services at the hospital. This transfer provision has been a source of considerable controversy in past years. Since the transfer and construction of new facilities were linked in a single bill, this controversy delayed unduly the more urgent action on the new building program.

The nonprofessional employees at Freedmen's will lose their civil service status upon transfer of administrative control to Howard University. Naturally the employees opposed the transfer on this basis. I do not blame them for fighting to preserve the benefits of civil service employment. And I will say they waged a very effective fight. But unfortunately this opposition also prevented the authorization of badly needed facilities.

Officials at Howard and HEW have taken a number of impressive steps to guarantee the employees at Freedmen's many of the benefits they now enjoy as civil servants. HEW has pledged that any employee desiring a Government job will be relocated at the time of transfer. Those employees choosing to remain at Freedmen's—and I hope most of them will make this choice—will continue under the civil service retirement system. They will continue to receive the same group life insurance. They will continue to earn the same salaries, and will most likely be included in all future Federal salary increases. All past salary increases have been passed on to Howard University employees without the slightest delay and there is no reason why this pattern will not continue.

Every possible effort has been made by HEW and Howard to meet the reasonable objections raised by the employees at Freedmen's. I believe both sides in this matter have acted in good faith and are to be complimented.

What are the advantages to be realized through this transfer? As Secretary Ribicoff said before the Special House Subcommittee on Education:

> I do not consider it appropriate for the Department to operate, to direct, or to administer any part of Howard University. President Nabrit and his colleagues are men of outstanding competence, perfectly able to administer the entire university program.

Unified administrative and medical control of the hospital makes good sense from an operating point of view. The present Superintendent, Dr. Burbridge, and the present Director of Medical Services, Dr. Frank Jones, cooperate and work well together. But in future years this happy circumstance might not be repeated. Then it would be essential to have one centralized point of authority.

Moreover, a more integrated educational situation would be achieved if Howard University were solely responsible for the operation of Freedmen's.

For instance, the nurses training program, currently operated by the hospital, could become a full degree-granting operation if Howard University assumed administrative control. This is true of other technical training programs. At present, Howard has only the educational responsibility for the training of medical doctors.

The House Education and Labor Committee has approved a bill calling for the transfer of administrative control to Howard. I believe the Senate should do likewise.

Mr. President, I wish also to commend the chairman of the House subcommittee which considered the proposed legislation, Representative EDITH GREEN, of Oregon. She has provided able and indispensable leadership in this fight. We are all indebted to her for an informed and wise approach to this urgent matter.

Madam President, I ask unanimous consent to have printed in the RECORD a statement entitled "The Need for New Construction at Freedmen's Hospital." The statement is endorsed jointly by the Association of Former Internes & Residents of Freedmen's Hospital, the Howard University Medical Alumni Association, and the medical staff of Freedmen's

Hospital. I also ask unanimous consent to have printed in the RECORD, in connection with my remarks, various editorials, news articles, and statistical material in regard to the situation at Freedmen's Hospital.

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

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

FREEDMEN'S HOSPITAL

WASHINGTON, D.C.

Bed distribution of proposed 850-bed hospital

Size of nursing unit, 30 beds

DEPARTMENT OF MEDICINE

Service	Units	Beds	Present allocation
General internal medicine	2	60	
Allergy	1/6	5	
Arthritis	1/6	5	
Cardiology	1½	45	
Endocrinology	½	15	
Gastroenterology	1	30	
Hematology	⅓	10	
Infectious diseases	⅓	10	
Dermatology	1/6	5	
Admitting ward	½	15	
Total	6⅔	200	62
Chest diseases	2	60	[1] 150
Total	8⅔	260	212

DEPARTMENT OF SURGERY

General surgery	2	60	35
Orthopedic surgery	1⅙	35	28
Urology	1⅓	40	18
Thoracic surgery	⅓	10	6
Otolaryngology	½	15	4
Ophthalmology	⅓	10	4
Neurosurgery	⅓	10	10
Oral surgery	1/6	5	
Plastic surgery	1/6	5	
Head and neck surgery	⅓	10	
Cardiovascular surgery	⅓	10	
Total	7	210	105

[1] Average patient load allowance for fiscal year 1961, 56.

DEPARTMENT OF NEUROPSYCHIATRY

Pyschiatry (adults)	1	30	
Psychiatry (children)	⅓	10	
Neurology	⅔	20	
Total	2	60	24

DEPARTMENT OF CHRONIC DISEASES

Rehabilitation	⅓	10	
Children	⅓	10	
Adults	1½	45	
Total	2⅙	65	

DEPARTMENT OF OBSTETRICS AND GYNECOLOGY

Obstetrics	2½	75	40
Gynecology	2½	75	49
Total	5	150	89

DEPARTMENT OF PEDIATRICS

Medical pediatrics:			
General	1	30	
Observation and admitting	⅓	10	
Infectious and contagious	⅓	10	
Total	1⅔	50	22
Surgical pediatrics:			
General	½	15	
ENT	⅓	10	
Orthopedics	½	15	
Total	1½	40	18
Adolescent unit	½	15	
Total	3½	105	40

Bed distribution of proposed 850-bed hospital—Continued

DEPARTMENT OF PEDIATRICS—continued

	Bassinets	Present allocation
Nurseries:		
Normal, suspect, isolation, etc	85	50
Premature center	40	
Total	125	50

RECAPITULATION

	Units	Beds	Bassinets
New general hospital:			
Medicine	6⅔	200	
Surgery	7	210	
Neuropsychiatry	2	60	
Obstetrics and gynecology	5	150	
Pediatrics	3½	105	125
Total	24⅙	725	125
Freedmen's Hospital Annex:			
Chest diseases	2	60	
Chronic diseases	2⅙	65	
	4⅙	125	
Total	28⅓	850	125

RECOMMENDATION AS TO BED REQUIREMENTS OF THE PROPOSED NEW FACILITY FOR FREEDMEN'S HOSPITAL, DEPARTMENT OF MEDICINE

GENERAL INTERNAL MEDICINE, 2 UNITS, 60 BEDS

There is increasing pressure in the area of internal medicine in the hospital. The pressure is due to population expansion of the group principally served by this hospital and by the increased longevity of the population serviced. Most of the diagnostic services for many other hospital areas other than medicine are carried out by the internal medicine service. All residents seeking board certification, whether in internal medicine or in the subspecialties must be trained in internal medicine. The projected 60 beds represent the core of the residency training program, and represents an already inadequate number which will be aggravated by the time that the new hospital is completed.

ALLERGY, ONE-SIXTH UNIT, FIVE BEDS

There is a large allergy clinic and patients have to be hospitalized because of untoward reaction to drugs, status asthmaticus. Five beds are a conservative estimate of the need. More beds are actually needed. This number of beds is minimum from the standpoint of residency training and accreditation.

ARTHRITIS, ONE-SIXTH UNIT, FIVE BEDS

It is necessary to hospitalize some arthritic patients to get them started on treatment of gold therapy and steroids. Patients who have reactions have to be hospitalized. There is a 15.6 average daily attendance at the arthritic clinic. Five beds would be the minimum in terms of need and residency training.

ENDOCRINOLOGY AND METABOLIC DISEASES, ONE-HALF UNIT, 15 BEDS

On the basis of the present rate of hospitalization of patients, needs are in excess of 15 beds now. The demands are increasing for beds for diabetic patients and to the large number of indigent patients who develop complications. There are seldom less than 15 diabetic patients hospitalized under the present setup at any time. The projected 15 beds actually are below our needs. There is a training program with three fellows, a research chemist, and adjunctive personnel. There is a certified residency training program projected.

CARDIOLOGY, ONE AND ONE-HALF UNITS, 45 BEDS

During the past 10 years, our program of research in cardiovascular diseases has been greatly expanded. At the present time, our laboratory is capable of service in all fields of cardiac disease as well as peripheral vascular disease. This service has been certified for postgraduate training in cardiovascular diseases. Two full-time fellowships and one full-time resident are in training. This expanded program of research, patient care, and postgraduate training makes the need for additional bed space urgent. This need is further strengthened by the steadily increasing incidence of cardiac disease in the general population.

GASTROENTEROLOGY, 1 UNIT, 30 BEDS

Gastroenterology represents one of the largest and most actual projected services in the hospital and the projected number of 30 beds is much less than the real need. An accredited residency program is contingent upon sufficient beds to maintain a program of sufficient volume to justify it.

HEMATOLOGY, ONE-THIRD UNIT, 10 BEDS

Hematology feels that its actual need is for 20 beds rather than the projected 10 beds. This is based upon the number of hematological cases in the past. There are seven hemophiliacs irregularly under care at present, and this type of patient can never be denied admission to the hospital.

INFECTIOUS DISEASES, ONE-THIRD UNIT, 10 BEDS

Infectious diseases need more than the projected 10 beds, but these would be sufficient to present a resident training program. The need for beds in this area is always pressing. The projected 10 beds represent a moderate approach. It is necessary on occasion to isolate patients, and these beds are essential in the new hospital.

DERMATOLOGY, ONE-SIXTH UNIT, 5 BEDS

Dermatology is an important program with staff for an accredited residency program, but the beds are needed in order to implement their program. Patients with severe dermatological conditions, patients receiving hazardous drugs, and patients starting treatment have to be hospitalized on occasion. The projected five beds represent minimum requirements.

ADMITTING WARD, ONE-HALF UNIT, 15 BEDS

The projected number of 15 beds represents a modest number for an active service like the Department of Medicine. In this area patients are studied to be routed to the necessary areas and also to determine whether extended hospitalization is necessary. This is a timesaving and moneysaving projected service.

JOHN B. JOHNSON, M.D.,
Head, Department of Medicine.

RECOMMENDATION AS TO BED REQUIREMENTS OF THE PROPOSED NEW FACILITY FOR FREEDMEN'S HOSPITAL, DEPARTMENT OF SURGERY

The proposed bed distribution for the department of surgery is based upon many considerations. The more important facets might be enumerated as follows:

1. The establishment of a surgical program in a university hospital.

2. The pattern and experience of other university hospitals.

3. Minimal requirements for student teaching in all surgical specialties.

4. Minimal requirements for resident and intern training program in all surgical specialties.

5. Minimal requirements for a service to meet community needs.

6. Twenty-five years of experience with the present Freedmen's Hospital bed allotment.

7. Minimal requirements to solve many of our major currently recurring problems.

8. The necessity of reopening our ambulance service.

9. Establishment of bed distribution to better serve attending staff who are responsible for our total program.

10. Establishment of an admitting service organized to give better service to referred cases and referring physicians.

11. A realistic consideration of cost of construction, cost of maintenance and ability to completely justify same.

The proposed distribution of beds for the department of surgery is as follows:

	Units	Beds	Present allocation
General surgery	2	60	35
Orthopedic surgery	1⅛	35	28
Urology	1⅓	40	18
Thoracic surgery	⅓	10	6
Otolaryngology	½	15	4
Ophthalmology	⅓	10	4
Neurosurgery	⅓	10	10
Oral surgery	⅙	5	----
Plastic surgery	⅙	5	----
Head and neck surgery	⅓	10	----
Cardiovascular surgery	⅓	10	----
Total	7	210	105
Surgical pediatrics:			
General	½	15	----
ENT	⅓	10	----
Orthopedics	½	15	----
Total	1⅓	40	18

These figures are justified in accordance with the above-listed factors as follows:

It is well established that a university hospital should be a complete unit able to give service and train professional personnel in all major fields of medicine and surgery. To do this, each major department must be composed of well-organized individual divisions. Certainly the proposed list of allotments are basic and minimal, without them a university surgical department would be far from complete. Indeed, included in the increased beds for general surgery are such important surgical facets such as proctology, gastroenterology, metabolism, oncology, etc.

University hospitals in other areas with large bed capacities at their home base have found it necessary to project their program to student teaching and resident training to include other country hospitals in various types of affiliations. This is a recognized need which is not peculiar to our setup but merely emphasizes the critical need of our enlargement to a simple fundamental base as proposed.

The medical student enrollment in Howard University has progressively increased from 50 to 75–100 students per class. At the previous minimal figure of 50 students per class, the amount of clinical material in all of the various surgical specialties is totally inadequate. In this feature, we have a similar problem to other university hospital centers. In order to solve this problem, university centers are increasing their hospital affiliations and student clinic rotation assignments. We are doing likewise, but even this does not adequately meet minimal requirements for student experience. The proposed increase at Freedmen's Hospital will aid in this endeavor although it will be far short of adequate. It, therefore, represents only part of our total effort.

It is well established that the Howard University-Freedman's Hospital Surgical Service bears a significant part of responsibility for the training of surgical residents. This includes, of course, all of the specialties. In spite of this responsibility, our training program, due to material available, is not able to contribute to its fullest potential. It is our aim to increase our productivity by increasing our total resident program by the utilization of other local hospitals as well as the completion of a basic unit here at Freedmen's. The proposed bed allotment is merely sufficient to establish a nearly complete basic surgical unit. It is estimated that even this size service would be inadequate for an ideal basic program.

Throughout the years, the inadequacy of our bed capacity has been demonstrated by a constant need to turn patients away because of unavailability of beds. The need for beds within our community is well documented in all recent surveys of hospital bed distribution for the metropolitan area of Washington, D.C.

Our ambulance service has not run at its fullest for over 2 years and, in fact, has rarely been active at all during the past year. This, obviously, is a loss to the community and more critical to us for the loss of this phase of medical care to students, internes, residents, and staff. In years past, emergency surgery has been a large segment of our program but it has recently diminished so that our trainees miss a significant part of their educational experience. This is particularly important when we relate it to such organizations as MEND, armed services, and the potential need of this training as it pertains to the international situation.

With our present inadequate bed distribution, we have a constant problem with admissions and distribution of admissions on the surgical service, to wit, we are not able to have a fixed pattern of reservations for patients in our admitting office and cannot guarantee the availability of a bed on any planned basis. The situation necessitates the filling of beds as they are vacated or the turning away of urgent, critical cases with a prohibitive frequency. Because of this circumstance, we lose many elective patients to other hospitals and this includes indigent and pay-status cases.

Many of the subdivisions of surgery's patients are housed within the two general surgery units and since the beds are utilized in a rapid fashion, no one of the several services can be assured of consistently available material for teaching and training nor can many members of our staff be assured of available beds for the patients. This is particularly difficult for the full-time teaching faculty who are fairly restricted because of busy schedules restricting them to practice at the home base.

In order to reasonably accomplish these many aims, a service capacity of probably 400 beds would be necessary. Because of more realistic considerations of budget, including cost of construction, maintenance, and staffing, the proposed request for beds was kept at absolute minimum figures. Any bed distribution similar to our current figure has been documented as inadequate by all Freedmen's hospital surveys and certainly by our experience of the past 25 years. In fact, one might more logically challenge the request as being basically and fundamentally inadequate for a hospital designed to service a university medical school program of the size and breadth of Howard's. This might be further criticized because there is not sufficient planning for expansion. It, therefore, would be necessary for expansion to encompass an affiliation with other local hospitals.

Further details for documentation will be supplied if they are considered necessary.

BURKE SYPHAK, M.D.,
Head, Department of Surgery.

RECOMMENDATION AS TO BED REQUIREMENTS OF THE PROPOSED NEW FACILITY FOR FREEDMEN'S HOSPITAL, DEPARTMENT OF NEUROLOGY AND PSYCHIATRY

We have suggested a 60-bed service which even as we now prepare this statement is too modest a request to cover our actual needs. After discussing this topic with the other members of this department, it is pointed out that to meet the needs of our specialty requirements, we would not be doing the sort of job we are capable of doing. It is pointed out that the average bed in a general hospital has a turnover of about six times that of the average psychiatric bed. Therefore to offset this fact a reasonable number of beds are needed to compensate for this and to give the resident an opportunity for diversity. This suggestion is all the more important since we may have to use these facilities which will become permanent and if there is a defect, that too will become permanent.

Such a unit must accept acutely disturbed cases from other wards of this hospital. The larger the hospital the greater will be the demand for such services. Therefore, space in terms of beds must also be made available to meet the needs of the hospital per se.

In terms of patient care there is in greater Metropolitan Washington a population of over 1½ million people, and the end is probably not in sight. Therefore some plans must be devised whereby we could manage and take care of a nominal number of such cases as our contribution to the community and at the same time have enough beds to provide an adequate residency in psychiatry.

There are four areas to be considered:

A. Specialty board in psychiatry.

B. Specialty board in neurology.

C. Combined board in neuropsychiatry.

D. Subspecialty board in child psychiatry.

Cases to provide this clinical experience must be prepared.

In terms of accreditation we need to have a service of such proportion that residents coming to this activity may be able to get the type of experience needed not only to meet the requirements of the Special Board in these fields, but to be able to give maximum service to their community whether in patient care, research, or as teachers. To this end we would need a very minimum service of 60 beds as follows:

	Beds
Psychiatry	30
Child psychiatry	10
Neurology	20

JUSTIFICATION

I. Psychiatry

A. It has been recommended that 10 percent of beds in a general hospital be allotted to psychiatry. Since we need both child psychiatry and neurology as part of the general training in this area, ours would be greatly diluted in that they would not serve primarily for psychiatry, but for (a) psychiatry, (b) neurology, (c) child psychiatry, and (d) psychosomatic medicine. This recommendation is by the American Psychiatric Association and public health studies.

B. This number of beds will give the resident an opportunity to see enough cases in each of the large categories of mental illness so that he would be quite able to cope with all the types of illnesses he may see, save those associated with the law (forensic psychiatry). These he would still have to study at places provided by the court for the care of the patients.

C. In the area of child psychiatry, which is rapidly becoming a subspecialty, we must provide beds. These are urgently needed in the District of Columbia with its enormous rate of delinquency, as evidenced by the backlog of cases in the juvenile court. It will also help the residents to appreciate early mental changes seen on the adult level later. Therefore, residents interested in child psychiatry could from (a) our clinic, (b) beds provided, and (c) the court, get ample clinical exposure and experience to meet the requirements in this area.

D. We know that:

1. Sixty percent of cases seen by the physician have, in addition to some physical disorder, some neuropsychiatric disorder.

2. Fifty-three percent of beds in hospitals in the United States today are used for psychiatric disorders.

3. Here in the District of Columbia, more beds are in St. Elizabeths and the other psychiatric facilities for mental illness than all the other hospitals in the area combined.

4. Three out of four mental hospitals in the United States report overcrowding at present.

5. Nearly all of these facilities show a dearth of physicians to staff them.

6. Close to 300,000 new patients are admitted each year to mental hospitals.

7. Six percent of the present population, or 1 in 16, or well over 1 million in the United States today are suffering from mental illness and other personality disturbances.

Therefore, with mental illness as the No. 1 problem in the United States today, the question might readily be asked whether we have gone far enough—whether this 10 percent would not be the most modest amount for psychiatry we could ask for, and which may readily be the safest minimum for the future.

II. Child psychiatry

A. With the great social upheaval, in the United States in the last 30 years, mother—the stabilizing interest in the home in the United States—has been removed from the home and forced to go to work. In the place of mother, no area has been provided by society where children could be placed until the mother is able to pick them up in the evening. In absence of such areas these children roam the streets and often they get into untold difficulties. As a result the whole family often shows the need for therapy. The child, being the most vulnerable, often needs close supervision and care when submitted to untold stress and much difficulties. We believe that understanding what happens to the child helps us to appreciate better what happens later on in life. This need, we are aware, is tremendous and overwhelming as evidenced by over 100,000 children in the area of school age (6 to 16), and these figures exclude the greater metropolitan area with another 100,000.

B. Residents who now specialize in psychiatry quite often like to limit their practice to the new growing field of the problem child (child psychiatry). We believe this to be a step in the right direction to provide this training in this subspecialty. Pediatric residents who also would need some training in psychiatry could find this training an important and integral part of their training.

C. The psychosomatic ills of children could also be studied in such a setting. Again as to whether such a small number of beds may be adequate, especially when residents in pediatrics are to be considered, must depend on future development and space. The need, great as it is, is nevertheless there, and probably may amount to as many as 20 beds eventually.

III. Neurology

A. There are now no actual beds available for this arm of our service. We are now the only clinical department with only one-half of its service without beds. Therefore, beds that would permit us to develop an accreditation service become a necessity. In terms of service we often see cases of multiple sclerosis, syringomyelia, myasthenia gravis and other muscular dystrophies, etc., but with no beds available this rich experience is lost, and the residents suffer as a result, as these patents are usually sent elsewhere.

B. Knowledge of the nervous system from the point of a disease entity to meet the specialty requirement could be secured by a minimum of 30 beds. Problems of neuro-ophthalmology might very well be answered in addition to clinical disorders in neurology.

C. Problems of rehabilitation can be studied on this service in connection with neurological deficiencies.

D. In addition, as part of the training in psychiatry, some knowledge of neurology is required and vice versa. Thus such a service becomes part of an integrated whole. Knowledge of the nervous system, therefore, becomes imperative.

E. The need for men trained in neurology is becoming greater each year. Such a unit, therefore, would meet not only community needs, but help to train many residents to meet national needs whether in the Armed Forces or in their respective communities.

E. Y. WILLIAMS, M.D.
Head, Department of Neurology and Psychiatry.

RECOMMENDATION AS TO BED REQUIREMENTS OF THE PROPOSED NEW FACILITY FOR FREEDMEN'S HOSPITAL, DEPARTMENT OF OBSTETRICS AND GYNECOLOGY

The Department of Obstetrics and Gynecology is requesting an increase from 89 beds to 150 beds in the new hospital for the following reasons:

A. SERVICE TO PATIENTS AND COMMUNITY

1. There has been an increase from 1,194 deliveries in 1940 to 3,325 deliveries in 1960. This increase is due to the population in the metropolitan area and increased birth rate. The Department of Obstetrics-Gynecology has been hampered by the limited facilities in rendering medical care which we consider adequate.

2. During some months patients are discharged in 1 day rather than the 3 days, maximum.

3. We have a minimal area in which to isolate pregnant patients who are critically ill or patients with contagious diseases. Over the past 20 years, we have had sporadic epidemics of diarrhea because of the limited facilities.

4. Our gynecology service has increased along with the obstetrics service. In 1940, 1,241 patients were hospitalized with 960 operative procedures; in 1960, 1,870 patients were hospitalized with 1,833 operative procedures performed. With the scarcity of bed facilities, our gynecology service can serve mainly for operative gynecology.

5. The total number of patients handled on an inpatient basis was 5,195. There were 5,902 patients seen in the outpatient clinics. Some of these patients who needed hospitalization could not be hospitalized here because of our limited bed capacity.

B. HOUSE STAFF

The limited bed capacity has decreased the experience of the house staff:

1. They have been unable to follow patients over the necessary post partum period during these short hospitalizations.

2. Continuity of interesting patients from the clinics has been lost because of patients having to be hospitalized elsewhere.

3. Medical gynecology had to be studied on an outpatient basis because the beds are being utilized for operative cases.

JOHN F. J. CLARK, M.D.,
Head, Department of Obstetrics and Gynecology.

RECOMMENDATION AS TO BED REQUIREMENTS OF THE PROPOSED NEW FACILITY FOR FREEDMEN'S HOSPITAL, DEPARTMENT OF PEDIATRICS

1. The Department of Pediatrics feels that there is need for a main pediatric unit, completely air conditioned, housed in a separate building close to the main hospital, and probably connected to the main hospital by a ramp. This facility should accommodate 105 pediatric patients exclusive of the newborn nursery.

2. Ground floor for emergency room, clinics, record room (containing charts for pediatric clinic and hospitalized patients), registration and admitting office, information desk and switchboard (extension of main hospital switchboard), rest rooms (male and female) for (a) patients, (b) parents, (c) employees.

3. One floor of office space for staff including:

(a) Offices for pediatricians with adjoining consultation rooms and lavatory.
(b) Office for nursing supervisor.
(c) Office for psychologist with consultation room.
(d) Office for recreation therapist.
(e) Office for pediatric social worker.
(f) Office for residents.
(g) Office for secretaries.
(h) Male and female restrooms and lounge equipped with comfortable chairs, table, chaise lounge, shower and toilets.

4. Inpatient areas:

(a) One floor for infants under 2 years of age.
(b) One area for preschool children.
(c) One area for older children.
(b) One area for adolescent children.

This area should also contain playrooms for children, a library and social hall for adolescents, formula room, chemistry and hematology laboratory, diagnostic X-ray unit, student laboratory on each patient floor, a laboratory for clinical research including a room for isotope storage and study, a main conference room to seat 50 people, several small conference rooms seating 15 to 20 people, waiting rooms, consultation rooms, utility rooms.

The request for breakdown on beds is as follows:

Medical pediatrics:	
General	30
Observation and admitting	10
Infectious and contagious	10
Total	50
Surgical pediatrics:	
General	15
Entomology	10
Orthopedics	15
Total	40
Adolescent unit	15
Nurseries:	*Bassinets*
Normal, suspect, and isolation nurseries	85
Premature nursery	40

It may well be that the nurseries should be situated in an area in closest proximity to the maternity service.

JUSTIFICATIONS

The present bed capacity in this hospital has proved to be woefully inadequate for carrying on the many facets of a teaching and training hospital. It will be recalled that one service, namely, orthopedics (surgery), lost a part of its accreditation because of the lack of adequate material for its training program.

The pediatric unit must contain facilities not only for medical pediatrics, but for all of the various surgical specialties which include general surgery, orthopedic surgery, neurological surgery, urological surgery, otolaryngology, ophthalmology, plastic surgery, thoracic surgery, anesthesia, and oral surgery.

This unit will provide training for interns, residents, medical students, and nurses. A pediatric unit with less than 100 beds usually does not provide sufficient variety of case material for an adequate teaching program. Because of the unique relationship of Freedmen's Hospital to the community, it is also necessary that we provide beds for the physicians who are practicing in our community. We have a number of attending physicians on our staff who are in pediatric practice and are interested in having a first class facility where they can hospitalize their private patients. We are interested in providing this facility to them because all cases admitted to the service—whether private or staff—are used in the teaching and training program.

Better facilities are sorely needed because with the present inadequate facilities, we cannot meet our obligations to the community. A case in point is that there is now a large backlog of elective cases (circumcisions) awaiting admission to the hospital. The current problem is that because of poor facilities, only a limited number of cases can be taken per week.

On a pediatric and maternity unit, certain standards of care have been set forth by the local health department and by the American Academy of Pediatrics. New facilities are needed in order to meet the requirements of these standardizing bodies.

At the present time, Freedmen's Hospital has no facilities whatsoever for adolescent children. They are indiscriminately sprinkled through the adult wards. The recommendation of the American Academy of Pediatrics is that a general hospital, or even a children's hospital set aside special units for the adolescent age group (13–19). These children have special problems which are handled best by providing a separate unit for them. The need for special facilities in a hospital for the adolescent individual is set forth in an issue of "Currents in Hospital Admission," volume IV, No. 4, November 1960. A number of newly constructed hospitals have included facilities for adolescent children.

ROLAND B. SCOTT, M.D.,
Chief Pediatrician.

THE NEED FOR NEW CONSTRUCTION AT FREEDMEN'S HOSPITAL

(A statement dated January 19, 1961, endorsed jointly by the Association of Former Interns and Residents of Freedmen's Hospital, the Howard University Medical Alumni Association and the medical staff of Freedmen's Hospital)

INTRODUCTION

Description of facilities

Freedmen's Hospital consists of a general hospital with 320 beds and 50 bassinets, a tuberculosis hospital with 150 beds, and an outpatient department composed of 43 organized clinics and two emergency operating rooms.

The hospital's physical plant consists of 8 buildings located on 11 acres near the downtown area of Washington, D.C. Its buildings include separate general and tuberculosis hospital units, an outpatient clinic building, and a maintenance shop, all of which were constructed 25 to 50 years ago, with the exception of the tuberculosis hospital which was completed in 1940.

Functions of the hospital

With the facilities described above the hospital conducts activities embracing four basic functions, namely:

1. Medical care of patients through the provision of services on an inpatient and outpatient basis for substantially all types of illnesses. In this connection 129,162 patient days of service were rendered to 14,299 individuals on the inservice, and there were 95,414 patient visits to the outpatient service in fiscal year 1960.

2. The education of physicians, nurses, and other adjunct professional and technical personnel in 20 separate training programs involving approximately 190 hospital trainees, 150 medical students and 60 affiliates for a total of 400.

3. Coordination and integration of hospital programs with preventive medicine through the operation of outpatient clinics and cooperation with governmental and voluntary health and welfare agencies.

4. Fundamental research in medical science through the integration of the work of the preclinical scientist and the clinician. During fiscal year 1960, 61 research projects, financed through grants to Howard University were in progress in the hospital.

Sources of financing

The financing of programs at Freedmen's Hospital is made possible by funds received from the following sources:

1. Federal Government, through direct appropriation.

2. District of Columbia Government and other legal jurisdictions for the care of their indigent patients.

3. Individuals, through direct payment or through third party plans.

STATEMENT OF THE PROBLEM

A building program for Freedmen's Hospital is vitally needed for two important reasons: First, to provide a modern physical plant for safe, efficient services to patients and, second, to provide the necessary facilities in quantity and quality to implement the several educational programs engaged in by Freedmen's Hospital and Howard University.

Need for modern physical plant

One fact alone would seem to point up the obsolescence of the physical plant. In the almost 100 years that it has been in existence, the hospital has received and expended less than $3½ million for new construction and major renovations. This includes all the funds that have been appropriated by the Federal Government for all past facilities and those now in use.

The present general hospital building is over 50 years old and has, out of a total of 370 beds, only 20 private rooms and no semiprivate accommodations. The large wards are 4,000 square feet in area and usually house 28 patients in close quarters with only the separation of a curtain between each person. One bath and one toilet room are the only facilities available to the 28 ward patients and must also be used by patients in the three or four private rooms attached to 8 of the 12 wards.

There is a need for additional space in practically every phase of hospital operation. There is insufficient classroom space for students, lack of lounge and rest rooms for all divisions of personnel, limited storerooms, and cramped quarters in the social service department, medical records, laundry, main kitchen, and other important departments.

Lack of office space and lounge rooms for medical and nursing staffs causes daily problems and does much not only to hamper efficient operation but also contributes to poor morale among these important direct patient care groups.

Preliminary estimates seem to indicate a need within the new facility for at least 850 beds in order that there be an adequate basis for service as well as for medical education. Extensive departmentalization is necessary in the teaching hospital which constitutes the focus of a medical center and this requires a wide distribution of beds in order that each clinical subdivision is represented. This estimate of capacity may be modified depending upon the findings of a detailed program study which must precede final determination of size, design, and an optimal site for the new structure.

Need for adequate teaching facilities

From the educational standpoint, the need for a building program is just as acute. Since Freedmen's Hospital must remain the major teaching facility of the Howard University School of Medicine, which in the past 2 years has increased its enrollment from 75 students to 100 students per class, it must of necessity parallel in development the strides of the medical school. The clinical facilities now available at Freedmen's hospital did not meet the full requirements of the former medical school program and are therefore that much more inadequate since the increase in numbers of students. It is, therefore, mandatory that the hospital plan larger and more adequate facilities. The District of Columbia General Hospital with its provision of certain teaching opportunities in medicine at best assures only supplementary facilities as it does for George Washington and Georgetown Universities.

It should also be pointed out that Freedmen's Hospital presently provides opportunities in medical and technical education on international as well as national and local levels.

A review of previous appeals for new construction

Representations have been made by hospital officials to supervising agencies for the past 20 years for new construction at Freedmen's Hospital. All requests were denied at the departmental level until 1950, at which time an amount for construction planning was approved by the Federal Security Agency but subsequently disallowed by the Bureau of the Budget. In 1954, an amount of $50,000 was approved by the Bureau of the Budget for preliminary planning but was disallowed in the House of Representatives. A Freedmen's Hospital Study Commission [1] was then appointed by the Department of Health, Education, and Welfare to review the hospital's needs and to submit recommendations. The Commission reaffirmed the vital need for new construction and recommended that a new hospital be built immediately and that subsequently ownership of the facility be transferred to Howard University. Since that time the attitude has prevailed that new construction cannot be considered unless the hospital is transferred to the university, although the Commission recommended that legislation authorizing construction should precede transfer. Several bills tying transfer and new construction together have been introduced in Congress but none has been passed. The situation has now reached the point, in terms of comparison with other community hospital facilities, where Freedmen's Hospital is totally unacceptable as a modern hospital facility, and is performing its services in an obsolete, unsafe, and inefficient physical structure.

Against the background of knowledge that every major hospital facility in the District of Columbia with the exception of Freedmen's Hospital has either constructed or is constructing a new physical plant, financed for the most part by Federal funds, serious questions naturally arise concerning this differential with respect to Freedmen's Hospital. Since a sound basis for new construction has been presented again and again without positive results, one is persuaded that the neglect results from a failure to appreciate the magnitude of the need. It would be hard to believe that there is active opposition to the provision of modern health facilities to a segment of the community whose need for medical services is unquestionably acute.

COMMENTS UPON THE STATUS OF FREEDMEN'S HOSPITAL WITHIN THE LOCAL, NATIONAL AND INTERNATIONAL COMMUNITIES AND UPON RESTRICTIONS OF HOSPITAL FUNCTION SECONDARY TO THE ABSENCE OF ENABLING LEGISLATION

The Freedmen's Hospital Study Commission recorded pertinent observations con-

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[1] Pursuant to authorization of the 83d Cong., the Freedmen's Hospital Study Commission, a 10-member group of distinguished citizens selected from the national community, was appointed by Secretary Oveta Culp Hobby of the Department of Health, Education, and Welfare on Feb. 23, 1955, to make a study and recommendations with respect to the future of Freedmen's Hospital. The findings and recommendations of the Commission were received by the Secretary on May 16, 1955. The report, which was advisory to the Secretary, is titled "A Future for Freedmen's Hospital" and numbers 61 pages.

cerning the plight of the hospital and the resulting adjustments by the administration, the professional staff, and by the patients who utilize its resources. In assessing these handicaps, the study commission pointed out: "It is no wonder that the fee-paying Negro patient seeks admission to hospitals other than Freedmen's, even at the sacrifice of his Negro physician. In like manner, it is understandable why the non-Negro patient, once served in large numbers, prefers his hospitalization elsewhere. The rate structure has been set considerably below cost partly in recognition of the inadequacy of facilities. It may be conjectured that, were it not for the restrictive admission policies of other hospitals on the one hand and the great demand for medical care on the other, the number of fee-paying patients would have declined instead of grown with respect to third-party insured patients. It should also be pointed out that Freedmen's Hospital is lacking in semiprivate facilities which are specified coverage for most types of insurance. From the standpoint of incentives that attract high caliber staff, the hospital fails with respect to the facilities for the treatment of private patients and for the conduct of extensive basic and applied research. The private patient and research facilities that attract staff will also improve the hospital's fiscal situation by assuring increasing income from these sources. To assure that these income, staff, and research objectives are met, the present plant must be replaced by a modern structure."

Notwithstanding the validity of these observations, the Department of Health, Education, and Welfare undertook in 1959 to inaugurate substantial increases in the rates for the care of inpatients at Freedmen's Hospital. A committee representative of the hospital staff then directed to Secretary Arthur Flemming (July 1959) a communication which emphasized the absence within the entire hospital of either private or semiprivate accommodations consistent with the definition of most insurance carriers and affirmed the position that it was unrealistic to prescribe a rate structure for Freedmen's Hospital comparable to that employed for modern hospital facilities in the District of Columbia. Later, after a conference between Mr. Flemming and the staff committee from Freedmen's Hospital, the Secretary opposed the elevation of hospital rates, although it was conceded that a sound fiscal policy must inevitably be introduced within the hospital.

During 1960, a Freedmen's Hospital staff committee sought methods through which the hospital might better fulfill its obligation to contribute to knowledge by effecting a climate to encourage and sustain productive scientific investigation. As a collateral accomplishment, we sought a mechanism for the acceptance of grant-in-aid funds and through them a method for the reimbursement of the hospital in proportion to the extent to which the hospital's facilities and services were utilized for research. A protracted study demonstrated that Freedmen's Hospital, unlike St. Elizabeths Hospital, U.S. Public Health Service hospitals, and Veterans' Administration hospitals, is ineligible to receive grant funds for research from the National Institutes of Health, the preponderant source of moneys for medical research. Moreover, a request by the administration of Freedmen's Hospital for itemized funds for research within the budget of the hospital (1961–62) was denied despite the precedence of generous grants by the administering agencies to St. Elizabeths Hospital, U.S. Public Health Service hospitals, and the Veterans' Administration hospitals, none of which maintain academic responsibilities comparable to Freedmen's Hospital. Finally, there appeared to be the point of view that Freedmen's Hospital is unique and therefore legislation which applies to other sister hospitals even within the same department does not apply to it. The opinion that legislation designed for other hospitals within the Department of Health, Education, and Welfare is never permissive with respect to Freedmen's Hospital in effect perpetuates archaic restrictions and regulations which are completely inconsistent with the modern hospital's function. This handicap and the other difficulties already mentioned point up the need for basic legislation for Freedmen's Hospital in order to assure its permanent status and serve as a basis for conducting its several programs.

Now more than 5 years after the completion of the report of Freedmen's Hospital Study Commission, the inequities sustained by an outmoded, inadequate facility without enlightened legislative support are the more gross and even less reconcilable. Despite the unresolved demands for medical care within the community, many fee-paying patients who continue to seek admission to Freedmen's Hospital are motivated largely by loyalties and an enduring identity with the institution. Since 95 percent or more of Negro physicians residing in the District of Columbia have staff privileges in no other hospital, there is thus placed upon them, in addition to the stigma of discrimination and an unhappy restriction of choice, the added burden of sustaining an essentially competitive practice with dependence upon tools besides those of professional competence and appropriate facilities.

That approximately one-half of all American Negroes in the health and allied professions received a variable part of their professional training within Freedmen's Hospital attests for the scope of its usefulness and the breadth of its contributions to our Nation. If we may assume that in the absence or the subsequent failure of the hospital, Americans will suffer a loss comparable in extent to the broad benefits accrued because of previous services rendered by Freedmen's Hospital, then it is inconsistent with national goals either to abandon the facility or to permit it to become ineffectual and unproductive through neglect.

Preoccupied as we are in these times with the political value of symbols and the reflection of our image especially as these influence the attitudes, the affections, and the alinements of underdeveloped peoples, Americans have expended vastly of their substance out of the conviction that our survival was a determinant factor. Presently and for generations before the relationship was identifiable as a laudable instrument of national policy, Freedmen's Hospital and Howard University together provided substantially, perhaps the most substantially of all American hospitals and universities, for the education and training of colored physicians, nurses, and technicians from the islands of the Caribbean and from Africa, most notably. It would be difficult in the presently restricted market of international relations to purchase the inestimable good will and the indebtedness which this effort has earned for the United States.

The expression of the Freedmen's Hospital Study Commission in its concern for the hospital in this context is quoted hereafter: "Not to be omitted from the question of physical plant is the consideration of the role that Freedmen's Hospital currently plays as a national and international symbol of America's attitude toward its most important minority group. By all modern hospital standards Freedmen's is not a symbol of which America can be proud. Inasmuch as this factor of public and international relations is a matter of present and of the immediate future, something must be done as soon as possible to counteract the impression made upon every visiting representative of other nations. Until such a time as the hospital becomes fully integrated, a modern plant to serve primarily the needs of the Negro is an essential symbol of America's intent. And without the attraction of a modern plant, the full integration objectives which require a two-way movement will never be achieved."

It is scarcely necessary to adjudge that the considerations constituting the pattern for this conclusion by the Freedmen's Hospital Study Commission in 1955 are presently even more compelling after one examines them in the light of the political and social revolutions which have transformed the world since then.

Whereas the circumstances which affirm the constantly expanding need for the construction of an appropriately modern facility in place of the present Freedmen's Hospital are unquestioned, the climate for the proposed transfer of ownership of the hospital from the Federal Government to Howard University has been increasingly hostile. Without regard to the merits of transfer, we must agree that whether or not transfer was designed to foster legislative support it has indeed been the focus of an unrelenting opposition. The only logical recourse in view of the unresolved human needs is our appeal to separate the issue of transfer, about which there are strong differences, from the basic plea for a new hospital in order that the latter may be realized promptly. The fate of transfer may then be argued upon its merits without exacting as an unreasonable toll the continued occupancy of a facility which by American hospital standards is not fit to house patients.

SUPPLEMENT

Appended to this statement are appropriate commentaries which express points of view in relationship to the need for new construction for Freedmen's Hospital.

Former Congressman

Excerpt from the CONGRESSIONAL RECORD of June 8, 1954, of the remarks of Mr. Fred E. Busbey, of Illinois, from the floor debate of the House of Representatives, Labor-HEW appropriation, fiscal year 1955:

"I desire to say a little about Freedmen's Hospital. They have a very, very acute problem out there, and I only wish I had the ability to find the solution. I visited the hospital and went over it from top to bottom. The conditions are deplorable.

"The nurses have to work at a desk just outside of the washroom—a washroom that is not very presentable. The hospital is not laid out correctly. It is a very old building, as you know. I would hesitate to recommend spending additional money on this building, because I do not believe you could possibly make it what would be considered, under today's standards, a first-class hospital."

The President of the United States

Excerpt from a message directed by the then Senator from Massachusetts, John F. Kennedy, to the Association of Former Interns and Residents of Freedmen's Hospital on June 8, 1960: "I shall appreciate your advising the association (of former interns and residents of Freedmen's Hospital) that I support your resolution of May 1, 1960, for the construction of a modern, adequately equipped hospital facility in order that Freedmen's Hospital can continue its historic and unique service to the American people."

(Signed) JOHN F. KENNEDY.

CONCLUSION

It is entirely within the interest of the local, national, and international communities that Freedmen's Hospital be developed into a highly acceptable medical center providing superior programs in medical service and medical education. By so doing, our Government would create a symbol of this country's concern for the health problems of all people.

The funds expended would be minimal in comparison with the advantages such expenditure would bring. In order to implement this program of development, it is necessary to obtain an acknowledgment by the executive branch of Government affirming the magnitude of the need for an adequate modern facility for Freedmen's Hospital and the approval of funds to undertake planning of the new construction.

[From the Washington Daily News, July 12, 1961]

FIFTY-THREE-YEAR-OLD FREEDMEN'S HOSPITAL—IT'S A PROBLEM OF AGE

(By Jerry Doolittle)

Freedmen's Hospital, a large, rambling building near Griffith Stadium, seems to carry its 53 years lightly—from the outside.

But inside, Freedmen's shows its years as unmistakably as a middle-aged lady under strong light. The hospital is far beyond temporary patching up—and even beyond extensive structural repairs.

Its faults are built in, and so apparent that no patient or visitor can miss them.

"How they can run that place is beyond me," a senatorial aid said.

Secretary of Health, Education, and Welfare Abraham Ribicoff was even blunter in Capitol Hill testimony. "Freedmen's, let's put it frankly, is a dump," he charged. "The Federal Government should be ashamed to sponsor an institution like Freedmen's today."

"I really believe Freedmen's Hospital is so old nothing can be done for it," a recent patient said. "It needs to be torn down and started all over from the beginning."

AGE PROBLEM

The main problem is simply age; 53 is ancient by hospital standards. When Freedmen's was built in 1908, for example, hospital architects felt ceilings should be high and wards large.

And hospitals, they believed, should consist largely of wings spraying out in all directions, with each bed near a window.

"So we're stuck with a lot of space we can't use economically," Freedmen's Superintendent Charles E. Burbridge said recently. "Nowadays the theory is to bring everything closer together for efficient central service.

"Stand in one of our corridors and you can see two blocks. The building runs from Fourth to Sixth Streets. Making the rounds is like playing nine holes of golf.

"It's constructed entirely wrong for modern hospitalization. Services are in poor relationship to each other. For example, the female orthopedic ward is on the second floor. The plaster room is in the basement in another wing.

"Each time a cast has to be put on, we've either got to take the patients practically blocks away to the plaster room, or the plaster man has to go to the ward."

OTHER LACKS

Freedmen's has about a third of the storage space a hospital its size should have. There are no wheelchair and stretcher rooms, so these must be stored in the halls.

Only 8 of the hospital's 12 wards have solariums available for recuperating patients to sit in—and so they must read, talk, or play games in the corridors.

The sterilizing room, once open 8 hours a day, must now be run around the clock to keep up with the demands for sterile linens and equipment made by a greatly increased number of patients.

Medical students from Howard University must keep their books and clothes in metal lockers which line both sides of a main basement corridor. The lockers choke the hallway so that two people can barely pass. When two stretchers meet, one must back up.

Every available inch of space must be used for storage, which means a general untidiness in closets, halls and elsewhere. The laundry is cramped, and the kitchen old fashioned.

TWENTY-EIGHT-BED WARDS

And where modern hospital buildings prefer wards no larger that 4 beds, Freedmen's has 28-bed wards—with from 3 to 4 private rooms attached to each ward.

The wards are usually filled to capacity—and sometimes emergency patients must be put in beds set up in the aisles. There are no proper nursing stations, and the nurses on duty use a desk at one end of the ward corridors as their headquarters.

For each 31- to 32-patient ward, there are two toilets, two sinks and one bath. In at least one ward, storage room is so limited that supplies are kept in the single bathroom—even in the bathtub itself.

Listen to one former patient:

"Two commodes for 28 women. In the morning we waited our turn to use the bathroom facilities. I'm not squeamish but that unsettled me quite a bit. It's a little hard to strip in front of a line of women. They had to line up or they lost their place."

There are 35 adult beds, 50 bassinets and two delivery rooms in the obstetrical ward. Despite this, 3,135 babies were delivered at Freedmen's last year—about a third of all colored babies born in the District.

The emergency rooms handled 37,513 patients last year, 91,414 were treated in the hospital's clinics and 14,299 required hospitalization.

And the load is increasing. "We already have one of the most active emergency rooms in the city. This year we have had terrific pressure from demands for all our services," Dr. Burbridge said.

TOPFLIGHT CARE

Despite obsolescence and crowding, however, Freedmen's offers topflight medical care. Howard Medical School uses the hospital and Freedmen's has its own nursing school there.

"The hospital has contributed in one way or another to the education of half the Negro physicians and other paramedical personnel in the country," Dr. Burbridge said.

No matter how competent the staff, however, the only permanent cure for what ails Freedmen's is razing and rebuilding. And, if Congress agrees, this cure may be on the way

The old Freedmen's bureaus were set up all over the country in 1865 to provide food and lodging for freed slaves. The Washington Bureau eventually developed into a hospital, and is the last remnant of the system.

At various times it has been under the control of the Army, the District of Columbia, the Department of the Interior, and, now, the Public Health Service of the Department of Health, Education, and Welfare.

HEW wants to turn it over to Howard University, and rebuild the whole hospital—and there is a stronger chance this session than in the past that Congress will agree.

BILL READY

Tomorrow a bill to transfer Freedmen's to Howard and provide an unspecified amount of money to replace the old building goes before the House Education and Labor Committee.

Representative EDITH GREEN, Democrat, of Oregon, who sponsored the bill and shepherded it successfully through her special Subcommittee on Education in May, predicted yesterday that the full committee would pass the measure on to the Labor Committee.

"I expect it to be passed by the end of the session—probably sometime this fall," Mrs. GREEN said. "I would hope the hospital could move into a new facility in 3 years' time. A few people who always look at the dollar sign and forget other values may object to the bill, but I think it will pass."

If it does, a lot of work will still remain to be done. "No plans have been drawn," Dr. Burbridge said, "and no site has been picked, though presumably a new building would go somewhere on the 11 acres we already have.

"Planning a hospital is a long job—you have to go to each department head and find out what he needs and then work it out with the architect. Construction takes a long time, too. I'd estimate it might be 4 or 5 years before a new hospital could be ready."

HUMPHREY VIEW

One pleader for speed is Senator HUBERT HUMPHREY, Democrat, of Minnesota, who toured Freedmen's recently. "It's appallingly bad," Senator HUMPHREY said. "We've got to get moving on a new hospital as quickly as we can. I was stunned by conditions."

The administration, too, can be expected to back the Freedmen's bill in its passage through both Houses of Congress. In Hill testimony, Secretary Ribicoff in May called for action this session on freeing money for the job. And he branded conditions at Freedmen's "a disgrace."

"It can't come too fast for us," said one hospital official. "God knows we need it."

[From the Washington Post and Times Herald, June 29, 1961]

FREEDMEN'S SQUALOR HIT BY SENATOR

(By Thomas Wolfe)

Shocked by what he saw in a surprise tour, Senator HUBERT H. HUMPHREY, Democrat, of Minnesota, yesterday called conditions at Freedmen's Hospital a national disgrace, an outrage, and "more primitive than anything I've ever seen except for some of the hospitals for the Indians in Minnesota."

Because Freedmen's is primarily for Negroes, he charged in an interview, the hospital has been allowed to wallow in "obsolescence and deterioration."

"Freedmen's," he said, "should receive foreign aid."

What he read and heard about Freedmen's prompted the peppery assistant majority leader of the Senate to tour the place virtually unannounced—he gave only half an hour's notice.

INVENTORY OF SQUALOR

What he and an aid saw, he said, turned their note taking into an inventory of squalor:

Garbage, patients, and laundry moving down the same halls, because of lack of any other facilities.

Garbage and dirty linen accumulating in a laboratory.

Thirty to forty patients in one ward with just two washbowls, two toilet bowls—and no privacy.

Doctors and nurses forced to use a basement locker room "which no boiler factory could tolerate—the union would walk out on strike."

"A shock treatment room that wouldn't make a good broom closet. A totally inadequate (postsurgery) recovery room. A lunchroom barely 20 by 20 which all the nurses and doctors must use."

X-ray facilities so crowded that the radiologist risks radiation poisoning because his office is in the same room as his equipment.

SHOCKED AND AGHAST

HUMPHREY said the hospital is a firetrap, to boot, and should be condemned: "If the District Commissioners were doing their job, they would have condemned it already.

"The situation is ridiculous. I was shocked and aghast," said the Senator, a former mayor of Minneapolis. "We need a new hospital and we need it now. We can't afford to waste time arguing over whether

Howard University or the Government should run it."

The 50-year-old Freedmen's building is currently run by the Department of Health, Education, and Welfare. A House Education subcommittee voted May 19 to build a new Freedmen's Hospital and transfer ownership to Howard. The bill must be considered by the full House Education Committee, probably next month.

[From the Washington (D.C.) Sunday Star, July 2, 1961]

REBUILD FREEDMEN'S

Senator HUMPHREY of Minnesota is the latest of a number of prominent officials to tour Freedmen's Hospital, and to be appalled by the disgraceful and outrageous conditions which exist there. His interest is gratifying, and we wholeheartedly second the urgency of his demand that a new hospital be built to replace the old.

The important consideration now is that this interest be translated into action, that Senator HUMPHREY use his full influence to see that a bill is introduced and that hearings are held in the Senate to authorize the new Federal construction. Such legislation already has cleared a House Education subcommittee, and reportedly is scheduled for early consideration by the full committee. In the Senate, however, the matter has languished since hearings were held 3 years ago.

We support the provisions of the House bill, which also include the transfer of the new hospital to Howard University. This position likewise is backed by Secretary of Health, Education, and Welfare Ribicoff. Nothing could be more natural than to develop an even closer affiliation between these institutions than has existed in the past; the university would gain much through the acquisition of decent teaching facilities, and of course the hospital also would benefit. There are those who feel that this affiliation would not be impaired, and indeed that advantages would accrue, if the HEW retained control of the hospital. Presumably these views will be given consideration in the Senate, as they were by the House subcommittee.

As Senator HUMPHREY emphasized, however, such differences must not be be permitted to ensnarl the Federal legislation, as they have in the past. In his words: "We need a hospital, and we need it now."

Mr. HUMPHREY. Madam President, I really must say that I am sure that if the condition which exists at Freedmen's Hospital had prevailed in any other hospital in the city of Washington, it would not have been tolerated. But I believe that one of the reasons why these conditions have continued at Freedmen's Hospital is that the patients there are Negroes. That is rank injustice; it is unfair, unmoral, and inexcusable. We should provide good hospital facilities for hospital patients, regardless of their race, creed, or national origin. This hospital can be used by persons of every race, creed, and nationality. They are entitled to receive good hospital care and to have the benefit of good facilities. But that is not the case in this hospital. Congress and the administration, past and present, are responsible for the existence of this situation. Before we talk about building hospitals in countries all over the world—a matter in which I am very interested—we should proceed to provide reasonable facilities for the hospitals in our country, for the care of those who are in need and who are willing to pay for such care. I submit that a charge of $18 to $20 a day for a hospital bed in an overcrowded ward is not a low price; but that is the prevailing rate in Freedmen's Hospital at this time.

I urge on the Senate speedy and favorable action on the bill I have introduced, so that prompt progress can be made with improving the conditions which exist in this hospital. We cannot wait another 6 years.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 2265) to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Labor and Public Welfare.

REDUCTION OF EXEMPTION FROM PAYMENT OF DUTY BY RETURNING RESIDENTS

Mr. JAVITS. Madam President, I rise to speak in regard to a bill which was passed by the Senate on Friday. This matter appears in the RECORD for Friday, under a heading "Reduction of Exemption From Payment of Duty by Returning Residents." The bill is H.R. 6611, Calendar No. 452.

I wish the RECORD to show that the distinguished chairman of the Finance Committee, the Senator from Virginia [Mr. BYRD], is now in the Chamber at my request.

I shall address the Senate very briefly on this question. When I conclude, I shall ask unanimous consent that notwithstanding the fact that a request to reconsider the vote by which the bill was passed was made and was laid on the table, the motion to lay on the table the motion to reconsider be vacated. It is my understanding that the Senator from Virginia will object to that request—for reasons with which I am quite familiar. But I wish to lay the situation before the Senate.

The Senator from Virginia has been very gracious in agreeing with me that it is proper for this matter to be laid before the Senate, because when the bill was passed there was no debate. There is quite a human reason for that: I was in the old Supreme Court chamber, having as my luncheon guests there a delegation from Brazil, which came here for the serious purpose of an interparliamentary group for tourism. Through a confluence of circumstances—which was not the fault of anyone—the result was that I did not have an opportunity to address myself to the bill, here on the floor, at the time when the bill was brought up in the Senate. I emphasize that I do not make this statement because of any failure to notify me, or anything of the sort. No one was at fault; it was simply one of those unfortunate situations.

However, this matter is so important that I would feel remiss in the performance of my duty if I did not lay the situation before the Senate, before the bill is messaged to the House of Representatives. That is the present situation.

Madam President, I know that the Treasury is very much interested in the bill, because of the balance-of-payments situation; and, for all practical purposes, that is controlling on the attitude of the chairman of the committee, however he might feel about the matter himself. I shall make this statement in full light of that situation.

Madam President, by means of this bill—which beyond any question will become law, because both President Eisenhower and President Kennedy have requested its enactment—the duty-free allowance for American citizens who return from tourist trips abroad will be decreased from $500, where it was set following World War II, to $100, where it previously had stood for many years, long before modern conditions and modern travel. This is proposed to be done in the name of trying to do something about our balance of payments.

There is no question that at the present time the balance of payments is not a troublesome financial factor. As recently as last year it was seriously adverse to us, for at that time it amounted to $4 billion a year. It remains a very grave threat to the United States.

The question is whether what would be done by means of this measure would be far more disadvantageous than what would come from not enacting this measure. I deeply believe that the enactment of this bill will do more harm than good.

Madam President, the broadest estimate is that the enactment of this bill would result in keeping in the United States $150 million, which otherwise would be spent abroad, if the bill were not enacted.

It is to be remembered that at the present time almost 2 million Americans travel abroad in Canada, Mexico, and the countries of Europe. It is inconceivable to me, and I think it is also inconceivable to anyone else who has traveled abroad, that American travelers will, on account of the enactment of this bill, very greatly reduce the amount of purchases they make abroad, for the import duties which would result from enactment of the bill will not be so great as to have that effect on anyone who can afford to make such a trip. So I doubt that enactment of this bill will have anything more than a minuscule effect on the balance of payments.

On the other hand, Madam President, we shall be hearing in a most definite way about this matter from the Americans who will be returning, this summer, from travel overseas. I do not think many of them know about the action now proposed; and when they return—and, as we know, thousands of them will be returning this August and September—their protests will echo and reecho from the Atlantic to the Pacific.

Furthermore, we confront a very serious situation with many of our good friends who will be affected very materially by our action in connection with this problem.

I have received a telegram—and I am sure that other Senators have also received one—from the Bermuda Trade Development Board, complaining about the action proposed in connection with

this bill, and pointing out that Bermuda spends per capita $633 for each of its citizens, in purchases which it makes in the United States; and also pointing out that an area, amounting to 10 percent of the total area there, has been given to the United States for use as an airbase and a naval base.

Madam President, let us assume that something must be done about this matter. I am just as sympathetic to the correction of our balance-of-payments situation in any reasonable way, including the ways which I and the Senator from Virginia and others have discussed, as is anyone else. But I believe we might have gone a little easier in regard to this matter and might have allowed the President to suspend the rigorous application of the proposed $100 limit as regards such places as Bermuda and similar places which are heavily dependent upon tourist trade, where the national interest requires it, and thus permit it to stand at $200, the figure now set in the bill for the Virgin Islands. We are told that that would help avoid discrimination in the case of various countries, but that it would run afoul of the General Agreement on Tariffs and Trade.

I would certainly recommend that we go a little easy in regard to this matter; for instance, that the allowance be reduced to $200, which is now the allowance for returning American travelers who have remained out of the United States for less than 12 days.

So I believe we are making a very drastic application of this proposal, in a way which will trouble us in our relationships with many countries in which we have very good friends, and in a way which will not do a great deal for us in terms of the balance-of-payments situation, whereas if we had shown, in connection with this measure, a little "give," our action might have done much more to serve the purpose intended, and not antagonize the large number of persons who, I feel sure, will be antagonized.

I make this statement because the bill is limited as regards the period of time during which its provisions will be in effect. The bill will expire in 1963. It may, indeed, if we choose to make it do so, expire sooner than that. We could have it expire in 1962.

It is experimental in nature. Therefore, I thought it would be useful to lay the matter before the Senate so that at least the RECORD will show that there was some voice of caution and consideration raised in respect of this matter, and that the views of a small group of people, but people who are extremely friendly to us, and who are very strategically located, like the Bermudans, were considered. I deeply appreciate the understanding in this matter of the chairman of the Committee on Finance.

I understand from the chairman that the Senator from Florida sought in the committee to work out some flexibility in this situation in favor of the Caribbean area—again leading very much to the same idea I had.

So I lay these ideas and thoughts before the Senate, because this is a bill temporary in character, which could be made very much more temporary in character if our experience is bad, so the RECORD will show there was at least some consideration given to the matters I have just raised.

I had an amendment to this bill printed. It was at the desk when the bill was considered, but, obviously, in my absence, was not presented.

The amendment was different in character from the ideas I have just been discussing. Those who are engaged as tourists in coming to the United States would be favored, in similar accommodation, with the right to bring up to $100 in gifts. Right now that figure is $10. This proposal would make it relative to the new figure we are setting for returning U.S. tourists.

This measure, incidentally, was approved both by the Treasury and the Commerce Departments. I have had the assurance from the chairman of the committee, for which I am grateful, that, upon an appropriate bill, I shall have full consideration—and, I have little doubt, successful consideration—of this particular amendment.

So I was not really raising the point I have raised because of the amendment I had, which was approved by both the Treasury and Commerce Departments.

In carrying out that idea, I send to the desk for printing under the rule an amendment to the bill (H.R. 5852) to provide for the free entry of a towing carriage for the use of the University of Michigan, which I ask be referred to committee.

The PRESIDING OFFICER. The amendment will be received, printed, and appropriately referred.

The amendment was referred to the Committee on Finance.

Mr. JAVITS. That amendment will take care of the particular reciprocity situation to which I have referred.

I conclude upon this basis, and then I shall make my unanimous-consent request. I think we are doing something which will turn out to be unwise in reference to cutting down the privilege of returning American travelers to $100. I think we shall hear about it widely and loudly. I think we are unnecessarily offending some very good friends of ours to whom this means a great deal. We could have done everything we wanted to do by making a very modest reduction from $500 to $200. I think, if we had granted discretionary authority to the President, he could have squared the situation with other nations under GATT. It would have been very simple to take care of that situation by giving the President such authority.

I hope, with these views of record, we may watch very carefully what occurs in respect to this matter and be quite prepared, if we need to, to change the situation.

Madam President, I ask unanimous consent, notwithstanding that one request to reconsider the vote by which the bill was passed had been made and tabled, to reconsider the vote by which H.R. 6611 was passed.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request to reconsider the vote by which H.R. 6611 was passed?

Mr. BYRD of Virginia. Madam President, I regret it very much, but I feel compelled to object to the request made by the Senator from New York.

The PRESIDING OFFICER. Objection is heard.

Mr. JAVITS. I wish to express my appreciation to the distinguished Senator from Virginia for his understanding and traditional accommodation to Members of the Senate. I would not have been able to make the point if the bill were not still on the desk. The Senator from Virginia has been most gracious. So has the Senator from Minnesota and the majority leader. I have made my point. I do not feel that whatever I might have done on Friday would have changed the situation, in view of the action of the committee. I hope what I have said today will have some effect on the situation.

Mr. HUMPHREY. Madam President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I believe the Senator's statement has been very helpful. I am happy he made it, as I indicated to him privately, because, while this was an administration bill and I am sure there was considerable support for it, the fact of the matter is that the proposal the Senator from New York would have made to give the discretionary power to the President would have been a much better provision. I want the Senator to know that, and the record to be clear on it. I hope that after this particular amendment has gone into effect, because the House has passed it and it will be the law, it will be carefully reviewed in very short order, because I think that rather than help our balance-of-payments situation, we may be doing something we shall be sorry for in terms of our tourist program.

Mr. JAVITS. I thank the Senator.

Madam President, I ask unanimous consent that a telegram to me from N. H. P. Vesey, chairman of the Bermuda Trade Development Board, be made a part of the RECORD at this point.

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

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

This is an urgent plea for your consideration of the consequences of applying H.R. 6611 to the island of Bermuda about which I wrote you. We understand you will soon be asked to consider this bill which would reduce the duty-free allowance on purchases by U.S. tourists from $500 to $100. We in Bermuda genuinely appreciate the purpose of this bill which is to alleviate the U.S. balance-of-payment problem but we are confident that applying the proposal to Bermuda will work contrary to U.S. objectives for the following reasons: Bermuda's economy is almost totally dependent upon tourist trade, 85 percent of which comes from the United States. This small island has no natural resources. It must import nearly all its needs and buys more from the United States than from any other country. Last year it spent $633 per capita for U.S. goods. The United States already enjoys a favorable trade position with Bermuda but if all U.S. tourists limit their purchases to $100 Bermuda retail sales will be reduced. The inevitable consequences of

this would be a decrease in Bermuda purchases from U.S. suppliers. This is not the intention of H.R. 6611 but this would be its effect insofar as Bermuda is concerned. Military and economic security are inseparable. This bill would have catastrophic effects on the economy of a contiguous island area on which the United States has both an airbase and a naval base. For mutual security reasons Bermuda granted 10 percent of its limited land area for these purposes the land being a freewill gift so far as Bermuda is concerned. In summary H.R. 6611 will upset the favorable balance of trade that the United States now enjoys in Bermuda. It will be a devastating blow to our island economy. It will adversely affect the social-economic climate of a militarily important, traditionally friendly contiguous area. It will not, in our opinion, serve the interest of either country. There must be some solution to the U.S. balance-of-payment problem that will not work such disproportionate harm on a neighboring island 20 miles in area that seeks only the right to support itself through tourism, the only trade available to it.

N. H. P. VESEY,
Chairman, Bermuda Trade Development Board.

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

Mr. JAVITS. I yield.

Mr. MANSFIELD. I have some qualms about the proposal which was passed last week. I have had them for some time, because I think, in addition to some of our friends in the Caribbean, we ought to keep in mind the importance of the business transacted by our own tourists with Canada to the north and Mexico to the south. I hope that in the not too distant future further consideration may be given to this proposal, so that, if possible, a Presidential prerogative basis, at least, may be taken into consideration in our economic relations with our neighbors close to us.

Mr. JAVITS. Madam President, I do not know whether the majority leader was present when I said it, but I expressed my deep appreciation to him, the Senator from Virginia [Mr. BYRD], and the deputy majority leader [Mr. HUMPHREY] for their graciousness and accommodation in allowing the framework to continue until I could make these remarks.

Mr. MANSFIELD. The Senator always has that right.

Mr. KUCHEL. Madam President, let the RECORD show that the Senator from California believes the Senator from New York has performed a service in what he has done today; and had the Senator been able to bring to the attention of the Senate his proposal with respect to the legislation which we passed here last week, I believe I would have supported it. So far as I am concerned, I hope the Senator will follow it through, and where those of us who believe in the proposal can do so, we will help him.

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

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

MILITARY AIRCRAFT FOR DEFENSE

Mr. YARBOROUGH. Madam President, on July 9, the Soviet Union, in an attempt to extract every ounce of propaganda advantage out of their advanced aircraft demonstration, gave the entire free world, and more particularly the United States, the most serious cause to reconsider the course and direction of our own aeronautical programs—particularly in the field of military aircraft.

Although the purpose of this airshow was obviously to put teeth into their threats concerning the Berlin situation, they have done the friends of liberty a service by demonstrating that they, with the utmost secrecy, have been conducting a modern aircraft building and development program, and that, to a certain extent, their efforts in this area have been crowned with success. The warning contained in this airpower demonstration is apparent for all to see. It is more eloquent than any diplomatic exchange; it is more ominous than any threat conveyed by mere words.

In America, we have rested in the belief that we have enjoyed a marked superiority in military aircraft. Since July 9, there is serious doubt that this is true, for we have not fully developed our manned systems of air defense, with respect to which we have in the past had a technical superiority.

The demonstration of the new Soviet planes should and must be taken into consideration in the revaluation of our national defense posture which the President has so wisely ordered.

Regardless of the outcome of the present crisis, we should not voluntarily surrender our leadership in the field of manned aircraft through a supine refusal to exploit the growth potential of our own most advanced aircraft.

While the Russians have been busy, secretly developing aircraft comparable to the very best we have, we at the same time have been advised by the Department of Defense that there is no further need for more manned operational bombers nor our most advanced interceptor fighters, and the course has been set to close down the lines of production of these most advanced weapons and to dissipate the industrial teams which have built the U.S. posture into an air fighting force second to none. At the same time, our B–70 program is being starved.

I think it is vital that we reconsider the decision to discontinue production of the B–52, the B–58, and to hold the B–70 back to a mere prototype. At the same time that we are pushing ahead with our promising missile programs—and I think we should—we should redirect the talent and energies of our designers and builders of airplanes toward exploitation of the growth potential of planes we now have—adding to their speed, range, firepower, versatility, and reliability in all promising areas.

The Soviet airshow made apparent two real problems facing this country: one in air defense and the other in our offensive or retaliatory capability. Defense officials have publicly stated that there was nothing new in the Soviet airshow—that they were fully aware of what was going on. But I feel that there is a general concern throughout the country—throughout the free world—as the actual evidence of this power and might of the Red air force became known last week. It is of the utmost necessity that we take timely steps to meet these new threats.

First, to insure the penetrability of our retaliatory aircraft—bombers—we should fully fund the B–70 program and double the funding in fiscal 1962 from $220 million to about $440 million and allow it to proceed at the fastest orderly rate until this great, modern bomber can take its proper place in our weapon arsenal. Second, we should review the proposals for modification of the B–58 Hustler—to increase its range and size and speed. Proposals to accomplish this have been gathering dust in the Pentagon for over 3 years.

Yet we are assured that this plane, our only supersonic manned bomber—in fact, the B–58 is the only supersonic manned bomber in the free world—can be extended to provide a speed of mach 2.4 and its range increased to compare with any existing manned aircraft in the world. Only $50 million in fiscal 1962 funds would be required to get this program underway and would phase in productionwise with the procurement of another wing of B–58A's in fiscal 1962, which would cost around $345 million. Third, we should push development of the Skybolt program in order to give our larger B–52's a better standoff capability and provide a mix within the mixed force concept of air defense.

I, for one, do not think we are ready to rely wholly on missiles, nor on the decaying power of an aircraft striking force which is not only static and fixed, but which cannot be revitalized within 2 or more years because production facilities have been closed or diverted to some other use. We should continue to expand the missile program, but we should maintain a modernized, elastic aircraft development program, rather than to have a static program on the theory that aircraft are obsolete.

Can we as a Nation afford to take this chance?

In the field of air defense, it is equally important that we develop and put into production the most advanced fighters we are capable of building. While air defense missiles show some promise, they are necessarily limited—by their nature—to a one-shot operation. They could be overwhelmed—even if they were 100 percent effective—by a relatively small striking force. They do not have and cannot ever have the multi-target capability of a manned fighter-interceptor. They will always lack the power of human judgment in distinguishing real targets from decoys, of being able to offset evasive action, and being able to harass an attacking force for a considerable period of time. We need to resume production of the F–106 for which $100 million was appropriated and never spent last year.

We need to complete the planned operational units vital to defense of this country—and particularly in the southern part of the United States whence we have witnessed a new threat grow in recent months as communism engulfs Cuba. We need to improve our fighter-interceptor aircraft wherever technical advances appear practical, and to build a highly effective air defense organization to protect the United States against the ever present threat of new Soviet supersonic, manned bomber systems. The F–106 can be improved and phased into production and this would include a speed of mach 2.4 and a radius of 800 nautical miles together with the advanced AN/ASG–18 fire control system and the GAR–9 air-to-air missile.

The decision to limit our defense posture by limiting budget dollars is a dangerous one. The decision to pour these limited funds at the disposal of missile and rocket programs alone, while at the same time cutting off production and growth of our most advanced manned systems is a critical one. The decision must rest on assumptions I am not prepared to make. The decision, to me, represents a chance we cannot afford to take. We need to advance on all fronts.

I ask unanimous consent to have printed at this point in the RECORD an editorial entitled "More Than Defense Is Needed," published in the Philadelphia Inquirer, issue of July 16, 1961, which sets forth a knowledgeable discussion of the whole subject. I shall read one sentence from the editorial:

> The Strategic Air Command's B–52's (the backbone of SAC) are somewhat better and the B–58's (still new and comparatively few) are much better. We need more of them.

The Philadelphia Inquirer was speaking of the B–58 program.

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

[From the Philadelphia Inquirer, July 16, 1961]

MORE THAN DEFENSE IS NEEDED

For an incredible number of years the Western nations have put up with the alternate cajolery and threats of Communist Russia and Communist China. At this moment the threats, centering on Berlin, have been stepped up again to a frantic pitch—perhaps covering over the disastrous food situation in the Red empire, perhaps indicating Soviet Premier Khrushchev's need of a victory to establish his preeminence over China's Mao Tze-tung.

Whatever the reason, Khrushchev now has gone so far as to state that no matter what the rest of the world may decide—about Berlin or anything else—"the Soviet Union would not recognize such a decision but would uphold its rights, relying on force. And we have the wherewithal to do this."

This sets a new mark for barefaced belligerence and underscores again the difficulty of coexistence. The U.S. Defense Department promptly—and rightly, under such provocation—has set in motion a new review of its strength and needs. Mobilization of the Reserves and the National Guard is under consideration.

And, after a spectacular Soviet airshow at Moscow, Gen. Curtis LeMay, Chief of the U.S. Air Force, is reported demanding more American airpower, especially modern, supersonic bombers.

This, we believe, is a critical point—not only in the immediate showdown over Berlin, but during the next several years until American missilery becomes absolutely dependable.

The best information available is that the United States has about 2,000 bombers, the Soviet Union 1,200. But, as the Moscow show may have indicated, at least some Russian planes are extremely good. And, of our 2,000, nearly three-quarters are B–47's which, if not obsolete, are—with their 600 miles per hour speed—getting obsolescent. The Strategic Air Command's B–52's (the backbone of SAC) are somewhat better and the B–58's (still new and compartively few) are much better. We need more of them.

The important point is that in these planes lies our first line of defense and offense; not only can they deliver atomic warheads, not only are they as flexible as the Navy's magnificent Polaris submarines, but they also serve as a 24-hour-a-day warning to the slave states not to go too far.

This is not enough. It is time for the West to go on the counteroffensive to conquer the hearts and minds of men. The Communist nations are rife with weak spots. They are all hungry. The daring and desperate flee unceasingly to us. Injustice is everywhere and nowhere could the Communists win a free election.

By pinning their faith to an outmoded and irrelevant politico-economic theory and trying to force it to work, they have left themselves wide open to a counterattack by the 20th century. The brilliant revival of Western Europe—and of West Berlin—is a standing reproach to them.

It seems to us that now—before the latest idiotic deadline on Berlin and the autumn meeting of the high poo-bahs of the Red empire—is the best opportunity we have yet had to drive this and other reproaches home and to make it unmistakably evident that in the progress and sanity of free societies lies the hope of the future.

We also have the wherewithal to do it.

Mr. YARBOROUGH. Madam President, I ask unanimous consent to have an editorial entitled "Lessons of Tushino," by Robert Hotz, published in Aviation Week July 17, 1961, printed at this point in the RECORD.

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

LESSONS OF TUSHINO

There are several lessons for the West to learn from the Soviet airshow last week at Tushino.

First and most important is a lesson that we have failed to learn despite considerable instruction since 1955. That is simply that despite all their other problems with low standards of living, miserable housing, erratic farm production, family squabbles within the Communist bloc of nations and all of the other woes and worries that beset them, the rulers of the U.S.S.R. are devoting top priority to forging the most modern technologies into the most formidable military force they deem possible.

Since they gleaned the first fruits (even as did the United States and Britain) of Germany's astonishing wartime research and development in the postwar looting of that conquered land, the Soviets have pushed resolutely and inflexibly toward this goal. In contrast, the United States has vacillated between bursts of tremendous and productive achievement in these fields and intervals of slothful indifference soothed by the opiate of eternal peace.

Tushino 1961 proved again that the Soviets have developed a tremendous capability in the modern technologies of supersonics, rocket propulsion, and space technology. The new designs exhibited at Tushino, such as Beauty, Blinder, and the big new Mikoyan long-range interceptors, are highly original and have no counterparts in the Western air forces.

The laws of aerodynamics are the same the wide world over, but it is obvious from this Tushino show that the Soviets have gone far past their earlier postwar exercises in copying the West (the B–29 and DC–3, for example) and are now well out on their own in every area associated with supersonic flight and modern aircraft armament and subsystems.

Although it would be hard to find a more beautiful aerodynamic design anywhere in the world than the big twin-jet Beauty, it is not really in the basic design field that Soviet progress was most evident at Tushino. True, the speeds have increased another generation into the mach 2-plus class, and the always big jet engines are even bigger with 45,000-pound-thrust turbojets operating in the inboard nacelles of the Bounder. But it is in the refinements of the subsystems so vital to large high-performance aircraft that Tushino, even with its brief "strip-tease" glimpses of the latest aircraft, revealed the most significant Soviet progress.

This has been an area in which they have admittedly lagged in the past * * * a trained engineer examining the photographs * * * will find significant if not all-inclusive evidence that the Soviets have advanced more than a generation in airborne radar, air-conditioning systems, armament, and a number of the other vital subsystem areas.

Another lesson to be learned from the 1961 Tushino show is that the Soviets make their progress in orderly, relatively small increments of logical technical progress rather than with any of the supermagic that we have come to demand and expect from our technicians as a substitute for consistent defense policy and adequate funding over the long pull. The prototypes that we saw first at Tushino in 1956 are now all in operational service with the minor modifications that refine any good prototype into a serviceable combat plane.

The supersonic Flashlights, both in their attack bomber and all-weather interceptor versions, obviously have been in service for some years now, as have the Fishbed, Fishpot, Fitter, and Faceplate fighters. The trend from the predominantly day fighter Red air force of 1956 to the all-weather defensive force of 1961 is marked, and it is obvious that special measures have been taken to try to avoid the humiliating experience of having U–2's flit unopposed over the Soviet airspace for years.

It will do little good for U.S. public officials to try to denigrate these Soviet achievements displayed at Tushino. We have been assured by many top public officials during the past 6 years that these achievements were only illusions and would, in fact, never materialize. But they have. And it is far too late in the game for any more of this fatuous soothing sirup.

The thin line of USAF all-weather interceptor pilots will get no consolation from this paper as they ponder their task of coping with a supersonic bomber assault of Beauties and Bounders, followed by waves of Bears firing standoff missiles. The bomber crews of Strategic Air Command will not find it helpful in solving their penetration problems against the new long-range interceptors, such as Blinder and the Mikoyan delta.

But the biggest lesson of all that we must learn from Tushino is the utter and complete folly of trying to operate a national defense on the whimsical basis of technical fads in an asinine effort to achieve solid national security without having to pay the full price for it. We have been offered wonder weapons that will solve all our defense problems at great economy in an endless succession during the past decade. And we have chased

these technical fads without any regard to solid, across-the-board development of overall military power.

As a result, we now face the Berlin crisis and the others that are sure to follow badly off balance in our defense structure, able to cope with only one type of crisis and ready to be whipsawed badly in any other kind or in mixtures thereof.

How we can pull this disjointed defense structure back into a solid phalanx—able to cope with today's problems today and developing the solution to tomorrow's problems for tomorrow—is perhaps the most critical problem facing President Kennedy and his braintrust. It is difficult to see how college professors and computer operators will be able to solve these hard research, engineering, and military problems in the time we appear to have remaining.

Mr. YARBOROUGH. Madam President, I regret that the rules of the Senate prevent the reproduction in the CONGRESSIONAL RECORD of photographs that the editor of Aviation Week obtained of the modern Russian bombers that are copied patently from our own bombers, and their now advanced production.

Madam President, I ask unanimous consent that there be printed at this point in the RECORD an article entitled "Tushino Stresses U.S.S.R. Aircraft Priority—First Soviet Public Airshow of Importance in 5 Years Unveils Impressive Array of Russian Aircraft," by Cecil Brownlow, published in Aviation Week, July 17, 1961. An additional caption appears in the article, reading "Russians Tie Air Show to the Berlin Crisis."

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

TUSHINO STRESSES U.S.S.R. AIRCRAFT PRIORITY—FIRST SOVIET PUBLIC AIRSHOW OF IMPORTANCE IN 5 YEARS UNVEILS IMPRESSIVE ARRAY OF RUSSIAN AIRCRAFT

(By Cecil Brownlow)

Moscow.—Soviet Union, displaying a wide range of design techniques, demonstrated effectively last week at Tushino that it is moving steadily ahead at near top speed in the development of manned aircraft and their related missile systems to cover all required tactical and strategic missions.

Contradicting earlier pronouncements by their leaders, which were believed by many in the West, that they had turned from production of manned aircraft to rely solely on missile systems for defense and offense, the Soviets staged their first public air show of importance in the past 5 years, rolling out three supersonic bombers, two new delta-wing mach 2-plus interceptors, a jet-powered ASW reconnaissance seaplane, a convertiplane capable of airlifting 100 troops, an advanced Kamov jet helicopter design and a flying crane.

The Soviets climaxed the show at Tushino airfield in the Moscow suburbs with a series of low-level near-sonic military flybys, displaying publicly for the first time:

Bounder, an exceptionally large high delta-wing bomber of intercontinental range approaching the B–36 in size and with a supersonic dash capability in the configuration shown at Tushino. The aircraft has been flown and tested with various types of powerplants for the past 3 years. The Bounder, its design credited to a group headed by Vladimir Myasischev, has two large inboard engines slung from pylons beneath the delta wings that produce an estimated thrust of 45,000 pounds each plus two relatively smaller powerplants mounted on the wingtips. Large inboard engines of the aircraft shown here in a single flyby have an inlet diameter of about 6 feet and are believed to be turbofans by some qualified observers, although there appears to be no visible external evidence of this. Wingtip powerplants have barrel-shaped nacelles and are mounted on extremely heavy wingtip fittings.

Bounder sported light belly paint on both the fuselage engine nacelles and flaps with a large bulging ridge running about 15 feet along the rear fuselage just back of the rear wheel well doors of its bicycle landing gear. Two pairs of stubby sweptback antennas were attached to this bulge. The inboard engine nacelle pylons continue above the wing in a fence to curtail spanwise flow. Under the wing, the pylons of the Bounder displayed extended far beyond the engine tailpipes indicating that they may have been designed to accommodate much longer nacelles. Tailpipes of the inboard engines were almost twice as large as those of the wingtip-mounted engines on this Bounder which bore the operational number 12 on its nose.

Beauty, an advanced sweptwing mach 2.5 heavy bomber equipped with a retractable nose refueling probe whose use could boost it to intercontinental ranges. Beauty has twin-jet powerplants mounted to the rear of the fuselage along either side of the vertical tailfin. Engine nacelles, whose tailpipes project beyond the tailfin, are about 30 feet in length. Aircraft's overall size is slightly larger than the Convair B–58.

Beauty has a highly swept extremely thin wing with main landing gear housed in bulges at the trailing edges. It has a bombing radome under the nose and the entire fuselage has a slightly arched appearance. Cockpit indicates a crew of three and is obviously designed with a minimum of glass to hold down high speed skin heating. Two auxiliary air intakes are located on either side of the nose. Tail warning radar was visible and the horizontal tail had a slight dihedral. Dorsal ridge running from cockpit to tailfin indicated control systems housing. Beauty flew by first as a single prototype with the number "24" and then in three formations of three planes each indicating at least limited operational service and production.

Blinder, a mach 2 sweptwing design that can perform the dual role of bomber and interceptor and is believed to be an advanced development of the mach 1.4 Backfin. Credited to designer Alexendar Yakovlev, Blinder was first seen in 1959 and is powered by two turbojet engines mounted shoulder high in the fuselage with the two inlets located on either side of the fuselage just behind the cockpit. Twin exhausts for the engines are placed in the tail in a single housing. Two of the aircraft were seen in low-speed passes at Tushino.

Blinder had a large conical nose radar of extremely large diameter obviously designed for airborne interceptions and missile guidance. It carried a large delta-winged air-to-air missile under each of its highly swept wings. It also had a large bulging fairing under the fuselage that appeared to be an extra fuel tank similar to the belly fuel tank on the English Electric Lightning P–1. Cockpit indicates a two-man crew in tandem. Contours of two tailpipes were visible at the rear fuselage with the horizontal tail mounted midway on the tailpipes with a ventral fin extending down on each side.

New mach 2-plus long-range interceptor that appears to be an advanced version of the delta-wing Fishbed shown at Russia's last major air show in 1956 and developed by a team led by designer Artem Mikoyan. A large single air intake is in the nose, with a conical diffuser housing airborne radar that provides all-weather capability. The aircraft appears to have three distinct tailpipes, two for the normal turbojets, the third for a large rocket boost motor. It is also believed to be the aircraft the Soviets designated the "E–66" in claiming world speed and altitude records of 1,335 miles per hour and 112,294 feet. On the day of the show, the Soviet press announced that the E–66 would be on hand, but it was not publicly identified during the display. One of these advanced Mikoyan designs was shown in a high-speed pass and limited acrobatics. It carried two large air-to-air missiles with cruciform fins, and cruciform control surfaces at the missile's tail.

Second mach 2–plus fighter also with a rocket boost system. It is a large aircraft with an overall configuration resembling that of Fishbed and is believed to be powered by two turbine engines. Fuselage length is an estimated 90 feet. A single aircraft was displayed here.

New subsonic designs included:

Be–8 twin-jet seaplane designed by veteran seaplane builder, G. M. Beriev, that is smaller but similar in external appearance to the 4-jet Martin P–6M whose development was canceled in the summer of 1959 after a total of 12 had been built, including 6 prototypes, two of which crashed. Engines are mounted in the high wing adjacent to and on either side of the fuselage. First prototype of the aircraft, designed primarily for antisubmarine search and kill missions, was flown several years ago, but the Tushino show marked its first public demonstration. Total of four Be–8's participated in the flyby.

Hoop, a turbine-powered convertiplane, capable of transporting a maximum of 100 persons. Making use of a modified An–10 transport fuselage, this convertiplane is powered by two turboprop engines of an estimated 4,000 eshp. located at each wingtip. Propellers connected directly to the turboprops power the aircraft in horizontal flight, while vertical lift is provided by two rotor systems of four blades, each housed above a streamlined pylon on top of each wingtip nacelle. Development of convertiplane is officially credited to veteran helicopter designer, Nikolai Kamov.

New turbine-powered helicopter with the same general appearance as the earlier piston-powered Kamov Ka–18 but approaching in size the larger 10-passenger Mi–4. Power is supplied by one or possibly two turbine engines housed above the fuselage. With three vertical stabilizers roughly resembling the tail of the Kaman HUK–1, the helicopter has a coaxial rotor system.

The supersonic bomber demonstrations were preceded by flights of the giant Bear Tupolev turboprop intercontinental bomber and the twin-turbojet Tu–16 Badger intermediate bomber, both carrying red-painted, radar-guided, air-to-ground missile systems slung beneath their fuselage.

The Bear's supersonic missile, with a white radar nose, stubbed wings with sharp sweep, a horizontal tail, folding vertical fin, and a jet tailpipe, has an estimated maximum range of about 300 nautical miles. Similar but smaller air-to-ground missiles carried by the Badgers have an estimated maximum range of between 50 and 100 nautical miles.

Boasting of Russia's aviation progress on the day after the show, Tass, the official Soviet news agency, reported that the aircraft "can launch their rockets to the target without entering the zone of the enemy's antiaircraft defense." The missiles, the article continued, have a range of "hundreds of kilometers * * * and no defense can save their targets."

The aging Bear, whose new missile weapon system will give it an added lease on life, has been modified with a section of the underside of the fuselage scooped out to accommodate the large missile. In the flybys, a single Bear opened the bomber portion of the 2-hour show with its red air-to-ground missile prominent beneath the fuselage and with an escort of seven Mig–17's. It was

followed by 15 Bears and then by 15 Badgers flying in formations.

Earlier, the Soviets demonstrated the maneuverability of their short-range surface-to-surface tactical missiles when six large Mi–6 turbine-powered helicopters landed on the grass strip in front of Soviet dignitaries on hand for the show, including Premier Nikita Khrushchev, Defense Minister Rodion Y. Malinovsky, Chief Air Marshal Konstantin Vershinin, and Cosmonaut Maj. Yuri Gagarin.

Landing in groups of three, one Mi–6 carried two tactical missiles while its two partners brought in transport dollies and other support equipment. The missiles were unloaded and placed in position within a relatively short time.

Another three versions of the Hook, which reportedly was scheduled for only limited production, also were shown in the show, one of them ferrying from a cable what the Soviets reported to be the Vostok space capsule occupied by Gagarin on his orbit around the earth, another the model of a Lunik probe. These were the only two reminders of Soviet space achievements in a show largely devoted to displaying Russia's ability to wage war within the present realm of techniques.

Soviets also displayed a huge flying crane that was obviously the work of Mikhail Mil's design team. It differed from U.S. approaches to the flying crane design by retaining a personnel transport capacity in a large fuselage in addition to the cargo carrying capacity slung underneath between the long quadruped landing gear. Crane operator's station is visible just below the fuselage nose where he can observe both terrain and the cargo load.

Western observers believe the combination of personnel and cargo capacity in the Mil flying crane indicates it could be used for transporting fairly large missiles with their servicing and firing crews or several large armored vehicles with their crews and supporting troops.

In addition to a pilot's compartment considerably enlarged from the Mil–6, the crane had a large Plexiglas compartment in the nose between the pilot's canopy and the crane operator's position apparently aimed at providing a number of other people with wide forward vision.

The Mil crane flew over Tushino carrying a large orange painted house about U.S. freight car size slung in the cargo position. It landed, released the house and then took off again without its load. Rotor system and powerplant installation appear similar to those in the Mil–6 but the crane carried large external fuel tanks on either side of its fuselage. Fuselage appeared to be capable of carrying 50 to 60 persons while the crane appeared to have a cargo lifting capacity of about 40,000 pounds.

The Hoop convertiplane has an estimated gross weight of between 50,000 and 60,000 pounds and its fuselage appears to be about the size of the An–10 transport. Some observers believe an actual An–10 fuselage was used in the Hoop displayed at Tushino. Soviet announcers emphasized the Hoop's potential as a short-haul airliner but its capability as a high-density assault troop transport did not pass unnoticed.

The Hoop has two rotor systems each about the size of the Mil–4 rotors. The two rotors are mounted on a pylon which in turn sits on top of two turboprop engines mounted in wingtip pods. The turboprops look like the same type Ivchenko 4,000 eshp. engines used in the An–10 and Il–18 transports. These turboprops drive conventional propellers for forward speed and also power the two rotors for vertical lift.

The Hoop wing is mounted high on the fuselage just like the An–10 configuration and is about three-quarters the span of the An–10 wing. In its Tushino demonstration the Hoop required a short takeoff run before its rotors took hold for vertical lift. Pilot's cockpit is in a Plexiglas dome raised about the normal fuselage while the fuselage nose also has a larger Plexiglas area. Two main double truck units of the fixed landing gear are suspended from long struts attached to the wing with a nose wheel mounted under the fuselage.

In its Tushino demonstration the Hoop exhibited excellent hovering and maneuvering characteristics. This model appeared to be experimental prototype.

Two of the three new supersonic bombers are in operational service with the status of the Bounder still not clear. Beauty is apparently in production since all 10 types flown were similar down to small details and it is probably in initial operational service with some units. Blinder also appears to be in production and is already equipping some operational units. Bounder still gives the general impression of still being in the development stage particularly since it has been observed with several different powerplant configurations.

BOUNDER DETAILS

In its flyby, the Bounder was accompanied by two standard Fishbeds, one on either wingtip, and, as it pulled up into a sharp climb after its low-speed pass over Tushino, the pilot cut in the afterburners of the two large inboard engines for a brief period. Afterburners of the two smaller new bombers also were turned on during climbout after their passes over the field.

Shortly after the Bounder and its two fighters passed from sight into a patch of cloud cover, two distinct supersonic booms were heard on the ground, apparently made by the accelerating Fishbed escorts.

The Blinder, which followed Bounder in the flyby, has an estimated gross weight of well over 150,000 pounds and a 65° swept-wing with a span of approximately 70 feet. Two fences on either wing-half were visible during the low altitude passes by the two aircraft. Blinder has a low slab tail.

Soviet officials termed Blinder a small bomber but in its flyby it carried a high-performance air-to-air missile under each wing. This, coupled with the exceptional climb capability demonstrated during pull-out, led Western observers to speculate that it will be used for both bomber and long-range interceptor roles.

The advanced mach 2 follow-on to the Fishbed, which also carried large missiles, has a much longer fuselage than its predecessor, particularly forward of the leading edge of the 65° swept delta wing. Although only one was flown during the air show, at least two were observed during the month-long rehearsals that preceeded it.

DESIGN MODIFICATIONS

Formations of operational aircraft were also flown indicating considerable design modification and armament change over the earlier prototypes first publicly displayed at the Tushino show in 1956. Second generation Flashlights (Yak–25) appeared in two versions. The production versions of the Flashlight B all-weather interceptor were armed with two air-to-air missiles and its engines appeared to be equipped with afterburners. Flashlight C, the light bomber version, also flew in formations with operational markings and had added a ventral fin.

Both the Mikoyan Fishbed and the Sukhoi Fishpot delta-winged fighters, first displayed as protoypes at Tushino in 1956, flew in operationally marked formations of up to 21 aircraft each. They were all equipped with air-to-air missiles. Both of these fighters are in the mach 2 class as are the Sukhoi Fitter and the Mikoyan Faceplate that use the highly swept wing approach in contrast to the delta plus conventional empennage of the Fishbed and Fishpot.

Both Fitter and Faceplate flew across Tushino in operationally marked aircraft in formations of 21 planes each. Western observers believe the two delta types are the main Soviet all-weather interceptors because of their larger air-borne radar housed in their conical nose air intakes.

The swept-wing Fitter and Faceplate have only limited all-weather capability with a small radar visible at the top of their air intakes.

During the civil portion of the show, the Soviets also demonstrated two of their later transport models—the Tu–124 designed for feeder-liner service and said to be powered by two Soloviev turbofan engines and the high-wing An–24 passenger-cargo aircraft powered by two 2,000-horsepower Ivchenko turboprops.

In another exhibit, a group of Antonov transports were used to drop approximately 500 military and civil parachutists onto the field in individual and group jumps. Four ancient An–2 biplanes first maneuvered over the field, with their complement of paratroopers making individual jumps. Next in line, dropping parachutists in mass drops, were three 4-turboprop An–10's followed by 24 An–12's coming over the field in three-plane formations.

Two Fishbed fighters were demonstrated using rocket boost from a liquid-fueled rocket that had throttle controls. One made a takeoff from the grassy Tushino field with an extremely short run and steep climb while the other flew by at low altitude and executed an almost vertical climb after cutting in the rocket boost. On the Fishbeds the rockets are slung underneath the fuselage in what appears to be a quick modification. But on later fighters such as the giant new version of the Fishbed a rocket installation has been incorporated in the design and is housed internally between the two jet engine tailpipes. Addition of the rocket boost is an indication of Soviet concern with defensive capabilities against such extreme altitude penetration as the U–2 flights. Earlier model Fishbeds and Faceplates were unable to reach U–2 altitudes on their conventional turbojet powerplants.

RUSSIANS TIE AIRSHOW TO BERLIN CRISIS

Moscow.—Top Soviet political and military leaders used last week's display of new supersonic aircraft at the Tushino air show as a backdrop for new warnings to the West and, at the same time, ordered suspension of announced plans for reduction in the Russian armed forces.

The political parade, hinged to the present Berlin crisis, began the day before the air show and was led by Soviet Premier Nikita Khrushchev who knew what was to be seen and was relying upon maximum impact. Speaking at a Kremlin reception for recent graduates of military academies, Khrushchev repeated his determination to sign a separate peace treaty with East Germany if necessary and warned that his armed forces "possess the necessary quantities of thermonuclear weapons, the most efficient means of their delivery—close combat, intermediate, and intercontinental missiles."

He also said that, in view of the military buildup by North Atlantic Treaty Organization countries, he had ordered a $3.5 billion increase in 1961 defense spending rather than planned cuts which he said would bring the total amount to approximately $12.5 billion. Actual overall Soviet defense budgets are never revealed insofar as real expenditures are concerned.

Khrushchev said such a move was necessary because "we cannot disregard such facts as the buildup of the armed forces in Western countries, the steps to increase considerably the number of strategic A-bombers which are constantly kept in the air. The forces of West Germany are being equipped

with the latest weapons and increased numerically."

At the same reception, Defense Minister Marshal Rodion Malinovsky warned that "we shall continue enhancing still further our combat preparedness, continue equipping our army with first-class, up-to-date weapons because we are compelled to do so by the aggressive forces of imperialistic states."

In an article in Pravda on the day of the show, Chief Air Marshal Konstantin Vershinin took pains to make a timely refutation of statements by Premier Khrushchev in the years following the first Soviet satellite in 1957 that Russia, with its missile arsenal, would no longer rely upon manned bombers. He said:

"It is only natural that with the development of a new type of weapon—rockets—some of the tasks of the air force should have been taken over by them. However, the air force continues to play a great role within the armed forces. * * *

"The Soviet Union now has first-class jet planes of various designs and purposes that have no equal in the world for speed, altitude, and range of flight."

PEP PILL MENACE EXPOSED IN HARD-HITTING SERIES BY HOUSTON POST'S JIM MOUSNER

Mr. YARBOROUGH. Madam President, we have all read or heard testimony concerning the serious need for more effective controls on the distribution and use of so-called "pep pills." Entirely too many cases have been brought to light where these dangerous drugs have been misused by both adults and teenagers with tragic results.

Recently Mr. Jim Mousner, of the Houston Post, wrote a hard-hitting series of articles which give a penetrating insight into this problem nationally and in Texas. Mr. Mousner reports:

A dangerous gap exists in the controls over the distribution of two types of highly potent drugs—barbiturates and amphetamine.

Commonly called sleeping pills and pep pills, these drugs are not only habit forming, but, in the case of barbiturates, addictive. The laws of Texas and most other States specify that they can only be dispensed upon the prescription of a practitioner. (In Texas, this is a physician, dentist, chiropodist, or veterinarian licensed by the State.) Federal law forbids the sale of these drugs to unauthorized buyers as defined by the various State laws.

Yet this reporter recently bought 5,000 capsules of these and other dangerous drugs at wholesale prices and had them delivered to him through the mail.

The reporter goes on to explain that unlike the case of narcotics, no registry system exists on sales of so-called "pep pills." Mr. Mousner explained:

To obtain these drugs, the reporter registered an assumed drug store name with the country clerk. This cost only $1.20 and established the reporter's home address as that of the new drug store for mailing purposes. The reporter then mailed an order for the drugs, accompanied by a money order, to a small out-of-State pharmaceutical wholesaler and waited for them to be mailed to him. They arrived less than 2 weeks later.

It is abundantly clear that the shipment of these dangerous and often harmful drugs through the mails in interstate commerce presents a health hazard which demands Federal legislative action for more effective controls.

I ask unanimous consent to have printed in the RECORD Mr. Mousner's aforementioned articles in the Houston Post and strongly commend them to the attention of the Congress, and also to the executive branches of the Government having some responsibility in these matters. He made a very informative investigation that shows these items could be purchased by anyone in virtually unlimited quantities.

The articles consist of the following:

An article entitled "Lax Controls Make Drugs Easy To Get," by Jim Mousner, published in the Houston Post, on July 9, 1961.

An article entitled "The Pill Menace: Pep Capsules Lead Truckers on Fatal Road," by Jim Mousner, published in the Houston Post, July 1961.

An article entitled "The Pill Menace: Sleep, Pep Capsules Can Be Addictive," by Jim Mousner, published in the Houston Post, July 1961.

An article entitled "The Pill Menace: Kicks First, Then Path to Illness, Agony," by Jim Mousner, published in the Houston Post, July 1961.

An article entitled "The Pill Menace: Officials Urge Stiff Curb on Pep Capsules," by Jim Mousner, published in the Houston Post, July 1961.

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

[From the Houston Post, July 1961]

LAX CONTROLS MAKE DRUGS EASY TO GET

(By Jim Mousner)

A dangerous gap exists in the controls over the distribution of two types of highly potent drugs—barbiturates and amphetamine.

Commonly called "sleeping pills" and "pep pills," these drugs are not only habit forming, but in the case of barbiturates, addictive. The laws of Texas and most other States specify that they can only be dispensed upon the prescription of a practitioner. (In Texas, this is a physician, dentist, chiropodist, or veterinarian licensed by the State.)

Federal law forbids the sale of these drugs to unauthorized buyers as defined by the various State laws.

Yet this reporter recently bought 5,000 capsules of these and other dangerous drugs at wholesale prices and had them delivered to him through the mail.

The order contained 2,000 capsules of barbiturates, 1,000 capsules of amphetamine, 1,000 capsules containing a combination of a barbiturate and amphetamine, and 1,000 chloral hydrate capsules commonly called "knockout drops."

Houston police estimated the value of the 4,000 capsules of barbiturates and amphetamine to be $1,000 on the underworld market where they would bring 25 cents a capsule. No accurate estimate of the chloral hydrate's value could be made because of the small demand for this powerful hypnotic drug.

WHOLESALE PRICE OF DRUGS ONLY $37

The wholesale price of the drugs was $37.

The shipment contained 3,000 capsules of the quick acting barbiturates frequently used by pill takers as intoxicants. There were 2,000 capsules of secobarbital or "redbirds" as they are known in the lexicon of the barbiturate user because of their bright red color, and 1,000 capsules of pentobarbital or "yellowjackets," also named for their color.

To obtain these drugs, the reporter registered an assumed drugstore name with the county clerk. This cost only $1.20 and established the reporter's home address as that of the new drugstore for mailing purposes.

The reporter then mailed an order for the drugs, accompanied by a money order, to a small out-of-State pharmaceutical wholesaler and waited for them to be mailed to him. They arrived less than 2 weeks later.

Before he mailed the order, the reporter notified the Houston Police Department, the Texas Department of Public Safety, the United States and Harris County district attorneys' offices, and the regional office of the U.S. Pure Food and Drug Administration, the agency which has jurisdiction over the interstate shipment of food, drugs, and cosmetics.

None of these agencies knew that the drugs had arrived here until they were notified by the reporter. The shipment was turned over to the police department.

ORDERED FROM OUT-OF-STATE FIRM

The drugs were ordered from an out-of-State pharmaceutical house, which has no local wholesale outlet or sales representative. Such a company, which depends largely on direct sales, would probably have difficulty in checking on the legitimacy of the customer and would be less likely to know the provisions of the Texas dangerous drug laws.

To what extent was the company negligent in presuming that this reporter was a legitimate customer?

Under Federal law, the seller is held responsible for determining the legitimacy of the buyer if the product moves in interstate commerce. But, as one Food and Drug Administration agent observed, "From a practical standpoint, it would be almost impossible for a drug house to verify every order it received."

Some pharmaceutical firms make an effort, however, by requiring the customer to list his Federal narcotics number on his order.

Persons, businesses and institutions authorized to use and dispense narcotics are assigned a narcotics number by their district director of internal revenue. They are also issued Federal forms on which to order narcotics.

The forms are in triplicate. The purchaser sends the original and triplicate copies to an authorized manufacturer or wholesaler and retains the duplicate for 2 years. Both the purchaser's and the seller's files are open to inspection by Federal, State, and local narcotics agents.

No registry system exists for barbiturates and amphetamine.

There is no way to determine the extent of illegal drug purchases, such as the one made by this reporter. The fact that they can be made, however, may help explain how huge caches of these drugs—some containing as many as half a million capsules—turn up in the possession of unauthorized persons.

Capt. H. E. Cole, head of the Houston Police Department's narcotics division, who, with A. J. Jeffert, a department investigator, took possession of the drugs ordered by this reporter, believes stronger laws are needed to close this gap.

His opinion is shared by W. E. Naylor, agent in charge of the Texas Department of Public Safety's narcotics section, and by R. E. School, State narcotics agent for the Houston district.

Obviously, a demand exists for these drugs outside legitimate medical channels or their bootlegging would not be profitable. But why?

Barbiturates act as progressive depressants on the central nervous system and, because of this action, are popular sedatives. They can also cause intoxication similar to alcohol intoxication. When taken with an alcoholic beverage, they add to its intoxicating effect.

Slang terms for barbiturates—"goof balls," "thrill pills," "wild geronimos"—suggest this action of the drugs, and because of it, they are frequently used by emotionally unstable

people seeking escape from the tensions and pressures of living.

Barbiturates are also used by narcotic addicts, who can't get so-called hard narcotics, such as heroin or morphine, and by young people experimenting with bizarre sensations.

A major danger in their misuse lies in the fact that prolonged use of these drugs may result in the forming of a habit, or may even lead to addiction.

Amphetamine has just the opposite effect of barbiturates. It stimulates the central nervous system. It is used to bolster flagging energy, to curb the appetite, and to give a psychological stimulus to depressed persons.

Too often it is improperly used to force the mind and body beyond their normal limits of endurance. Amphetamine is no substitute for rest. Overindulgence in the drug can lead to mental illness and physical collapse.

[From the Houston Post, July 1, 1961]

PEP CAPSULES LEAD TRUCKERS ON FATAL ROAD

(By Jim Mousner)

To the truckdrivers who jockey the big rigs over the Nation's highways on around-the-clock schedules a "copilot" is not necessarily a partner in the cab to share the driving.

"Copilots," also known in truckers' parlance as "bennies," "dexies," and "California turnarounds," are amphetamine pills.

Amphetamine, which stimulates the central nervous system, can relieve the fatigue of a long trip. It can induce a feeling of energy and alertness that enables the truckdriver to make extra trips for more pay. It can also kill him and those who share the road with him.

The files of the Interstate Commerce Commission contain the following documented case:

In December 1959, a large cattle truck, traveling in the wrong lane, collided headon with a bus near Tucson, Ariz. Nine persons were killed and 31 others were injured. The drivers of both vehicles and six bus passengers were among the dead. A Commission investigation showed that the two drivers of the truck had gone 49 hours without rest and were under the influence of amphetamine drugs.

Goley D. Sontheimer, safety director for the American Trucking Association, Inc., says that only three or four wrecks have been traced directly to amphetamine. But his organization has long recognized the danger in the improper use of the drug by drivers and has carried on an intensive educational campaign.

It has distributed hundreds of thousands of copies of a pamphlet entitled "Bennies Can Wreck You," which warns truckdrivers that amphetamine pills are no substitute for rest.

U.S. AGENTS TRACK ILLEGAL SALES

"When used to keep going," the pamphlet says, "these drugs borrow energy your body can't afford to spend. All at once, there isn't any left and unconsciousness can ensue—while you're still on the road or on the job."

Sontheimer points out that misuse of amphetamine is not confined to truckdrivers or other motorists, but may extend to others who feel the need of a stimulant to pep them up on their jobs. This seems to be especially true of people who work at night.

The safety director says that the trucking industry has risked bad publicity to fight the "pep pill" traffic, but will continue to do so.

Sontheimer says his organization first obtained concrete proof that "pep pills" were being peddled illegally at truck stops and other establishments near highways in 1954.

It turned to the Pure Food and Drug Administration, an agency of the U.S. Department of Health, Education, and Welfare, for help. A number of food and drug agents were given basic training as truckdrivers and began investigations of highway stops and other sources of illegal amphetamine sales.

The Food and Drug Administration, reporting on its progress, says:

"The completed cases show that these drugs are being handled in transactions involving thousands and even tens of thousands of tablets at a time. This is a highly profitable racket. Amphetamine can be bought wholesale for as little as $2 per thousand tablets. They sell for $1 a dozen.

DRUG WHOLESALER SOLD SUPPLIES

"A single defendant who combined truck driving and drug peddling offered a special deal on lots of 25,000 tablets in original bulk drums. An authorized drug wholesaler, after obtaining his stocks from five legitimate drug manufacturers, sold them to truck stop peddlers, middlemen, who in turn supplied at least six truck peddlers.

"Twenty-four thousand tablets in unlabeled bottles were seized after being found under the hood of a car belonging to a peddler who had a 'route' extending from Missouri to Florida. Following his arrest by local police he named over 20 truck stops and other customers who placed monthly orders for 1,000 to 10,000 tablets."

Another case involved a wholesale drug firm and its officers who pleaded guilty to dispensing several million amphetamine tablets to truck stops, truck drivers, and other persons. The Government had previously seized 800,000 amphetamine tablets in possession of the firm.

In addition to its educational campaign and other measures, including physical examinations for drivers and rules of some long-haul trucking firms that drivers must get 8 hours rest a day, the trucking industry has also crusaded for stronger laws to control the sale of the drugs.

One example of lost control over distribution of the pills was cited in an American Trucking Association publication. It involved a Los Angeles pill peddler arrested with several thousand capsules of the drug in his possession. Using the name of a fictitious research institute, he had ordered them from a wholesaler who had not checked on the legitimacy of the purchaser. The drugs were delivered to a bicycle shop where the peddler picked them up.

"Legislation is sorely needed," Sontheimer says. "The trucking industry has carried on a pretty lonely fight to outlaw this menace. It has been fighting since 1954. It has received little real help from any source other than the Food and Drug Administration.

"From the amount of pills manufactured, it is time that a look was taken at their use in many places."

There are cases of doctors, nurses, and pharmacists selling barbiturates and amphetamine without a prescription or dispensing the drugs in suspiciously large quantities.

A retired physician in Montgomery County was charged recently with selling amphetamine pills to one of three Houston men arrested in Conroe for vagrancy.

The Texas House General Investigating Committee closely questioned a Beaumont physician about his prescribing of barbiturates and amphetamine during its investigation of vice in Jefferson County earlier this year.

The doctor admitted that he had not been complying with the Texas dangerous drug law passed 2 years ago to regulate barbiturates, amphetamine, and several other drugs deemed unsafe for self-medication. He said, in fact, that he was not familiar with that part of the law which specifies the keeping of an inventory on these drugs.

The doctor's records revealed that he had prescribed 1,742 barbiturate capsules and 50 amphetamine capsules for one patent during 1960.

He said he ordered as many as 10,000 capsules of the drugs at a time from a Pennsylvania pharmaceutical supplier.

While illicit dispensing of amphetamine and barbiturates by pharmacists and members of the medical profession is rare, isolated cases are nonetheless serious.

A Georgia doctor and his wife were sentenced to prison after a Federal agent reported that he bought 5,000 capsules of the drugs from the doctor and 10,000 capsules of the drugs from wife, who ran a roadside cafe frequented by truck drivers. Evidence introduced at the couple's trial showed that the doctor bought 350,000 drug capsules in one month.

Drug store burglaries, police say, are among the important sources of large quantities of these drugs, which find their way into illicit traffic. Most pharmacies keep their morphine and other hard narcotics locked in safes, but barbiturates and amphetamine are sometimes left unprotected. These drugs have become highly prized loot for burglars.

Joe Arnette, secretary of the Texas State Board of Pharmacy, describes the illegal sale of dangerous drugs by the 2,804 pharmacies registered with the board as "very, very small."

Arnette also points out that, under Texas law, the approximately 6,000 pharmacists licensed by the board are not allowed personally to possess the drugs including barbiturates and amphetamine, listed under the dangerous drug law.

He says the law was changed to forbid this after some pharmacists were found peddling the drugs. Possession is now confined to pharmacies, hospitals and practitioners, as defined by the law, and to persons authorized to use them in research and teaching.

Arnette says weaknesses in the controls over the distribution of barbiturates and amphetamine allows them to be shipped into Texas from Mexico and other States.

[From the Houston Post, July 1961]

SLEEP, PEP CAPSULES CAN BE ADDICTIVE

(By Jim Mousner)

Most of us are familiar with barbiturates and amphetamine, those colorful little tablets and capsules our doctor or dentist has probably prescribed for us, members of our family or our friends, for a variety of medical reasons.

Perhaps we needed rest, but nervous tension kept us from sleeping. Perhaps we wanted to lose weight and at the same time stave off those hunger pangs and the loss of energy that often accompany a diet.

For these or other reasons, we may, at this very moment, have a bottle of the drugs in our medicine cabinet at home, in a desk drawer at the office, or tucked into a pocket or purse.

We seldom call them by their correct names, using instead words that connote their effect. Barbiturates are "sleeping pills" and amphetamine, "pep pills."

We have also heard the slang expressions "goof balls," "thrill pills," "wild geronimos," "idiot pills"—expressions that indicate another effect of the drugs and suggest a use for which they were never intended.

Houston police charged a couple with possession of these drugs after finding 17,000 capsules of them in a pillow case hidden in the bottom drawer of a refrigerator at their home. Investigators say the pair had been peddling the drugs in bars.

A man is charged with criminally assaulting a 16-year-old girl here after giving her barbiturates.

MORE DANGEROUS THAN MORPHINE

A drugstore owner in west Texas and a pharmacist in southeast Texas are charged

with unlawful delivery of amphetamine and barbiturates without a prescription. A druggist in a central Texas city is convicted for the same offense.

A teenage girl tells a legislative committee investigating vice in Jefferson County about her experiences as a user of the drugs, experiences that impaired her health and scarred her emotionally.

Dallas police seize a cache of 10,000 amphetamine capsules, which were to have been peddled to truckdrivers and other motorists.

These are but a few of the outward manifestations of the amphetamine and barbiturate problem. Those familiar with the problem at the local, State, and national levels have made some alarming observations about it.

Dr. Harris Isbell, chief of the Addiction Research Center, National Institute of Mental Health, says:

"Barbiturates are addiction forming in every sense of the word. Despite statements in textbooks, the manifestations of chronic barbiturate intoxication are, in most ways, much more serious than those of morphine addiction, and withdrawal of barbiturates is much more dangerous than the withdrawal of morphine."

W. E. Naylor, chief of the narcotics section of the Texas Department of Public Safety, says:

"There are far more users of barbiturates walking around today hooked by the habit than there are morphine addicts."

Capt. H. E. Cole, head of the Houston Police Department's narcotics division, says the number of cases involving the illicit use of barbiturates and amphetamine is increasing here.

ONLY A THIRD BELIEVED SOLD LEGALLY

There are few statistics on the distribution and use of barbiturates and amphetamine, but in recent years a flood of these drugs has poured from the Nation's pharmaceutical houses.

The amount of amphetamine produced in the United States has doubled in the past 10 years and barbiturate production has quadrupled in the past 20 years. Though production of both types of drugs has declined somewhat in the past 5 years, 819,000 pounds of barbiturates and 63,000 pounds of amphetamine were produced in 1959.

The 63,000 pounds of amphetamine, the U.S. Pure Food and Drug Administration says, is enough to make 5.6 billion 5-milligram tablets—about 35 tablets for every man, woman and child in the population.

The Food and Drug Administration estimates that less than a third of the amphetamine tablets produced in this country are sold legally on doctors' prescriptions. The agency believes the rest are disposed of illegally.

The U.S. Department of Health, Education, and Welfare reports that in 1955, the peak production year for barbiturates in the last decade, 864,000 pounds of these drugs were manufactured in the United States.

A department publication on these drugs says:

"This is roughly equivalent to 3,918,240,000 capsules or tablets of one-tenth of a gram (1.5 grains) each, or approximately 26 doses for every man, woman, and child in the population.

"While the legitimate prescription volume is very large and a considerable amount is used in hospitals as anesthesia and for animal experimental work, these figures indicate that there are more barbiturates available than are needed for therapeutic purposes."

Once the legitimate demand for these drugs has been satisfied what happens to the excess?

Too often they are peddled to narcotic addicts who can't get so-called hard narcotics, such as heroin or morphine, to young people seeking new and forbidden sensations, to neurotics who use them as emotional crutches.

Barbiturates, which act as progressive depressants on the central nervous system, are highly effective sedatives, but they can cause intoxication similar to alcohol intoxication with all of its dangerous effects.

Amphetamine, on the other hand, stimulates the central nervous system. While the user may feel alert and energetic, he may also become nervous and irritable.

People who habitually take barbiturates or amphetamine for the sensations they produce are living dangerously.

The Department of Health, Education, and Welfare reports that experiments conducted at the Addiction Research Center of the National Institute of Mental Health, Lexington, Ky., have established the fact that barbiturates taken habitually in large quantities produce all three of the characteristic symptoms of addiction:

1. A tolerance to the drug so that the same amount produces progressively less effect, causing the addict to crave larger and larger doses.

2. Physical dependence on the drug, which requires its continued use to prevent the symptoms that follow its abrupt withdrawal.

3. Psychic dependence or habituation—turning to the drug as an escape from emotional stresses.

The Department further reports that these experiments have shown that the abrupt withdrawal of the drug from addicts almost always results in convulsion and often in a psychosis resembling alcoholic delirium tremens.

"It has already been shown through experiments," the report says, "that addiction ordinarily does not occur unless the patient is taking six-tenths of a gram (10 grains) or more of one of the quick-acting barbiturates daily. Physicians warn, however, that persons taking as little as four-tenths of a gram (6 grains) daily for several weeks may develop a psychological dependence, which causes them to increase the dosage to more dangerous levels."

A person under the influence of barbiturates is more dangerous to himself and others than a narcotics addict because he has poorer muscular coordination and less emotional control. He may even become hostile.

Barbiturates pose another threat besides their powers of habituation and addiction. More deaths are caused by overdoses of these drugs taken either accidentally or with suicidal intent than any other poison.

Though the effect of amphetamine on the nervous system is just the opposite of that produced by barbiturates, it is equally dangerous when misused. The drug is often taken to combat fatigue, but it is no substitute for rest.

Prolonged use of amphetamine can cause mental illness—hallucinations, insomnia, agitation and aggressive behavior.

The barbiturates or amphetamine in your medicine cabinet or desk drawer have definite therapeutic benefits as long as they are taken according to your doctor's directions. But misused, they can be dynamite.

[From the Houston Post, July 1961]

KICKS FIRST, THEN PATH TO ILLNESS, AGONY

(By Jim Mousner)

She was a pretty girl of 17, but the story she told the Texas House General Investigating Committee was far from pretty.

It began when, at the age of 16, she started using a nose inhaler containing a stimulant. It progressed through her introduction to barbiturates, amphetamine and liquor and ended with her lying near death in a hospital.

This teenager, whose name was not made public, was one of 55 witnesses who testified at the house committee's sensational vice hearings in Beaumont earlier this year. Her experiences, as she related them, form a pattern familiar to thousands of young people who have indulged in barbiturates and amphetamine for "kicks." The sequence of events may vary, but the end is too often the same—physical and emotional breakdown.

First there was the inhaler, then a combination of amphetamine and quick-acting barbiturates—"redbirds," "yellow jackets," and "bennies"—then liquor and beer consumed at private clubs and taverns in the company of other teenagers.

The adverse effects of the drugs on the girl's life came rapidly. In her own words: "They made me stay awake. And I couldn't eat. I couldn't get along with anybody in my family. I started playing hooky."

BUSINESSMAN RUINED BY HABIT

Her health deteriorated and her nerves became progressively more frayed until her emotional control snapped. After a bitter quarrel with her family, she tried to run away. Instead, she was taken to a hospital seriously ill—another victim of barbiturates and amphetamine.

The drugs alone cannot be blamed, of course. There were contributing factors, the alcohol, the irregular hours and, beyond these, the confusion of an emotionally disturbed girl seeking escape from her unhappiness. The pills, which she said were given to her by other teenagers, temporarily provided that escape.

This girl's story is not unique. A medical text on pharmacology quotes a survey of 15 hospitals over a 5-year period showing that 1 in every 17,000 persons admitted suffered from barbiturate habituation.

Who are the pill takers and why do they take them?

Police officers, doctors, and psychiatrists, whose work brings them into contact with these people, say some are, to all outward appearances, successful. A large percentage are in the upper income brackets. But the pills frequently change all this.

Capt. H. E. Cole, head of the Houston Police Department's narcotics division, recalls the case of a businessman who was plunged into financial ruin by the pill habit. He was arrested several times under the influence of barbiturates. On one occasion police found several capsules of the drugs in his car.

The pills also take their toll among the economically less fortunate. Houston police recently persuaded a man to have his wife committed to a hospital for treatment as a barbiturate addict after answering a call to the couple's home and finding the woman lying semiconscious on the living room floor. They found several thousand capsules of barbiturates in the house.

MENTAL ILLNESS PERIL IN PEP PILLS

A psychiatrist with the Houston State Psychiatric Institute for Research and Training says "that a large percentage of neurotic patients take too many barbiturates."

"We deal with the barbiturate problem all the time," he says.

The psychiatrist considers these drugs more dangerous as habituating agents than amphetamine, which frequently causes nervousness and other unpleasant sensations that discourage the user from overindulging.

"The chief danger in taking amphetamine," he says, "is that too much of it can cause mental illness—a paranoid psychosis, which makes the user suspicious and hostile. The adverse effects of the drug usally disappear when it is withdrawn, however."

Barbiturates, like amphetamine, pose another problem because of the varying reactions of people to these drugs.

"A certain number of persons, for instance, will become intoxicated when they take barbiturates," he says.

The Houston psychiatrist says "some people drift into barbiturate habituation."

"Many alcoholics go through a period in which they use barbiturates," he says. "They may begin using the drugs to relieve a hangover and before they know it the habit is formed."

The doctor stresses that barbiturates are very effective sedatives and that most people use them properly. He decries the fact that some patients who need the drugs are afraid to take them.

"The drugs are not to blame," he says. "It's the people who use them improperly."

While barbiturates are often taken to blur the problems of living, amphetamine may enable the user to meet these same problems in good spirits, with confidence and energy.

The stimulating effect of the drug also has made it popular with those who want to push their physical and mental endurance beyond normal limits. These may include persons who have no psychological problems, but who are motivated purely by economic considerations.

[From the Houston Post, July 1961]

OFFICIALS URGE STIFF CURB ON PEP CAPSULES

(By Jim Mousner)

The State legislature, as recently as 1959, strengthened the law governing the distribution of barbiturates and amphetamine.

The Texas dangerous drug law, passed in that year, establishes the legal procedure for dispensing these and several other drugs deemed unsafe for self-medication.

Under the law, it is illegal to possess barbiturates or amphetamine unless they are obtained directly from a practitioner (physician, dentist, chiropodist, or veterinarian licensed to practice in Texas) or from a pharmacy on a prescription by a practitioner.

The drugs must be in the containers in which they were obtained from the practitioner or pharmacy and must be properly labeled. The label must bear the names of the patient, practitioner and pharmacy, the number of the prescription and the date it was filled, and the directions for using the drugs.

Only pharmacies registered with the Texas State Board of Pharmacy and pharmacists licensed by the board are authorized to fill such prescriptions.

Pharmacies are required to keep prescriptions for barbiturates, other hypnotic drugs and amphetamine for at least 2 years after they are filled.

FELONY PENALTY UP TO 10 YEARS

They must also keep an inventory of these drugs, and, when ordering fresh supplies from out-of-State suppliers, send a copy of the order to the State board of pharmacy and hold another copy for 2 years.

Illegal possession or dispensing of the drugs, forging of prescriptions or orders to obtain them, or other violations of the dangerous drug law are misdemeanors on the first offense and felonies on second and subsequent offenses.

The penalty for the first offense is a fine not to exceed $3,000 or a 6-month to 2-year jail sentence, or both. The felony conviction carries a 2- to 10-year prison sentence.

Texas laws controlling the distribution and use of barbiturates and amphetamine are strong compared to those of some States, but W. E. Naylor, agent in charge of the narcotics section, Texas department of public safety, would like to see them strengthened even more.

"We can trace a narcotic such as morphine from the manufacturer right into the arm of the patient," Naylor says, "but we often lose track of barbiturates and amphetamine after they leave the pharmacy."

Some narcotics officers complain that it is difficult to trace many of the drugs because they never reach a pharmacy or other authorized dispensing agency.

STATE LAWS OFTEN INADEQUATE

The present Federal law, embodied in the Federal Food, Drug, and Cosmetic Act, is not strong enough to insure control over the distribution of barbiturates, amphetamine, or a number of other dangerous drugs, though it prohibits the dispensing of these drugs without a prescription.

State laws, no matter how strict or how well enforced, apparently cannot cope successfully with an influx of the drugs from outside its borders. Because of this, law enforcement officers often wind up dealing with the symptoms instead of the problem itself.

The U.S. Pure Food and Drug Administration, the Federal agency which has jurisdiction over the interstate movement of these and other drugs, as well as food and cosmetics, announced recently that it would soon establish an office in San Antonio.

The decision was made to establish the new office, in addition to the regional office in Dallas and the Houston office, because of the growing alarm of State and Federal officials over the use of barbiturates and amphetamine by teenagers to obtain cheap thrills.

J. A. Frost, agent in charge of the San Antonio office of the Federal Bureau of Narcotics, emphasized that his agency has jurisdiction only over the opiates—mainly opium, morphine, heroin, synthetic morphine and similar products, but not over barbiturates or amphetamine.

He said the Food and Drug Administration, which has this jurisdiction, is handicapped by weak laws.

"It's a terrific problem," Frost said. "What the answer is, I don't know."

Commissioner George P. Larrick of the Food and Drug Administration says that under the present Federal law his agency must prove interstate shipment of bootlegged drugs though they are packaged in every conceivable way—in paper sacks, match boxes or any container other than the manufacturer's or distributor's sealed bottle.

In the past 5 years, a number of bills have been introduced in Congress to tighten controls over the manufacture and distribution of these dangerous drugs. The Food and Drug Administration has supported this proposed legislation which would make the following changes in the present law:

1. It would make the unauthorized manufacture, dealing in, or possession of the drugs a Federal offense, regardless of whether the drugs are from interstate or intrastate sources.

2. It would require all manufacturers, compounders, and processors of these drugs to be identified by being listed with the Food and Drug Administration.

3. It would require all those who are engaged in making, processing, or dealing in such drugs to keep records of their production and dealings in them and to make these records available to Food and Drug inspectors.

"Such changes," Larrick says, "would strengthen the law, particularly by enabling the Food and Drug Administration to spot sources of diversion of the drugs from legal to illegal channels.

"During the 1960 fiscal year about 50 man-years of time was spent in developing evidence of illegal sales of prescription drugs and we estimate 75 man-years were spent in fiscal year 1961. We estimate that about 90 percent of this time involved amphetamine and barbiturates."

The Commissioner says that despite this continuing enforcement program, his agency cannot say that the back of the problem has been broken.

"We are still able to discover violations wherever we look," he said. "While we have located and prosecuted some of the major underground outlets for the pills, it appears that there is a never-ending supply flowing into the black market."

Food and Drug Administration officials emphasize that they do not wish to interfere with the use of these drugs for legitimate medical purposes, but they warn that misused they can become the accomplice of highway tragedy, organized crime, juvenile delinquency, and drug addiction.

The growing concern of officials at every level of government and warnings by law enforcement officers and medical researchers point to the need for stronger laws to protect the public from the pill menace.

REGISTRATION OF STATE CERTIFICATES BY A COMMON CARRIER

Mr. SMATHERS. Madam President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 497, S. 320.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 320) to amend the provisions in part II of the Interstate Commerce Act concerning registration of State certificates whereby a common carrier by motor vehicle may engage in interstate and foreign commerce within a State.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the Senate proceeded to consider the bill.

Mr. SMATHERS. Madam President, Senate bill 320 would amend the provisions contained in part II of the Interstate Commerce Act concerning registration of State certificates, whereby a common carrier by motor vehicle operating within a single State may engage in interstate and foreign commerce within such State. S. 320 is identical with S. 3228 which the Senate passed September 1 of last year after extensive hearings and unanimous approval by this committee.

During the last 15 years, motor carrier transportation has greatly expanded and become more complex. Numerous abuses, not anticipated when the exemption from the interstate certificate requirements was enacted, have arisen. Many of these abuses relate to improper transfer of certificates to ineligible carriers engaged in multiple State operations that should, but do not, have ICC approval; splitting of State operating authority with intrastate rights being retained by the original holder; and the interstate rights being sold to an ineligible carrier.

The final bill is the result of the joint efforts of the Interstate Commerce Commission and the National Association of Railroad and Public Utilities Commissioners and, I might add, the Common Carriers Conference in the American Trucking Association, to draft a bill that would embody sound regulation of intrastate carriers engaged in interstate commerce and, at the same time, promote the public interest. Most of the objections offered by NARUC and by individual carriers holding registered State certificates have been overcome by several amendments incorporated in what we call the compromise bill.

The bill would enable the State boards to deal with problems engendered by intrastate carriers wishing to engage in interstate commerce, give to ICC the authority commensurate with its position as the Federal regulatory body established to regulate interstate commerce, and guarantee to present holders of State certificates registered under the second proviso that none of their existing rights and privileges would be lost.

Madam President, I understand that at one time the very able Senator from California [Mr. KUCHEL] had some concern about this particular proposal. As a matter of fact, last year he raised some question about it. I must say that by virtue of his interest we have amended the bill as he properly suggested it be amended. I believe that now we have arrived at a piece of legislation which I am certain will work in the public interest and eliminate much of the objection of certain segments of the motor transport industry. I wish to commend the Senator for his labors and cooperation and constructive help in fashioning the proposed legislation.

Mr. KUCHEL. Madam President, will the Senator yield?

Mr. SMATHERS. I am happy to yield.

Mr. KUCHEL. I thank my friend, the distinguished junior Senator from Florida, for the generous personal comment which he has made. I am pleased to support the legislation. Let me say for the RECORD, first of all, that no objection has been interposed by the minority, as was the case a year ago when this same legislation was proposed. As was the case then, however, some of my constituents in California have raised questions as to the intention for which the proposed legislation was introduced. In order to provide for legislative history as to the intention, I have several specific questions which I wish to ask my able friend for the RECORD.

In past "grandfather" cases the ICC has severely limited the commodity authorization even where the carrier has held itself out to have general commodities. If a local State carrier has hauled 20 different commodities within a past year, is it intended in such case that the carrier be accorded general commodities or those 20 specified commodities?

Mr. SMATHERS. I would say to the able Senator from California that the Interstate Commerce Commission will not necessarily limit its investigation to the past year. The ICC will look at the history of the carrier within a reasonable period of time. If the carrier has carried mainly commodities within a specific class, such as hardware, electrical appliances, and so forth, then it probably will not be given general commodity authority. If the carrier has truly hauled, on the other hand, and has proven to be a general commodity hauler of, 20 different commodities which cover the general field, it would be given general commodity authority by the Interstate Commerce Commission.

Mr. KUCHEL. I thank the Senator.

The second question is this: Where a carrier has hauled certain commodities in past years but, because of recession, plant movement, or technological changes, the type of commodity has been temporarily changed or discontinued for the past 12 to 18 months, would the carrier's authority include such commodity?

Mr. SMATHERS. The answer to that question would be in the affirmative. The local carrier would receive full authority, including such commodities as it had hauled in past years. Section 2 of S. 320 provides on page 5, lines 1 through 12, that if there had been interruptions in service over which the carrier had no control, then the ICC should issue a certificate authorizing the continuance of such transportation in interstate commerce so long as proof is given of past usage.

Mr. KUCHEL. I thank the Senator.

The next question is this: In the past, the ICC in "grandfather" cases has limited the authorized territory of a carrier. Where a carrier has a broad territory and many routes, must it prove service between most points on many commodities?

Mr. SMATHERS. I would answer that question generally by saying that the filing of a State certificate is considered to be prima facie proof that the applicant is lawfully engaged in such operations, and the ICC will grant broad authority unless it has been proven that the carrier has not served the points involved. The applicant's proof would relate to the fact that he had provided service to all of the points, and it is not generally necessary to prove that he carried all the commodities which he was authorized to haul to all of the points involved.

Mr. KUCHEL. Is it the intention of the proposed legislation that there be granted only specified commodities between specified points, as has sometimes been the situation in the past?

Mr. SMATHERS. The intention of the bill is that the Commission shall continue to grant only specified commodities between specified points, as has been done in the past.

Mr. KUCHEL. If a carrier has statewide authority and has held itself out to haul all commodities between all points, would it be limited, however, to those commodities hauled, and only between points served to the extent of those commodities?

Mr. SMATHERS. I think the answer could be, generally, that while a carrier my have statewide authority and has held itself out to haul all commodities between all points, its authority from the Interstate Commerce Commission would be limited to the commodities which have actually been hauled and to the points which have actually been served in past years. The Interstate Commerce Commission will generally ask the carrier to give some proof of its past activities, which, in a case which might be presented, the carrier could well do. It could give such proof.

Mr. KUCHEL. If a carrier operates between two termini—for example, in my own State, between Los Angeles and San Francisco—and all intermediate points under a State certificate, is it the intention of the bill that that carrier will obtain a certificate of registration for comparable authority even if his service to intermediate points has been sporadic and of lesser quantity than the service between the major termini?

Mr. SMATHERS. An applicant would have to prove that he had actually served the intermediate points between two termini in order to have such intermediate points listed in the ICC certificate. While the service to the intermediate points would generally be of lesser quantity than service between the major termini, if he has in fact served such points they would be included in the ICC certificate.

Mr. KUCHEL. In the event a carrier has recently been granted a new certificate or an additional certificate by the local regulatory agency, would it be granted a certificate of registration, under the bill, even if its interstate shipments in the newer area were small in number and limited in commodities because of its newness?

Mr. SMATHERS. If a carrier which has applied for a certificate of registration has a legitimate State authorization, then the Interstate Commerce Commission undoubtedly would follow the terms of the certificate granted by the local commission. This would be so even if the State certificate were recently granted and therefore the shipments under this certificate were small in number and limited in commodities because of its newness. So the answer to the question is "Yes."

Mr. KUCHEL. If a carrier has been granted a State certificate and has registered that certificate with the Interstate Commerce Commission under the present proviso, but because of its being recently granted has just started to conduct ICC operations, is it intended by the bill that that carrier would be precluded from obtaining a certificate of registration because it has no past shipment records of any consequence?

Mr. SMATHERS. If a carrier has been granted a State certificate but has only just recently started to conduct interstate operations after registering with the ICC, it would not be precluded from obtaining a new certificate of registration from the ICC simply because it had no past shipment records of any consequence.

Mr. KUCHEL. I call the attention of the able Senator from Florida to the language of the bill on page 7, starting at line 13, as follows:

> A notice of intent to engage in interstate and foreign operations accompanied by certified copies of State certificates filed with the Commission as evidence of authority to operate in interstate or foreign commerce under the former provisions of the second proviso of section 206(a), shall be prima facie evidence that the applicant is lawfully engaged in interstate and foreign operations and the scope thereof.

Would the Senator from Florida agree that the intention of the words "prima facie" as used in this sentence is to require compliance with the application

unless an objecting party is able to overrule the validity of the certificate?

Mr. SMATHERS. I agree with the Senator's view. Obviously, many such applications will be filed, and rather than have to go to the trouble of having a carrier present more than simply a prima facie case, the Commission would be authorized to go ahead and act in cases where there was no objection. The Commission would give the carrier the right to proceed on the prima facie evidence.

However, as the able Senator from California has stated, if there is objection—if, in fact, the things the carrier claims he has done have really not been done—and someone files a protest or makes objection to the granting of the certificate, then, of course, the Commission would have to have more than a prima facie showing. It would have to have actual proof that the person who was seeking an application had done what he said he had done.

Mr. KUCHEL. In other words, the use of the particular phrase in this section shifts the proof to any party who desires to upset the validity of the certificate?

Mr. SMATHERS. For practical purposes, that is a correct conclusion.

Mr. KUCHEL. In the absence of any such objecting party, would the Senator from Florida say that the prima facie validity of the certificate in question would, to all intents and purposes, be conclusive?

Mr. SMATHERS. Yes; the law is intended to mean just that.

Mr. KUCHEL. I thank the Senator from Florida.

Madam President, when the bill was approved by the Senate during the last Congress, the final section provided that the effective date of the amendment should be April 1, 1961. Obviously, that provision needs to be amended. I now submit an amendment to strike out "April 1, 1961," and insert in lieu thereof "December 31, 1961."

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 7, line 22, it is proposed to strike out "April 1, 1961" and insert in lieu thereof "December 31, 1961."

Mr. KUCHEL. Madam President, the amendment is self-explanatory.

Mr. SMATHERS. There is no objection to the amendment. We think it is practical.

The PRESIDING OFFICER. Without objection, the amendment is agreed to. 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 was ordered to be engrossed for a third reading and was read the third time.

Mr. KUCHEL. Madam President, in the last Congress there were persons in my State who were interested in the proposed legislation and who contacted me. I thought many of the proposals they made were relevant and timely. I asked the Senator from Florida to consider them and to give me an opportunity to meet with his people. He granted me that opportunity; and all the way through, wherever he was able to agree with the position that I took, he did. I simply wish to thank him for his patience, his courtesy, and his helpfulness in composing the differences of view, so that the Senate may now place its approval on the legislation which the Senator from Florida has sponsored and which, in my judgment, is in the interest of the public.

Mr. SMATHERS. I thank the able Senator from California for his kind remarks. After all, as we all know, legislation is nothing but, in many ways, the composing of varying points of view. The able Senator from California raised some points which I thought were meritorious. I think we have a better bill by virtue of his activity in connection with the measure.

Madam President, I would be derelict if I did not make one additional comment. Often we hear about the evil connotations of the word "lobbyist." In this particular respect, frankly, I do not believe we would ever have had any legislation in this field, which will serve the general public, had it not been for the able work of Bob McBride. This man, who worked for the Common Carrier Conference of the American Trucking Associations, is the one who has, over the course of 3 years, been able to get the groups of interested persons together, urging them to settle their differences. Frankly, he deserves a great measure of the credit for this particular piece of legislation, and I wish to pay him that compliment which I think is due him.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 320) was passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second proviso to paragraph (1) of subsection (a) of section 206 of the Interstate Commerce Act is amended to read as follows: *"And provided further,* That on and after the effective date of this amendment, no certificate under this part shall be required for operations in interstate or foreign commerce by a common carrier by motor vehicle operating solely within a single State and not controlled by, controlling or under a common control with any carrier engaged in operations outside such State, if such carrier has obtained from the commission of such State authorized to issue such certificates, a certificate of public convenience and necessity authorizing motor vehicle common carrier operations in intrastate commerce and such certificate recites that it was issued after notice to interested persons through publication in the Federal Register of the filing of the application and of the desire of the applicant also to engage in transportation in interstate and foreign commerce within the limits of the intrastate authority granted, that reasonable opportunity was afforded interested persons to be heard, that the State commission has duly considered the question of the proposed interstate and foreign operations and has found that public convenience and necessity require that the carrier authorized to engage in intrastate operations also be authorized to engage in operations in interstate and foreign commerce within limits which do not exceed the scope of the intrastate operations authorized to be conducted. Such operations in interstate and foreign commerce shall, however, be subject to all other applicable requirements of the Interstate Commerce Act and the regulations prescribed thereunder. Such rights to engage in operations in interstate or foreign commerce shall be evidenced by appropriate certificates of registration issued by the Interstate Commerce Commission which shall be valid only so long as the holder is a carrier engaged in operations solely within a single State, not controlled by, controlling, or under a common control with a carrier engaged in operation outside such State, and except as provided in section 5 and in the conditions and limitations stated herein, may be transferred pursuant to such rules and regulations as may be prescribed by the Interstate Commerce Commisison, but may not be transferred apart from the transfer of the corresponding intrastate certificate, and the transfer of the intrastate certificate without the interstate or foreign rights or the termination or restriction in scope of the intrastate certificate shall terminate, or similarly restrict, the right to engage in interstate or foreign commerce. Such rights shall be subject to suspension or termination by the Interstate Commerce Commission in accordance with the provisions of the Interstate Commerce Act governing the suspension and termination of certificates issued by the Interstate Commerce Commission. The Interstate Commerce Commission may impose reasonable requirements with respect to the filing with it of certified copies of such State certificates and other appropriate statements and data, and compliance with applicable requirements established by and under the authority of statutes applicable to interstate and foreign operations administered by the Interstate Commerce Commission, as conditions precedent to engaging in interstate and foreign operations under the authority of such State certificate. In accordance with such reasonable rules as may be prescribed by the Interstate Commerce Commisison, any party in interest, who or which opposed in the State commission proceeding the authorization of operations in interstate or foreign commerce, may petition the Interstate Commerce Commission for reconsideration of the decision of the State commission authorizing operations in interstate or foreign commerce, and upon such reconsideration upon the record made before the State commission, the Interstate Commerce Commission may affirm, reverse, or modify the decision of the State commission, but only with respect to the authorization of operations in interstate and foreign commerce."

SEC. 2. Subsection (a) of section 206 of the Interstate Commerce Act is further amended by inserting at the end thereof a new paragraph as follows:

"(6) Any person who or which on the effective date of this paragraph was in operation solely within a single State as a common carrier by motor vehicle in intrastate commerce (excluding persons controlled by, controlling, or under a common control with, a carrier engaged in operations outside such State), and who or which was also lawfully engaged in such operations in interstate or foreign commerce under the certificate exemption provisions of the second proviso of section 206(a)(1) in effect prior to the effective date of this subsection, and has continued to so operate since that time (or if engaged in furnishing seasonal service only, was lawfully engaged in such operations on the effective date of this paragraph during the season ordinarily covered by its operations, and has so operated since that

time), except in either instance as to interruptions of service over which such person had no control, the Interstate Commerce Commission shall issue to such person a certificate of registration authorizing the continuance of such transportation in interstate and foreign commerce if application and proof of operations are submitted as provided in this subsection. Such certificate of registration shall not exceed in scope the services authorized by the State certificate to be conducted in intrastate commerce, and shall be subject to the same terms, conditions, and limitations as are contained in or attached to the State certificate except to the extent that such terms, conditions, or limitations are inconsistent with the requirements established by or under the Interstate Commerce Act. If the effectiveness of the State certificate is limited to a specified period of time, the certificate of registration issued under this paragraph shall be similarly limited. Operations in interstate and foreign commerce under such certificates of registration shall be subject to all other applicable requirements of the Interstate Commerce Act and the regulations prescribed thereunder. Certificates of registration shall be valid only so long as the holder is a carrier engaged in operation solely within a single State, not controlled by, controlling, or under a common control with a carrier engaged in operation outside such State, and except as provided in section 5 and in the conditions and limitations stated herein, may be transferred pursuant to such rules and regulations as may be prescribed by the Interstate Commerce Commission, but may not be transferred apart from the transfer of the corresponding intrastate certificate, and the transfer of an intrastate certificate without the corresponding certificate of registration, or the termination or restriction in scope of the intrastate certificate, shall automatically terminate or similarly restrict the certificate of registration. Such certificates of registration shall be subject to suspension or termination by the Interstate Commerce Commission in accordance with the provisions of the Interstate Commerce Act governing the suspension and termination of certificates of public convenience and necessity issued by that Commission."

All rights to engage in operations in interstate and foreign commerce under the provisions of the second proviso of subsection 206(a)(1) existing prior to the effective date of this paragraph shall cease and terminate, but any carrier lawfully engaged in interstate and foreign operations on the effective date of this paragraph, pursuant to such provisions, may continue such operations for 120 days after the effective date of this subsection and, if an appropriate application for a certificate of registration is filed within such period, such operations may be continued pending the determination of such application. The Interstate Commerce Commission shall prescribe the form of such application, the information and documents to be furnished, the manner of filing, and the persons to whom or the manner of giving notice to interested persons of such filings. Issues arising in the determination of such applications shall be determined in the most expeditious manner and, so far as practicable and legally permissible, without formal hearings or other proceedings. A notice of intent to engage in interstate and foreign operations accompanied by certified copies of State certificates filed with the Commission as evidence of authority to operate in interstate or foreign commerce under the former provisions of the second proviso of section 206(a), shall be prima facie proof that the applicant is lawfully engaged in interstate and foreign operations and the scope thereof.

SEC. 3. The effective date of this amendment shall be December 31, 1961.

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 bill (S. 1462) to amend the act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and for other purposes.

LEGISLATIVE PROGRAM

Mr. SMATHERS. Madam President, on behalf of the majority leader, I announce that it is the intention to have the Senate convene tomorrow, Tuesday, at 12 o'clock noon, and immediately after the morning hour to take up the Atomic Energy Commission authorization bill.

On Wednesday, it is intended to have the Senate consider Reorganization Plan No. 5. That is the plan which seeks to reorganize the operations of the National Labor Relations Board.

On Thursday or Friday there will be up for consideration by the Senate the independent offices appropriation bill. If our action on that bill is concluded by Friday evening, it is the intention of the leadership to have the Senate adjourn until Monday, at which time it is the intention of the majority leader—and I presume he has cleared all this with the minority leader—to have the Senate consider the farm bill.

I thought I would make this announcement prior to the adjournment today.

Mr. KUCHEL. Madam President, will my able friend yield?

Mr. SMATHERS. I am happy to yield.

Mr. KUCHEL. If, by due diligence and hard labor, we were able to dispose of this rather heavy schedule by Thursday evening, might we have some hope that the Senate would adjourn from Thursday evening until Monday?

Mr. SMATHERS. So far as I am concerned, I would hope that would be the case.

Mr. KUCHEL. I thank the Senator from Florida.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 17, 1961, he presented to the President of the United States the enrolled bill (S. 1710) to amend the act of April 6, 1949, as amended, so as to authorize the Secretary of Agriculture to make emergency livestock loans under such act until December 31, 1961, and for other purposes.

ADJOURNMENT

Mr. SMATHERS. Madam President, I move that the Senate now adjourn until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 1 minute p.m.) the Senate adjourned until tomorrow, Tuesday, July 18, 1961, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 17, 1961:

IN THE NAVY

The following-named officers of the line of the Navy for temporary promotion to the grade of rear admiral, subject to qualifications therefor as provided by law:

Harry Hull	John V. Smith
Robert H. Weeks	Clyde J. Vanarsdale, Jr.
Thomas H. Morton	William E. Sweeney
John S. Coye, Jr.	Ernest E. Christensen
Joseph W. Williams, Jr.	Reuben T. Whitaker
Arnold F. Schade	Walter H. Baumberger
Charles E. Loughlin	Joseph B. Tibbets
James O. Cobb	Nels C. Johnson
Thomas A. Christopher	Samuel R. Brown, Jr.
Robert A. MacPherson	Thomas W. South II
Carlton B. Jones	John J. Fee
Paul D. Buie	Richard B. Lynch
James R. Reedy	John N. Shaffer
Henry S. Monroe	John H. Maurer
Edgar H. Batcheller	Fred E. Bakutis
William A. Brockett	Eli T. Reich
Edward J. Fahy	Robert E. Riera
	Turner F. Caldwell, Jr.

Capt. Robert D. Powers, Jr., U.S. Navy, for temporary promotion to the grade of rear admiral pursuant to title 10, United States Code, section 5787, while serving as Assistant Judge Advocate General of the Navy pursuant to title 10, United States Code, section 5149.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 17, 1961:

COLLECTORS OF CUSTOMS

John E. Streltzer, of Colorado, to be collector of customs for customs collection district No. 47, with headquarters at Denver, Colo.

Lucia M. Cormier, of Maine, to be collector of customs for customs collection district No. 1, with headquarters at Portland, Maine.

Russell F. Niquette, of Vermont, to be collector of customs for customs collection district No. 2, with headquarters at St. Albans, Vt.

U.S. MARSHAL

Jack D. Obbink, of Nebraska, to be U.S. marshal for the district of Nebraska for the term of 4 years.

COURT OF MILITARY APPEALS

Paul J. Kilday, of Texas, to be a judge of the Court of Military Appeals for the term of 15 years expiring May 1, 1976.

IN THE NAVY

Vice Adm. Claude V. Ricketts, U.S. Navy, to be Vice Chief of Naval Operations in the Department of the Navy under the provisions of title 10, United States Code, section 5085, and to hold the rank of admiral under section 5321 of such title while so serving.

IN THE AIR FORCE

Col. Paul T. Cooper 4861A, Regular Air Force, for appointment to the temporary grade of brigadier general in the U.S. Air Force under the provisions of chapter 839, title 10, of the United States Code.

The nominations beginning James H. Pemberton to be major, and ending John L. O'Brien, Jr., to be second lieutenant, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on June 29, 1961.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 17, 1961

The House met at 12 o'clock noon.

Dr. J. Conally Evans, pastor, Belmont Baptist Church, Odessa, Tex., offered the following prayer:

Scripture: Psalm 118: 24: *This is the day the Lord hath made, I will rejoice and be glad in Him.*

Blessed God of grace and goodness, we pause to thank Thee for another day amidst this decade of destiny.

We accept this day as a precious gem to be set with ample action and polished with proper performance.

We pray that in our plans and purposes we shall not allow immediacy to be ruined by the rule of procrastination.

Deliver us from the guilt of premortem neglect and postmortem tribute in the fulfillment of our solemn obligations and responsibilities.

God grant that in this age of guided missiles and misguided men our country shall be delivered from the mistakes of the malicious.

In the name of Jesus Christ who taught us that today is all we have, all we need and all we can manage, we offer this petition. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, July 13, 1961, 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 without amendment a bill of the House of the following title:

H.R. 1986. An act to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroads from express companies for the transportation of express matter.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1107. An act to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California;

S. 1154. An act to provide for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges; and

S. 2197. An act to amend section 107(a)(3) of the Soil Bank Act, as amended.

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. 6441) entitled "An act to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control."

The message also announced that the Vice President has appointed Mr. JOHNSTON, of South Carolina, and Mr. CARLSON members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the U.S. Government," for the disposition of executive papers referred to in the report of the Archivist of the United States No. 62–1.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1962

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent that the managers on the part of the House on the bill H.R. 7444, making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1962, and for other purposes, may have until midnight tonight to file a conference report on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

CIVIL WAR CENTENNIAL COMMISSION

The SPEAKER laid before the House the following communication, which was read:

Pursuant to the provisions of section 1, Public Law 85–305, the Chair appoints as a member of the Civil War Centennial Commission the gentleman from Mississippi, Mr. SMITH, to fill the existing vacancy thereon.

EXTENSION OF TIME FOR REFERENDUM ON MARKETING QUOTA FOR WHEAT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (S.J. Res. 116) to extend the time for conducting the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1962.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. HOEVEN. Mr. Speaker, reserving the right to object—and I shall not object—will the gentleman please explain the purpose of this resolution.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, under existing law, the wheat referendum must be held by July 25. This resolution will extend that date until August 26. The reason for it is that it is expected that new wheat legislation which may affect allotments of wheat farmers may be passed subsequent to the date set for the referendum under existing law.

Mr. HOEVEN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. ALBERT]?

There was no objection.

The Clerk read the joint resolution as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 336 of the Agricultural Adjustment Act of 1938, as amended, is amended by adding at the end thereof the following: "Notwithstanding any other provision hereof, the referendum with respect to the national marketing quota for wheat for the marketing year beginning July 1, 1962, may be conducted not later than August 26, 1961."

The joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THE FUTURE OF THE NATION'S CAPITAL

Mr. REUSS. 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 Wisconsin?

There was no objection.

Mr. REUSS. Mr. Speaker, I have asked time for a special order for this afternoon in which I intend to discuss the question of the future of Washington, the Nation's Capital.

The population experts predict that by the year 2000 we will have a population here for 5 million, up from the present 2 million. If that occurs, if nature takes its course unchecked, we are going to have what I think will be insoluble problems of water supply, waste disposal, park and green space, and traffic administration. I do not believe it is necessary that this happen. By attention to the location in the future of the nonpolicymaking branches of the Federal Government, we can avoid a too great massing of population.

I hope Members who are interested in this subject will be able to be present later this afternoon, so that we may have a dialog on the vital subject of the future of the Nation's Capital.

THE BERLIN CRISIS

Mr. COLMER. 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 Mississippi?

There was no objection.

Mr. COLMER. Mr. Speaker, we are in the midst of another Berlin crisis, the third since that unfortunate division of that great city was made. The President of the United States and other leading figures in the administration and also of the opposite party have stated repeatedly that we will not yield to appeasement of Russia in this matter. I think it would be very appropriate, Mr. Speaker, if the Congress itself went on record as being behind the President in his firm declaration not to yield to the masters of the Kremlin in this newly created crisis, the third, I repeat, since the trouble started over there. If

we yield in this instance we might just as well fold up the tent and go home.

Mr. Speaker, immediately following the cessation of hostilities of World War II and, more specifically, during the entire month of August 1945, a subcommittee of the Postwar Economic Policy and Planning Committee, of which I had the honor of being chairman, made a study of conditions in Europe, including some 10 days in Russia. After interviews with the then Premier, Joe Stalin, as well as the leaders of a dozen other European countries, we returned with the conviction that Russia wanted neither war nor peace; that she planned to overthrow our form of government by destroying our economy and require us to spend ourselves into bankruptcy. We reported to President Truman, Secretary of State Byrnes, and to the Congress immediately upon our return that this was their objective and that firmness and strength was the only language that the Kremlin understood. We urged an abandonment of the appeasement policy begun during the war.

Subsequently, as chairman of the committee, I introduced a broad and comprehensive resolution calling for a firm policy in dealing with the Kremlin. Unfortunately, we did not succeed in the passage of this resolution. But, Mr. Speaker, I have never missed an opportunity on the floor of the House or elsewhere to repeat my advocacy of the abandonment of the appeasement and the institution of a firm policy in dealing with the Kremlin.

Again, Mr. Speaker, in March 1959, in another crisis over Berlin, I introduced a concurrent resolution (H.J. Res. 278) calling for a firm policy and placing the Congress on record as being solidified behind President Eisenhower in his declaration, "We will not budge an inch on Berlin."

While that resolution likewise was not adopted by the Congress, largely because the State Department thought it untimely, it did serve as a basis for White House discussion by the President with the congressional leaders of both parties. This conference resulted in the issuance of a statement by these leaders that the Congress was united in its support of the President's firm stand.

Today, Mr. Speaker, I have introduced a similar joint resolution. In view of the fact that the Communists, following their usual policy of distortion, raise questions about the unity and temper of our people in support of the President, I think it would be most helpful and conclusive if the Congress, consisting of the representatives of the people of the United States, went on record as backing President Kennedy wholeheartedly and firmly in his public—and I understand private—statements to Khrushchev that the United States will resist the latest Kremlin movement.

Mr. Speaker, I can see no other position for this country to take. Mr. Khrushchev is continuing the aggressive policy which has characterized the Kremlin ever since the end of the war. He is taking advantage of our known desire for peace. To appease in this instance would be fatal. The next demand would be for even more far-reaching concessions. If he gets by with this Berlin movement, who can say how long it will be before he will create a crisis on Cuba?

Moreover, I call your attention to the fact that in every instance where we have been firm, as in Greece and Turkey and in the Berlin airlift, they have backed down.

Finally, Mr. Speaker, there is no question about the willingness of our people to back up the President in this instance. They recognize that this is a calculated risk. But after 15 years of yielding to the Kremlin they realize that appeasement will get us nowhere. I am confident that the resolution would pass the Congress unanimously if the opportunity is given the membership to vote it.

The resolution follows:

Whereas the primary purpose of the United States in its relations with all other nations is and always has been to develop and sustain a just and enduring peace for all; and

Whereas at the conclusion of hostilities in World War II the United States, the Soviet Republic, the British Empire, and the Republic of France entered into a solemn and binding covenant that the city of Berlin, Germany, should be and remain under the jurisdiction of the four parties to said agreement, with the right of ingress and egress thereto, until a final and binding peace treaty should be executed between the said Allies on the one hand and the Government representing the German people on the other; and

Whereas there has been no such final peace treaty signed by the parties; and

Whereas the said solemn and binding agreement for the said rights of the parties to said covenant to ingress and egress in the said city, are, therefore, still in existence and binding on all parties thereto; and

Whereas the people of the United States of America feel in duty and honor bound to observe and carry out their obligations as one of the signatories to said covenant; and

Whereas the U.S. Government also is in duty and honor bound to adhere to its obligations to the German Republic and the other members of the North Atlantic Treaty Organization pact; and

Whereas the said Berlin agreement and the North Atlantic Treaty Organization's obligations are now threatened by one of the signatory members of the said Berlin agreement; and

Whereas such threat gravely endangers the peace and security of not only the peoples of the German Republic, as well as the subscribers to the North Atlantic Treaty Organization pact, but of the peoples of the whole free world; and

Whereas the Congress of the United States, composed of the representatives of and reflecting the will and judgment of the citizens of the United States, is wholeheartedly and unanimously behind the President in his firm declarations of policy to honor the aforesaid commitments: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to take whatever steps he deems necessary, including the use of the Armed Forces of the United States, for the specific purpose of securing and protecting the obligations and duties under the existing covenants heretofore entered into, with particular reference to the right of ingress and egress in and to the said city of Berlin, Germany; and the taking of such other measures as he judges to be required or appropriate in the premises.

This resolution shall expire when the aforesaid covenants and agreements have been abrogated by new or different agreements entered into by the parties concerned.

MORE HOUSE MEMBERS JOIN GROUP OPPOSING BACK-DOOR FINANCING OF FOREIGN AID

Mr. PELLY. 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 Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, last week I advised the House that 83 Members of this body had joined in expressing their opposition to the administration's proposal for financing foreign aid outside the normal appropriations procedure.

Since then 16 additional House Members have requested that their names be included—making a total of 99 Congressmen who have urged the Committee on Foreign Affairs against mutual security legislation that would bypass the requirement of an annual check and review to see that the taxpayers' money is spent wisely and the program administered efficiently.

The list of the original 83 Members appeared in the CONGRESSIONAL RECORD of July 10 and can be found on page 12208. The chairman of the Committee on Foreign Affairs has been requested to include the following 16 signatures to the original letter urging the elimination of back-door financing in this program: JOHN M. ASHBROOK, WILLIAM A. AVERY, RALPH F. BEERMANN, E. A. CEDERBERG, G. ELLIOTT HAGAN, A. SYDNEY HERLONG, JR., AUGUST E. JOHANSEN, CHARLES R. JONAS, CARLETON J. KING, VICTOR A. KNOX, WILLIAM M. MCCULLOCH, WALTER L. MCVEY, ROBERT H. MICHEL, WILLIAM E. MINSHALL, WILLIAM K. VAN PELT, and JOHN BELL WILLIAMS.

AUTOMOBILE FINANCING

Mr. MEADER. 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 Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, earlier this afternoon the gentleman from Texas [Mr. PATMAN] addressed the House on the subject of automobile financing. I have a copy of the speech which he prepared and which I assume he inserted in its full text in the RECORD.

I propose to answer the questions the gentleman from Texas [Mr. PATMAN] raised in this speech in the special order I have been granted for this afternoon.

I am a member of the Antitrust Subcommittee of the Committee on the Judiciary, and have sat through its hearings on automobile financing and have spent a great deal of time on this subject. I think the Members should be advised of the real character of this legislation, H.R. 71.

ARGENTINE LOTTERY

Mr. FINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I have heard much in recent months about the financial needs of South America. But if those nations need some financial assistance from us, we could do with a little financial instruction from them.

Most South American nations are not wealthy, and they need to utilize the best possible revenue-raising devices. Accordingly, virtually every South American nation has realized the wisdom of a national lottery. One of the most productive of these lotteries is the one administered by the government of Argentina.

In 1960, the gross receipts of the Argentine lottery came to $25 million. The Government's profit was slightly more than half of this sum. Much of this was spent for social and medical work.

Let us not make aid to South America a one-way street—we can profit from their financial know-how as well.

NATIONAL LOTTERY OF PORTUGAL

Mr. FINO. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Speaker, I would like to bring to the attention of the Members of this House the National Lottery of Portugal. It provides yet another example of how the urge to gamble may be utilized on behalf of charitable organizations.

Portugal is a land of only 9 million persons, but it is able to gather some $24 million from lotteries. Of this sum, roughly one third is retained by the Government as profit. The bulk of this money is applied by the Government to the general budget, but almost $3 million is earmarked for charitable institutions.

The lesson to be drawn from the example of Portugal and other nations is that a national lottery can be of great benefit to a country. This is not merely a case of the ends justifying the means, for if we were not so steeped in moral hypocrisy, we would realize that a national lottery is a time honored and tested financial device.

UNEMPLOYMENT COMPENSATION

Mr. HOFFMAN of Michigan. 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 Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, the gentleman from Wisconsin [Mr. REUSS] raised the question this morning that should be of interest to everyone. His suggestion, as I understand, was that we must have legislation limiting the number of people who can come to Washington, and other cities.

As I understand, the people who are dissatisfied or find it difficult to live as they wish where they now live go where they will find life easier or get better treatment, go to some city where they can get something for nothing, go where they can get on unemployment compensation, get on public welfare rolls; and if they happen to be women to some place where they get additional relief for every additional child, and they have a step by step succession of children, and all go on public relief, the situation has an apparent attraction. We all know, of course—no matter how much we may plead ignorance of the situation—we all know that something must be done about that situation because the folks who do work are growing ever less in number and cannot support all others who demand relief.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION APPROPRIATIONS 1962

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H.R. 6874, an act to authorize appropriations to the National Aeronautics and Space Administration for salaries and expenses, research and development, construction of facilities, and for other purposes, with the Senate amendment thereto, disagree to the amendment, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

The Chair hears none and appoints the following conferees: Mr. BROOKS of Louisiana, Mr. GEORGE P. MILLER, Mr. TEAGUE of Texas, Mr. ANFUSO, Mr. MARTIN of Massachusetts, Mr. FULTON, and Mr. CHENOWETH.

THE LATE HONORABLE PAUL H. CUNNINGHAM

The SPEAKER. The gentleman from Iowa [Mr. JENSEN] is recognized.

Mr. JENSEN. Mr. Speaker, I rise to report to the Members of this House the sad news that our former colleague, Paul H. Cunningham, of Iowa, passed away yesterday.

Paul Cunningham was a great American. He served his country in time of war. He was promoted to high rank in the service. He served for more than 19 years in the House of Representatives, and during most of that time he was a member of the Committee on Veterans' Affairs. He had much to do with writing the GI bill of rights, which was greatly beneficial to veterans of World War II.

Paul Cunningham was an able, conscientious, hard-working Member of Congress. His home was in Des Moines, Iowa, but for many years he found it necessary to go north during the summertime to where the malady he suffered, hay fever, did not bother him as much as it did in his home State.

Paul Cunningham died at his summer resort in Minnesota. I know that I speak the heartfelt sentiment of every Member of this House who served and knew Paul and of all his friends when I say we mourn the loss of this great and good man. To his wife and family we voice the sentiments which we feel by saying we are sorry that their loved one has passed to the great beyond. We know his memory will linger long in the hearts of his multitude of friends and especially in the hearts of his good wife and family.

Paul Cunningham was one of God's noblemen.

May God rest his soul in peace.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. HOEVEN. Mr. Speaker, I was very sorry to learn of the sudden passing of my very good friend and former colleague, Paul H. Cunningham, who served in this House for many years.

Paul first came to Washington as a Member of the 77th Congress, and he served with honor and distinction as a Representative of the Fifth Congressional District of Iowa for 18 years. While a member of the Committee on Veterans' Affairs, he had an important part in drafting the original GI bill of rights. He rendered valuable service also on the Committee on Public Works and the Committee on Armed Services.

Military and veterans' matters were his particular interest, stemming from his own service in the infantry in World War I and his two sons' service in World War II. One son, Edward, was killed on Saipan.

Mr. Cunningham was born in Indiana County, Pa., and was graduated from State Teachers College there in 1914. He received a law degree from the University of Michigan in 1915.

He served as a captain in the Iowa National Guard and in the Iowa State House of Representatives before entering Congress.

He was a member of the American Legion and the Westminster Presbyterian Church in Des Moines.

Paul was a devoted public servant throughout his congressional career, thorough in his preparation, and always knew what he was talking about. Paul was kind and considerate and had a host of friends. He was an honorable individual and a Christian gentleman of the first order. He served well his day and generation.

Surviving are his wife Gail, a son Paul, and a daughter Harriet, all of Des Moines.

Paul and his good wife, Gail, were close friends of the Hoeven family, and we spent many happy hours together. Mrs. Hoeven joins me in extending our deepest sympathy to Gail and all members of the family.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, with my colleagues from Iowa, I was shocked to learn this morning of the sudden death of our former colleague, the Honorable Paul Cunningham.

As has been stated previously, he was himself a veteran and is well remembered for having given much of his time and talent to the enactment of legislation of benefit to the veterans of the military services.

I wish to extend the sympathy of Mrs. Gross and myself to his widow, Gail, and to the members of their family.

Mr. SCHWENGEL. Mr. Speaker, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Iowa.

Mr. SCHWENGEL. Mr. Speaker, I, too, was shocked this morning when I heard about the passing of a former colleague of ours, and I join with my colleagues to extend my sympathy to Mrs. Paul Cunningham, the family and to their many friends, in their loss that will be very keenly felt.

It has been my pleasure to have known Paul Cunningham by reputation for a long time and to have known him personally and intimately since 1955 when I came to the Congress.

Coming as I did, like him, with some experience in the Iowa Legislature, I found many common interests and from this we developed a friendship that made my initiation and work in this legislative body much easier and more effective.

On many occasions I found him to be a wonderful counselor as I took on the grave and important responsibilities of a U.S. Congressman.

Paul Cunningham was one of those rare individuals we meet too infrequently in life who has a keen sense of right and wrong, a personal dedication to the great ideals our country seeks to represent, and a passionate desire to serve the best interest of his country, the people, and the political party of his choice.

It was in the Iowa Legislature where he made his first great mark as a legislator. He came to this body with a wealth of experience and with a deep conviction that the interest of our country must always be served by unselfish interests, and that the welfare of the people must be noted but that a recognition and dedication to ideals must never be forgotten.

All who served with him can testify better than I that he added to his stature as a legislator here. He earned the title of statesman and, whenever he could, he made the job easier for all of us.

Those of us who serve in the Congress know the importance of our own vote and we know from experience that one vote can make a great difference in the direction our country takes at critical moments. At one time in Paul's political life he was called upon to cast a deciding vote. It was a crucial vote and all of us know now it was an important vote. We note, too, that the vote for extension of the draft in 1941 was not a popular one. It was not one that would get many votes in his district but from the study he made and from the thought he had given this question he was convinced that it was a right one and so he cast that vote.

It appeared at the time that it might defeat him at the polls at the next election but he never flinched. After that session he went home and did his best to not only explain his own vote but to develop an attitude and frame of mind in his constituents that changed the thinking of his district. And, as we look back on it now, we know that this crucial vote was the right vote. It is not hard to imagine that our country and posterity have benefited since.

There are many other important issues upon which Paul, the man whom we are honoring here today, had great influence. Anyone who would take the time to check the record would be impressed with the many wonderful contributions he was able to make here on the House floor in behalf of his country and the people he had the great honor to represent.

In politics Paul was a Republican but always he left you with the impression that first and foremost he was an American. He was born in in the great Keystone State of Pennsylvania, in Indiana County. He attended the State normal school there. Then he attended the University of Michigan where he graduated from the school of law. He was a veteran of World War I, served and was discharged from the service as a first lieutenant.

He was a devoted and active member of the Westminster United Presbyterian Church. He was an active member of the American Legion, Sigma Phi Epsilon fraternity, Masonic bodies, Odd Fellows, and Elks and various civic organizations.

In closing, may I say to all of you that Iowa mourns the loss of a loyal and devoted son. The people of the United States have lost a statesman. I join with my colleagues on both sides of the aisle to express my great sorrow and again extend my sympathy to his very charming, respected, and beloved wife, Gail, and his family and many friends.

Mr. JENSEN. Mr. Speaker, I yield to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I was greatly saddened today when I learned of the passing of Paul Cunningham. I wish to join my colleagues in paying tribute to Paul and to express my sincere sympathy to our colleagues from Iowa.

Paul Cunningham and I came to Congress together and I greatly enjoyed my association with him over the years. We had a mutual friend in Colorado and we talked about him frequently. We also had many things in common which resulted in a close friendship, which I valued highly.

Paul was a great American and rendered outstanding service as a Member of the House. I considered him a most capable public servant, who always had the best interests of his country at heart.

Mrs. Chenoweth joins me in extending our deep personal sympathy to Mrs. Cunningham and to the children.

Mr. JENSEN. Mr. Speaker, I yield to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, at one time Paul Cunningham lived in Grand Haven, Ottawa County, in the Fifth Congressional District of Michigan. Those of us who knew him admired his ability, his patriotism, and his faithful attention to his official duties.

GENERAL LEAVE TO EXTEND

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the life and character of the late Paul Cunningham.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, I was sorry to learn of the passing of Paul Cunningham. For 18 years, he had represented the district that I am presently privileged to represent. As a Member of the House during World War II and the periods immediately after each conflict, he had served on the Veterans' Affairs and Armed Services Committees during years when their jurisdiction and responsibility was very important. Many times I have heard Mr. Cunningham speak in support of the GI education bill and in support of strong defenses for our country. As a veteran of World War I, a father of a son killed in World War II and a member of the important committees, he had always taken a great interest in veterans' and military matters.

Paul Cunningham had many thousands of friends in the Fifth Congressional District of Iowa and I am sure I speak for the entire district in expressing deep sorrow at his passing and in extending greatest sympathy to his family.

Mr. EVINS. Mr. Speaker, permit me to join with my colleagues from Iowa and others in paying a brief but sincere tribute to the memory of our late colleague, Paul H. Cunningham, of Iowa.

Those of us who were privileged to serve with Congressman Cunningham are saddened at the news of his passing. He was one of our most genial and beloved colleagues who was dedicated to the principles and ideals that made our country great. He always placed the welfare of the United States before any political consideration. He was a legislator of courage and distinction.

I extend an expression of deepest sympathy to the members of his family.

Mr. WEAVER. Mr. Speaker, I was greatly saddened to learn of the untimely passing of a friend and valued public servant, Paul H. Cunningham, who served in this Chamber for 18 years. He was a hard-working, dedicated Member of Congress, a devoted husband and father.

Both as a veteran of World War I and the father of two sons who served in World War II, Paul Cunningham held close to his heart and expended much energy upon the problems of the young men and women returning to civilian life after the Second World War. As a member of the Veterans' Affairs Committee he took an active role in developing one of the finest pieces of legislation ever written in this field, the GI bill of rights.

Paul Cunningham was always most helpful to younger Members and freely gave of his advice and his time in an effort to be of assistance. He was a man of stature and a great humanitarian.

Mrs. Weaver and I extend our sympathy to his wife and family.

Mr. HARVEY of Indiana. Mr. Speaker, the passing of our friend and former colleague, Paul Cunningham, came as a great shock to all of us. He represented his district in Iowa adequately and effectively for many years. He had a broad understanding of the problems of his area and the whole Nation. His vigorous espousal of those ideals for which he stood made him an outstanding Member of this great body. His gentle spirit and kindly tolerance endeared him to all who knew him. To his widow, Gail, and to his family as well, we extend our sincerest sympathy.

Mr. HORAN. Mr. Speaker, I wish to join my colleagues in paying sincere respect to our departed brother, Paul Harvey Cunningham.

Nobody questioned the honesty of Paul Cunningham. He lived by one of the finest, cleanest and most constructive codes that any man ever set up to guide his progress.

It was my pleasure to know Paul Cunningham well. It was my privilege to visit with him often and seek his counsel. This world of ours was better because Paul lived and his record and the host of friends who grieve his passing are a monument which the ages will not erode. Perhaps Henry George expressed Paul Harvey Cunningham's creed as well as anyone:

That we should do unto others as we would have them do unto us, that we should respect the rights of others as scrupulously as we would have our rights respected, is not a mere counsel of perfection to individuals, but it is the law to which we must conform social institutions and national policy, if we would secure the blessings and abundance of peace.

COMMITTEE ON EDUCATION AND LABOR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor and all subcommittees thereof may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL

Mr. McCORMACK. Mr. Speaker, if the conferees on the agricultural appropriation bill agree and file a report today, which they have until midnight tonight to do, I ask unanimous consent that the conference report may be called up tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

PROVIDING PROTECTION FOR THE VICE PRESIDENT

The Clerk called the bill (H.R. 6691) to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency, to authorize their protection by the Secret Service, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Iowa?

There was no objection.

DEPARTMENT OF AGRICULTURE CENTENNIAL OBSERVANCE

The Clerk called the resolution (H.J. Res. 435) to provide for recognition of the centennial of the establishment of the Department of Agriculture, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this resolution may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CENTENNIAL OF LAND-GRANT UNIVERSITIES AND COLLEGES

The Clerk called the resolution (H.J. Res. 436) to provide for recognition of the centennial of the establishment of the national system of land-grant universities and colleges.

There being no objections, the Clerk read the joint resolution as follows:

Whereas July 2, 1962, marks the centennial of the first Morrill Act granting public lands to States and territories in support of colleges to emphasize branches of learning relating to agriculture and mechanical arts, including other scientific and classical studies and military tactics; and

Whereas the Act completed the breakaway of American higher education from the tradition of limited educational opportunity, restricted by heredity, occupation, or money, and opened wide the doors of college to all with the ability and will to learn; and

Whereas the land-grant institutions located in the fifty States and Commonwealth of Puerto Rico carry research and teaching from the campus to farms and industries and the citizenry of these States and Commonwealth, seeking solutions to economic, social, and physical ills, and enriching the cultural life of the people; and

Whereas the land-grant universities and colleges today enroll approximately 20 per centum of the country's college population and grant 40 per centum of all doctorate degrees; approximately half of the doctorate degrees in the physical sciences, engineering, and the health professions, 25 per centum in the arts and languages, in business, commerce, and educational training, and all of the doctorates in agriculture; and

Whereas the land-grant system of universities and colleges has become the Nation's largest single source of trained and educated manpower and now contributes more than half the Nation's trained scientists and nearly half of all Regular and Reserve officers entering the Armed Forces through the military programs of civilian institutions; and

Whereas May 15, 1962, marks the centennial of the establishment of the United States Department of Agriculture and this department and the land-grant universities and colleges have historically maintained and currently maintain close cooperative relationship which have been a significant factor in producing the unparalleled agricultural revolution that has taken place in this Nation; and

Whereas the land-grant universities and colleges maintain close working relationships with the United States Departments of Commerce, Defense, Health, Education, and Welfare, Interior, Labor, and State; the United States Information Agency; the International Cooperation Administration; and other agencies and departments of the Government: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is fitting and proper to commemorate the centennial of this historic Act of Congress by appropriate celebration; that the President is authorized and requested to issue a proclamation recognizing the centennial of the establishment of the land-grant system of universities and colleges and to provide for suitable cooperation of agencies of the Government with the land-grant universities and colleges throughout the period of the centennial observance; that such centennial otherwise appropriately be celebrated; and that the historical and present close cooperative relationship with the departments and establishments of the Government be recognized in connection with such celebration.

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. HARVEY] 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. HARVEY of Indiana. Mr. Speaker, it is noteworthy that our land-grant colleges have fulfilled the high hopes of those responsible for passage of the Morrill Act in 1862.

As an alumnus of Purdue University, I wish to recognize the fact that I am very proud of the achievements of my alma mater. Purdue has been in the forefront of agricultural and mechanical schools—in research, experimentation, and education—to further the ideals set a century ago.

So it is with great pride that I wish continued success to Purdue and her sister land-grant institutions. Americans from all walks of life have benefited, and will continue to benefit, from the important work done at the land-grant schools.

Mr. LANE. 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 Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, House Joint Resolution 436 provides for the recognition of the centennial of the establishment of the national system of land-grant universities and colleges. It would authorize the President to issue a proclamation recognizing the centennial of the establishment of the land-grant system of the universities and colleges and provide for cooperation of agencies of Government during the period of the observance.

The year of 1962 has been selected for the observance because it was on July 2, 1862, that President Lincoln signed the Morrill Act upon which is based our nationwide system of land-grant universities and colleges. The Morrill Act provided for the beginning of the land-grant college system by authorizing the granting of public lands to the States and territories in support of colleges. A national system of higher education has stemmed from this act which has been uniquely designed to expand educational opportunity in the United States.

In the executive communication sent the House of Representatives by the Department of Agriculture proposing a joint resolution recognizing the centennial year of that Department, there are specific references to the centennial of the establishment of the nationwide system of land-grant universities and colleges. In that communication the following comment was made concerning the subject matter of House Joint Resolution 436:

> On July 2, 1862, President Lincoln signed the Morrill Act upon which is based our nationwide system of land-grant universities and colleges. It is our understanding that these institutions, which will observe in 1962 the 100th anniversary of their founding, will also offer to the Congress a proposed joint resolution recognizing their centennial, and that their proposed resolution will contain a reference to the Department's centennial, as does the Department's proposed resolution contain a reference to the land-grant centennial. The Department and the land-grant institutions expect to observe several of their centennial activities jointly in recognition of their present and historical close relationships.

The proposed resolution (H.J. Res. 436) is in a very real sense companion legislation to the joint resolution (H.J. Res. 435) the Department transmitted in a communication to the Congress on May 18 which would recognize the 100th anniversary of the passage of the act—on May 15, 1862—establishing the Department of Agriculture.

Our land-grant colleges were established "to teach such branches of learning as are related to agriculture and the mechanic arts," without excluding other scientific and classical studies and including military tactics. Their responsibility in the field of agriculture has been strengthened, and their cooperative relationship with the Department furthered, by the passage of several congressional acts, including the Hatch Act of 1887 which laid the basis for our nationwide system of State agricultural experiment stations, and the Smith-Lever Act in 1914 which established the cooperative agricultural extension service.

This unique Federal-State relationship is largely responsible for the development of our present highly efficient and productive agriculture.

The importance of this observance is readily apparent when it is considered that the Morrill or land-grant colleges helped bring to life the concept of equality of educational opportunity. The "open door" to college for all who had the will and ability to learn was unprecedented in world history. One hundred years ago, only one American in 1,500 went to college. Today, 1 in 3 attends. The land-grant system has become the Nation's largest single source of trained and educated manpower.

Mr. CHAMBERLAIN. 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 Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, I rise in support of House Joint Resolution 436 and to recall, for the benefit of my colleagues and the Nation as well, the close relationship between the emergence of the Land Grant Act of 1862—the so-called Morrill Act—and the emergence of Michigan State University at East Lansing, Mich. While it is perhaps too often true of any measure that enjoys great success that it is flattered with many more claims of authorship than can be truthfully ascribed to it, the influence of the pioneers for agricultural education in the State of Michigan can be truly said to have played an important role in the conception and establishment of the Land Grant Act.

Largely through the inspiration and determination of the man who was to become the president of the first college of agriculture in America, Joseph R. Williams, and other equally interested persons who believed that the study of agriculture deserved a place in the curriculum of the university, the convention that wrote the State's second constitution specifically requested the legislature to "as soon as practicable, provide for the establishment of an agricultural school." Faced with the problem of financing, the legislature petitioned Congress for a land grant of 350,000 acres in 1853—the first in a long list of such petitions that were to follow from other States and which were finally to bear fruit in the act of 1862. Though this initial petition was turned down, the Michigan pioneers were determined to set up an agricultural college.

President Williams took an active interest in Congressman Morrill's bill, and was even here in Washington on the day that it was first introduced in 1857; however, though it passed both Houses of Congress by 1859, President Buchanan vetoed it. Williams is credited with providing much of the information that Morrill used in his speeches. We can perhaps see his hand in this passage from a speech given by Congressman Morrill on April 20, 1858, to the House in support of his bill, in which he decried the lack of institutions for instruction of agricultural studies.

> In our own country the general want of such places of instruction had been so manifest that States, societies, and individuals have attempted to supply it, though necessarily in stinted measure. The plentiful lack of funds has retarded their maturity and usefulness, but there are some examples, like that of Michigan, liberally supported by the State, in the full tide of successful experiment.

Thus we see that the Michigan State Agricultural College served as a model, which was held up to the Nation, in order to encourage the founding of similar schools in each State. When final passage and President Lincoln had signed it into law, the Morrill Act represented a victory for the Michigan pioneers as much as it did for anyone else; and not merely in terms of the quarter million acres that the State of Michigan received under the Act, but rather in terms of the successful advocacy and bringing to fruition of the idea of agricultural institutions of higher learning.

Citizens of Michigan may well take pride in this spirit of pioneering in education that founded our fine State university and played such an important part in national affairs 100 years ago. The history of the Morrill Act indicates the accomplishments that that spirit fostered in those earlier times; while the reputation and educational facilities developed over the past century indicate the degree to which that same spirit has prevailed in the Michigan State University of today.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LIMIT PRIORITY AND NONDISCHARGEABILITY OF TAXES

The Clerk called the bill (H.R. 4473) to amend the Bankruptcy Act with respect to limiting the priority and nondischargeability of taxes in bankruptcy.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SALE OF LIGHT STATION PROPERTY IN SCITUATE, MASS.

The Clerk called the bill (H.R. 1452) to authorize the sale of a portion of the former light station property in Scituate, Mass.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Maryland whether or not there is in process an amendment which would make this purchase of an interest in the land subject to the fair market value.

Mr. GARMATZ. Yes, there is an amendment at the Clerk's desk.

Mr. FORD. That would include a provision to make the sale of this interest subject to the fair market value?

Mr. GARMATZ. The fair market value, that is correct.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any sale to Mrs. Elmer J. Bloom, of Peoria, Illinois, of—

(1) the portion of the parcel of land conveyed to the town of Scituate, Massachusetts, pursuant to the Act of June 28, 1916 (ch. 184, 39 Stat. 241), which underlies the veranda and porch of a house owned by the said Mrs. Elmer J. Bloom; and

(2) such other portions of such parcel of land as may be found by the board of selectmen of such town to be reasonable in connection with such house;

shall not be considered to be in violation of the last proviso of such Act of June 28, 1916, or in violation of any provision of the deed by which such land was conveyed to such town, recorded with Plymouth Deeds, book 1282, page 284.

Mr. GARMATZ. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GARMATZ: On page 2, line 7, immediately before the period insert the following: ", if the said Mrs. Elmer J. Bloom also pays to the United States the current appraised fair market value of the interest of the United States, as determined by the Secretary of the Treasury, which was reserved or otherwise retained pursuant to such Act of June 28, 1916, in the portions of such parcel sold to her under this Act. Upon payment of such current appraised fair market value of the interest of the United States, and completion of the sale of such portions to the said Mrs. Elmer J. Bloom, the Secretary of the Treasury shall convey by quitclaim deed all such reserved or retained right, title, and interest of the United States in and to the portions of such parcel sold to her under this Act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALARY PROTECTION FOR CERTAIN EMPLOYEES

The Clerk called the bill (H.R. 7043) to extend to employees subject to the Classification Act of 1949 the benefits of salary increases in connection with the protection of basic compensation rates from the effects of downgrading actions, to provide salary protection for postal field service employees in certain cases of reduction in salary standing, and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—SALARY PROTECTION FOR EMPLOYEES SUBJECT TO CLASSIFICATION ACT OF 1949

AMENDMENTS TO CLASSIFICATION ACT OF 1949

SEC. 101. (a) Section 507 of the Classification Act of 1949, as amended (72 Stat. 830; Public Law 85–737; 5 U.S.C. 1107), is amended—

(1) by inserting "(including each increase provided by law in such rate of basic compensation)" immediately following "to receive the rate of basic compensation to which he was entitled immediately prior to such reduction in grade" in subsections (a) and (b) of such section;

(2) by striking out "and" in paragraph (3) of such subsection (a);

(3) by inserting "and, with respect to each temporary promotion occurring on or after the date of enactment of this amendment, is not a condition of his temporary promotion to a higher grade" immediately before the semicolon at the end of such paragraph (3); and

(4) by inserting "(including each increase provided by law in such rate)" immediately following "July 1, 1954", wherever occurring in subsection (c) of such section, and immediately before the period at the end of such subsection.

(b)(1) The amendments made by subparagraphs (1) and (4) of subsection (a) of this section shall become effective as of August 23, 1958.

(2) The amendments made by subparagraphs (2) and (3) of such subsection (a) shall become effective on the date of enactment of this Act.

Retroactive compensation; validation of payments; relation of payments to Civil Service Retirement Act and Federal Employees' Group Life Insurance Act of 1954

SEC. 102. (a)(1) Except as otherwise provided in paragraph (2) of this subsection, payments of increases provided by law in rates of basic compensation are hereby authorized, and shall be made, in accordance with the amendments made by subparagraphs (1) and (4) of subsection (a) of section 101 of this title to section 507 of the Classification Act of 1949, as amended (5 U.S.C. 1107), and in accordance with other applicable provisions of such section 507, as amended, for services to which the provisions of such section 507, as amended, apply and which were rendered in the period beginning on the first day of the first pay period commencing after August 23, 1958, and ending at the expiration of two years immediately following the first day of such first pay period, with respect to each individual who, on the date of enactment of this Act, is on any employment roll of the Federal Government or of the municipal government of the District of Columbia, as follows—

(A) to such individual for such services so rendered by him, if, on such date of enactment, he (i) is on any such employment roll, (ii) is in the service of the Armed Forces of the United States, or (iii) is retired under any retirement law or retirement system for civilian officers and employees in or under the Federal Government or the municipal government of the District of Columbia; or

(B) to the survivor or survivors, in accordance with the Act of August 3, 1950 (Public Law 636, Eighty-first Congress), as amended (5 U.S.C. 61f–61k), of any such individual (for such services so rendered by him) who has died prior to such date of enactment, if, at the time of his death, such individual was (i) on any such employment roll, (ii) in the service of the Armed Forces of the United States, or (iii) retired under any such retirement law or retirement system.

(2) Payments of increases provided by law in rates of basic compensation which were made for services described in paragraph (1) of this subsection and rendered in the period described in such paragraph, and which would have been authorized under the amendments made by subparagraphs (1) and (4) of subsection (a) of section 101 of this title if such amendments had been in effect at the time such services were rendered in such period, are hereby validated to the same extent as if such amendments had been in effect during such period.

(b)(1) Payments of increases described in paragraph (1) of subsection (a) of this section shall not be considered as basic salary for the purposes of the Civil Service Retirement Act (5 U.S.C. 2251–2267) in the case of any retired or deceased individual described in subparagraph (A) or (B) of such paragraph (1).

(2) Payments of increases validated by paragraph (2) of such subsection (a) shall be considered as basic salary for purposes of such Act.

(c) 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.

(d)(1) Increases in rates of basic compensation authorized to be paid by paragraph (1) of subsection (a) of this section shall not be held or considered to be annual compensation for the purposes of the Federal Employees' Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103).

(2) Each change in rate of basic compensation made in the period described in paragraph (1) of subsection (a) of this section by reason of any payment validated by paragraph (2) of such subsection shall be held and considered to be effective for group life insurance purposes under the Federal Employees Group Life Insurance Act of 1954, as amended (5 U.S.C. 2091–2103), as of the first day of the first pay period following the pay period in which the payroll change was approved with respect to such individual.

Savings provisions

SEC. 103. (a) Nothing in this title or in the amendments made by this title shall be held or considered to modify, supersede, or otherwise affect the application and operation of section 24 of title 13 of the United States Code, which contains special provisions with respect to the assignment, promotion, appointment, detail, and other utilization of nontemporary employees of the Bureau of the Census in the Department of Commerce in temporary positions in connection with any census.

(b) Nothing in this title or in the amendments made by this title shall be held or considered to modify, change, or otherwise affect any increase in a saved rate of basic compensation paid in accordance with the Federal Employees Salary Increase Act of 1960 (part B of title I of the Act of July 1, 1960; 74 Stat. 298; Public Law 86–568).

TITLE II—SALARY PROTECTION FOR POSTAL FIELD SERVICE EMPLOYEES

Protection of salary standing of postal field service employees

SEC. 201. That part of chapter 45 of title 39 of the United States Code under the heading "Salary Steps and Promotions" is amended by adding at the end thereof the following new section:

"§ 3560. Salary protection

"(a) As used in this section, the term 'salary standing' means—

"(1) basic salary and salary level, with respect to the Postal Field Service Schedule (excluding salary levels PFS 17, 18, 19, and 20),

"(2) salary for the particular route (including additional compensation for forty hours and under for serving heavily patronized routes), with respect to the Rural Carrier Schedule, and

"(3) gross receipts category, with respect to the Fourth-Class Office Schedule.

"(b) Subject to the provisions of subsection (c) of this section, each employee—

"(1) who at any time on or after the date of enactment of this section is reduced in salary standing;

"(2) who, on the effective date of such reduction in salary standing, holds a career appointment or a probational appointment in the postal field service;

"(3) whose reduction in salary standing is not caused by a demotion for personal cause, is not at his own request, is not a condition of his temporary promotion or temporary assignment to a higher salary standing, is not a condition of his temporary appointment, and is not effected in a reduction in force due to lack of funds or curtailment of work;

"(4) who, for two continuous years immediately prior to such reduction in salary standing, served in the postal field service with the same salary standing or with the same and higher salary standing; and

"(5) whose performance of work at all times during such period of two years is satisfactory;

shall be entitled, as of the effective date of such reduction in salary standing, unless or until he is entitled to receive basic salary at a higher rate by reason of the operation of this section, or until the expiration of a period of two years immediately following the effective date of such reduction in salary standing to receive the rate of basic salary to which he was entitled immediately prior to such reduction in salary standing (including each increase provided by law in such rate of basic salary) so long as he continues in the postal field service without any break in service of one workday or more and is not demoted or reassigned for personal cause, at his own request, or in a reduction in force due to lack of funds or curtailment of work.

"(c) The rate of basic salary to which such employee is entitled under subsection (b) of this section with respect to each reduction in salary standing to which this section applies shall be the lesser of the following:

"(A) the amount of the existing rate of basic salary of the employee immediately prior to the reduction in salary standing (including each increase provided by law in such rate); or

"(B) the amount of the rate of the salary level or salary range (including each increase provided by law in such rate) to which the employee is reduced, increased by 25 per centum.

"(d) The Postmaster General is authorized to issue regulations to carry out the purposes of this section.

"(e)(1) For the purposes of section 3559 (a), the existing basic salary shall be the basic salary which the employee would have received except for the provisions of this section.

"(2) For the purposes of section 3544(h), the basic compensation earned shall be the basic compensation which the employee would have received except for the provisions of this section.

"(f) For the purposes of this section, the term 'curtailment of work' does not include—

"(1) reductions in class or gross receipts category of any post office, or

"(2) reductions in route mileage for rural carriers."

Conforming amendment

SEC. 202. That part of the table of contents of chapter 45 of title 39 of the United States Code under the heading "SALARY STEPS AND PROMOTIONS" is amended by inserting

"3560. Salary protection."

immediately below

"3559. Promotions.".

With the following committee amendments:

(1) Page 7, lines 23 and 24, strike out "on or after the date of enactment of this section is reduced" and insert in lieu thereof "on or after July 1, 1961, is or was reduced".

(2) Page 8, line 2, insert the words "or held" immediately following the word "holds".

(3) Page 8, lines 4, 5, 6, 8, and 9, insert the words "or was not" immediately following the words "is not".

(4) Page 8, line 16, insert the words "or was" immediately following the word "is".

(5) Page 8, line 18, immediately following the words "salary standing" insert the following:

or as of the first day of the first pay period which begins on or after the date of enactment of this section, whichever is later,

(6) Page 8, line 22, immediately following the words "salary standing" insert the following:

or immediately following the first day of such first pay period, as applicable,

The committee amendments were agreed to.

Mr. LANE. 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 Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, we are considering one of those unforeseen inequities that are revealed after a law goes into effect. The injustice, in this case, affects 30 employees in the General Accounting Office and approximately 500 employees in the field service of the Post Office Department.

The unintended salary discrimination, injurious to the income and morale of 530 career employees of the Government has become so obvious that there is unanimous agreement in the report accompanying H.R. 7403 of the proposed amendment to the Classification Act of 1949.

It is noteworthy that the Civil Service Commission, the Post Office Department, the Department of Defense, the Department of Justice, the Bureau of the Budget, the Department of Commerce, and the Comptroller General support the basic objectives of this bill. Its purpose is to provide salary protection for classified and postal field service employees in certain cases involving reductions in salary standing.

On September 19, 1960, the Comptroller General ruled that classified employees who were downgraded before January 1958, and who originally were brought under the salary retention protection of the Classification Act of 1949, were not entitled to have any salary increase added to the rates such employees were entitled to receive under section 507 of that act.

Title I of the present bill would validate the payments of the statutory salary increase which had been made to such employees and would authorize payment of the statutory increases to the 30 General Accounting Office employees who did not receive them. But it would exclude from the salary savings provisions of the Classification Act of 1949, an employee who accepts a temporary promotion with the understanding that when the assignment is completed he will revert to his former grade. An employee who receives a temporary promotion with full knowledge of its temporary nature and of his expected return to the lower grade position should not be entitled to salary retention benefits.

Title II extends salary protection to postal field service employees who are downgraded, affording them the same protection as classified employees.

This title provides that an employee in the postal field service whose reduction in salary standing is or was not caused by a demotion for personal cause, at his own request, or effected in a reduction in force due to lack of funds or curtailment of work, despite a reduced salary standing will continue to receive the higher pay for a period of 2 years following the effective date of the change in salary standing.

However, such an employee must have, immediately prior to a reduction in salary standing, served satisfactorily for 2 continuous years in the postal field service with the same or higher salary standing.

The effective date of title II shall be July 1, 1961.

H.R. 7043 is one of those infrequent bills where all the weight of reason and testimony is so clearly in its favor that we look forward to its uncontested passage and enactment into law.

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.

POSITIONS IN THE GENERAL ACCOUNTING OFFICE

The Clerk called the bill (H.R. 6007) to amend section 505(d) of the Classification Act of 1949, as amended, with respect to certain positions in the General Accounting Office.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 505(d) of the Classification Act of 1949, as amended (5 U.S.C. 1105(d)), is amended by striking out the words "twenty-five positions" and inserting in lieu thereof the words "forty positions".

With the following committee amendments:

Page 1, line 6, strike out "forty" and insert in lieu thereof "thirty-nine".

Page 1, immediately following line 6, insert the following:

"SEC. 2. Section 106(a) of the Federal Executive Pay Act of 1956 (5 U.S.C. 2205(a)) is amended by adding the following subparagraph after subparagraph (47):

"'(48) General Counsel of the General Accounting Office.'

"SEC. 3. The amendment made by section 2 of this Act shall become effective at the beginning of the first pay period which begins on or after the date of enactment of this Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

ELIGIBILITY FOR CERTAIN SCHOLARSHIPS

The Clerk called the bill (S. 539) to make nationals, American and foreign,

eligible for certain scholarships under the Surplus Property Act of 1944, as amended.

Mr. FORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ALLOTMENT OF PAY IN EMERGENCY EVACUATIONS

The Clerk called the bill (H.R. 2555) to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes.

Mr. GROSS. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FORT NECESSITY NATIONAL BATTLEFIELD SITE, PA.

The Clerk called the bill (H.R. 498) to provide additional lands at, and change the name of, the Fort Necessity National Battlefield Site, Pa., and for other purposes.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in furtherance of the purposes of the Act of March 4, 1931 (46 Stat. 1522), the Secretary of the Interior is authorized to acquire by purchase, exchange, donation, with donated funds or otherwise by such means as he may deem to be in the public interest, lands and interests in lands adjoining or near the Fort Necessity National Battlefield site which in his discretion are necessary to preserve the historic battleground, together with not to exceed 25 acres at the detached Braddock Monument: *Provided,* That the total area acquired pursuant to this Act shall not exceed 500 acres, except that in order to avoid the undesirable severance of parcels in private ownership such parcels may be purchased in the entirety.

SEC. 2. The Secretary of the Interior, in order to implement the purposes of section 1 of this Act, is authorized to exchange lands which may be acquired pursuant to this Act for other lands or interests therein of approximately equal value lying within the original George Washington land patent at Fort Necessity.

SEC. 3. The Fort Necessity National Battlefield site is hereby redesignated as the Fort Necessity National Battlefield and any remaining balance of funds appropriated for the purposes of the site shall be available for the purposes of the Fort Necessity National Battlefield.

SEC. 4. The administration, protection, and development of the Fort Necessity National Battlefield shall be exercised by the Secretary of the Interior in accordance with provisions of the Act of August 25, 1916 (39 Stat. 535), entitled "An Act to establish a National Park Service, and for other purposes", as amended and supplemented.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

With the following committee amendment:

Page 2, line 23, strike out all of section 5 and insert in lieu thereof—

"SEC. 5. There are hereby authorized to be appropriated such sums, but not more than $115,000, as are necessary to carry out the provisions of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HISTORIC SITE AT FORT DAVIS, JEFF DAVIS COUNTY, TEX.

The Clerk called the bill (H.R. 566) authorizing the establishment of a national historic site at Old Fort Davis, Jeff Davis County, Tex.

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall acquire, on behalf of the United States, by gift, purchase, condemnation, or otherwise, all right, title, and interest in and to such lands, together with any improvements thereon, that the Secretary may deem necessary for the purpose of establishing a national historic site at the site of Old Fort Davis, near the town of Fort Davis, Jeff Davis County, Texas.

SEC. 2. (a) The property acquired under the provisions of the first section of this Act shall be designated as the Old Fort Davis National Historic Site and shall be set aside as a public national memorial to commemorate the historic role played by such fort in the opening of the West. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop such monument, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916, as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935, as amended.

(b) In order to provide for the proper development and maintenance of such national historic site, the Secretary of the Interior is authorized to construct and maintain therein such markers, buildings, and other improvements and such facilities for the care and accommodation of visitors, as he may deem necessary.

SEC. 3. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

With the following committee amendments:

Page 1, line 8, strike out the word "Old".

Page 1, line 11, strike out the word "Old".

Page 2, line 19, strike out all of section 3 and insert in lieu thereof:

"SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $115,000 for land acquisition, as are necessary to carry out the provisions of this Act."

The bill was ordered to be engrossed and read a third time, and was read the third time.

The title was amended so as to read:

A bill authorizing the establishment of a national historic site at Fort Davis, Jeff Davis County, Texas.

A motion to reconsider was laid on the table.

RUSSIAN ORTHODOX GREEK CATHOLIC CHURCH, ALASKA

The Clerk called the bill (S. 1644) to provide for the indexing and microfilming of certain records of the Russian Orthodox Greek Catholic Church in Alaska in the collections of the Library of Congress.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the purpose of making the records of the Russian Orthodox Greek Catholic Church in Alaska in the collections of the Library of Congress more readily available for study and research and as evidence of the vital statistics set forth therein, the Librarian of Congress shall arrange, transliterate into Latin characters, index and microfilm such records.

(b) The Librarian of Congress shall, consistent with any limitation imposed on the use of or access to such records by their donors or by those placing such records on deposit in the Library of Congress, make available to any State or political subdivision thereof and in the discretion of the Librarian, to any person or organization, copies of any index or microfilm prepared pursuant to subsection (a) upon payment by any such State, subdivision, person or organization of an amount determined by the Librarian to be the reasonably estimated cost of providing such copies.

SEC. 2. There is hereby authorized to be appropriated such sum, not to exceed $15,000, as may be necessary to carry out the provisions of this Act.

With the following committee amendment:

Any amounts collected by the Librarian under this subsection shall be deposited in the Treasury of the United States.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTABLISHING A NATIONAL ARMED FORCES MUSEUM

The Clerk called the bill (H.R. 4659) 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.

Mr. GROSS. Mr. Speaker, reserving the right to object, do I understand that this museum is to be located in a building to be added to the new Smithsonian Institution? At one time it was proposed to erect, if I remember correctly, a separate building. I opposed that, and stopped it under a unanimous consent request.

Now, do I understand that this is to be located within the new Smithsonian Institution, or in a structure to be added to the new Smithsonian Institution?

Mr. JONES of Missouri. Mr. Speaker, if the gentleman will yield, I will be glad to attempt to answer his question.

Mr. GROSS. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. The bill is not authorizing construction of any new building. I have the assurance of the author of the bill, who is a member of the Board of Regents of the Smithsonian Institution, and I can assure the gentleman that the author has assured me that this bill is actually an insurance against the particular thing to which the gentleman objects.

Mr. GROSS. Mr. Speaker, I thank the gentleman, and withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established in the Smithsonian Institution a National Armed Forces Museum Advisory Board (hereinafter referred to as the Board), which shall provide advice and assistance to the Regents of the Smithsonian Institution on matters concerned with the portrayal of the contributions which the Armed Forces of the United States have made to American society and culture.

(b) The Board shall be composed of eleven members, as follows:

(1) The Secretary of Defense, who shall serve as an ex officio member;

(2) The Secretary of the Smithsonian Institution, who shall serve as an ex officio member;

(3) Nine members appointed by the President, (A) three of whom shall be appointed from persons recommended by the Secretary of Defense to represent the Armed Forces, and (B) two of whom shall be appointed from among persons recommended by the Regents of the Smithsonian Institution. Not less than two members appointed by the President shall be from civilian life.

(c) Members of the Board appointed by the President shall be appointed to serve for a period of six years; except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first appointed shall expire, as designated by the President at the time of appointment, three at the end of two years, three at the end of four years, and three at the end of six years.

(d) Five members of the Board shall constitute a quorum and any vacancy in the Board shall not affect its power to function.

(e) The members of the Board shall serve without compensation but shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties as members of the Board.

(f) The Board shall select officers from among its members biennially and shall make such bylaws, rules, and regulations as it deems necessary for the furtherance of its business.

SEC. 2. (a) The Smithsonian Institution shall commemorate and display the contributions made by the military forces of the Nation toward creating, developing, and maintaining a free, peaceful, and independent society and culture in the United States of America. The valor and sacrificial service of the men and women of the Armed Forces shall be portrayed as an inspiration to the present and future generations of America. The demands placed upon the full energies of our people, the hardships endured, and the sacrifice demanded in our constant search for world peace shall be clearly demonstrated. The extensive peacetime contributions the Armed Forces have made to the advance of human knowledge in science, nuclear energy, polar and space exploration, electronics, engineering, aeronautics, and medicine shall be graphically described. The Smithsonian Institution shall interpret through dramatic display significant current problems affecting the Nation's security. It shall be equipped with a study center for scholarly research into the meaning of war, its effect on civilization, and the role of the Armed Forces in maintaining a just and lasting peace by providing a powerful deterrent to war. In fulfilling its purposes, the Smithsonian Institution shall collect, preserve, and exhibit military objects of historical interest and significance.

(b) The provisions of this Act in no way rescind Public Law 722, Seventy-ninth Congress, approved August 12, 1946, which established the National Air Museum of the Smithsonian Institution, or any other authority of the Smithsonian Institution.

SEC. 3. (a) The Board of Regents of the Smithsonian Institution is authorized and directed, with the advice and assistance of the Board, to investigate and survey lands and buildings in and near the District of Columbia suitable for the display of military collections. The Board of Regents of the Smithsonian Institution shall, after consulting with and seeking the advice of the Commission on Fine Arts, the National Capital Planning Commission, and the General Services Administration, submit recommendations to the Congress with respect to the acquisition of lands and buildings for such purpose.

(b) Buildings acquired pursuant to recommendations made under subsection (a) of this section shall be used to house public exhibits and study collections that are not appropriate for the military exhibits of the Smithsonian Institution on the Mall in the District of Columbia. Facilities shall be provided for the display of large military objects and for the reconstruction, in an appropriate way, on lands acquired pursuant to recommendations made under subsection (a) of this section, of exhibits showing the nature of fortifications, trenches, and other military and naval facilities characteristic of the American colonial period, the War of the Revolution, and subsequent American military and naval operations.

SEC. 4. The heads of executive departments and independent agencies of the Government are authorized to transfer or loan to the Smithsonian Institution for its use without charge therefor military, naval, aeronautical, and space objects, equipment and records for exhibition, historical, or other appropriate purposes.

SEC. 5. There are hereby authorized to be appropriated to the Smithsonian Institution such sums as may be necessary for the purposes of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPRESENTATION ON THE JUDICIAL CONFERENCE

The Clerk called the bill (H.R. 176) to amend section 331 of title 28 of the United States Code so as to provide for representation on the Judicial Conference of the United States.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the first paragraph of section 331 of title 28 of the United States Code is amended to read as follows:

"The Chief Justice of the United States shall summon annually the chief judge of each judicial circuit, the chief judge of the Court of Claims, the chief judge of the Court of Customs and Patent Appeals, the chief judge of the Customs Court, and a district judge from each judicial circuit to a conference at such time and place in the United States as he may designate."

SEC. 2. The third paragraph of section 331 of title 28 of the United States Code is amended to read as follows:

"If the chief judge of any circuit or the district judge chosen by the judges of the circuit is unable to attend, the Chief Justice may summon any other circuit or district judge from such circuit. If the chief judge of the Court of Claims, or the chief judge of the Court of Customs and Patent Appeals, or the chief judge of the Customs Court is unable to attend, the Chief Justice may summon an associate judge of such court. Every judge summoned shall attend and, unless excused by the Chief Justice, shall remain throughout the sessions of the conference and advise as to the needs of his circuit or court and as to any matters in respect of which the administration of justice in the courts of the United States may be improved."

With the following committee amendments:

1. On page 1, lines 9 and 10, strike "the chief judge of the Customs Court".

2. On page 2, line 10, strike ", or the chief judge of the Customs Court".

3. At the end of section 2, add the following new section:

"SEC. 3. The second paragraph of section 605 of title 28, United States Code, is amended to read as follows:

" 'Such estimates shall be approved, before presentation to the Bureau of the Budget, by the Judicial Conference of the United States, except that the estimate with respect to the Customs Court shall be approved by such court.' "

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF WATERSHED PROTECTION AND FLOOD PREVENTION ACT

The Clerk called the bill (H.R. 3462) to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Watershed Protection and Flood Prevention Act is amended by inserting immediately before the period at the end thereof the following: "; or any irrigation or reservoir company, water users' association, or similar organization having such authority that may be approved by the Secretary".

With the following committee amendment:

Page 1, line 8, after the word "authority" insert "and not being operated for profit".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 650) to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

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 last paragraph of section 2 of the Watershed Protection and Flood Prevention Act is amended by inserting immediately before the period at the end thereof the following: "; or any irrigation or reservoir company, water users' association, or similar organization having such authority that may be approved by the Secretary".

Mr. JONES of Missouri. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Missouri: Strike out all after the enacting clause and insert the provisions of H.R. 3462 as passed, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the last paragraph of section 2 of the Watershed Protection and Flood Prevention Act is amended by inserting immediately before the period at the end thereof the following: '; or any irrigation or reservoir company, water users' association, or similar organization having such authority and not being operated for profit that may be approved by the Secretary'."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 3462) was laid on the table.

AMENDMENT TO GRAPE AND PLUM EXPORT ACT

The Clerk called the bill (H.R. 6253) to amend the act of September 2, 1960 (74 Stat. 734), in order to authorize the Secretary of Agriculture to establish minimum standards of quality for any variety of grapes and plums covered by such act, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. HAGEN of California. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1462, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There being no objection, the Clerk read the Senate bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first section of the Act of September 2, 1960 (74 Stat. 734), is amended by (1) inserting "of any variety" immediately after "any grapes or plums", and (2) inserting "for such variety" immediately after "established".

SEC. 2. Section 4 of such Act is amended to read as follows:

"SEC. 4. The Secretary may, by regulation, exempt from compliance with the provisions of this Act (1) any variety or varieties of grapes and plums, and (2) the shipment of such minimum quantities of grapes and plums to any foreign country as he may prescribe."

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.

A similar House bill (H.R. 6253) was laid on the table.

APPEALS FROM THE SUPREME COURT OF PUERTO RICO

The Clerk called the bill (H.R. 7038) to eliminate the right of appeal from the Supreme Court of Puerto Rico to the Court of Appeals for the First Circuit.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 81 of title 28, United States Code, is amended by inserting therein immediately after section 1257 of such title an additional section reading as follows:

"§ 1258. Supreme Court of Puerto Rico; appeal; certiorari

"Final judgments or decrees rendered by the Supreme Court of the Commonwealth of Puerto Rico may be reviewed by the Supreme Court as follows:

"(1) By appeal, where is drawn in question the validity of a treaty or statute of the United States and the decision is against its validity.

"(2) By appeal, where is drawn in question the validity of a statute of the Commonwealth of Puerto Rico on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, and the decision is in favor of its validity.

"(3) By writ of certiorari, where the validity of a treaty or statute of the United States is drawn in question or where the validity of a statute of the Commonwealth of Puerto Rico is drawn in question on the ground of its being repugnant to the Constitution, treaties, or laws of the United States, or where any title, right, privilege, or immunity is specially set up or claimed under the Constitution, treaties, or statutes of, or commission held or authority exercised under, the United States."

SEC. 2. The analysis of chapter 81 of title 28, United States Code, immediately preceding section 1251 of such title, is amended by inserting at the end thereof immediately following item 1257 an additional item, reading as follows:

"1258. Supreme Court of Puerto Rico; appeal; certiorari."

SEC. 3. Section 1293 of title 28, United States Code, is repealed: *Provided,* That such repeal shall not deprive the Court of Appeals for the First Circuit of jurisdiction to hear and determine appeals taken to that court from the Supreme Court of Puerto Rico before the effective date of this Act.

SEC. 4. Item 1293 is stricken from the analysis of chapter 83 of title 28, United States Code, immediately preceding section 1291 of such title.

SEC. 5. Section 1294 of title 28, United States Code, is amended by striking out paragraph (4) thereof reading as follows:

"(4) From the Supreme Court of Puerto Rico, to the Court of Appeals for the First Circuit;"

and by renumbering paragraph (5) thereof as paragraph (4).

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.

TENURE FOR JUDGES OF THE U.S. DISTRICT COURT OF PUERTO RICO

The Clerk called the bill (H.R. 6902) to provide the same life tenure and retirement rights for judges hereafter appointed to the U.S. District Court for the District of Puerto Rico as the judges of all other U.S. district courts now have.

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (a) of section 134 of title 28, United States Code, is amended to read as follows:

"(a) The district judges shall hold office during good behavior."

SEC. 2. The first paragraph of section 373 of title 28, United States Code, is amended by striking out the words "the United States District Court for the District of Puerto Rico,"

SEC. 3. The second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "the United States District for the District of Puerto Rico,"

SEC. 4. The amendments made by this section to sections 134 and 373 of title 28, United States Code, shall not affect the tenure of office or right to continue to receive salary after resignation, retirement, or failure of reappointment of any district judge for the district of Puerto Rico who is in office on the date of enactment of this Act.

Mr. CELLER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CELLER, of New York: On page 2, line 7, strike the word "section" and insert in lieu thereof the word "Act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INDIANS OF THE QUINAULT TRIBE, WASHINGTON

The Clerk called the bill (H.R. 4945) to set aside certain lands in Washington for Indians of the Quinault Tribe.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. FORD. Reserving the right to object, Mr. Speaker, may I ask the author of the bill a question or two in order to clarify several points?

As I understand the facts, in the early 1900's the Department of the Interior

transferred to the Department of Commerce certain acres, at which time the Department of Commerce paid to the Department of the Interior for the benefit of the Quinault Tribe an amount in the total of $581.12 for 85 acres. Is that correct?

Mrs. HANSEN. That is correct. The entire acreage purchased from the Quinault Tribe was 85.05 acres, and the sum involved was $581.12.

Mr. FORD. This proposed legislation then would transfer back from the Department of Commerce to the Quinault Tribe the same acreage at the same price?

Mrs. HANSEN. Exactly.

Mr. FORD. Is it true that in the interim the value of the timber on the 85 acres has gone up substantially?

Mrs. HANSEN. The value of the timber is always a debatable question. It is true that the timber has grown. There has been no expenditure of funds by the Government.

In 1915 this land was acquired for a lighthouse. The lighthouse was not built. Not a cent has been spent on improvement of this land.

Mr. FORD. According to the summary I have before me, the following information is given, presumably from the committee report, and I quote:

The current value of the 85.05 acres, excluding minerals, is estimated to be $850 for the land and $8,500 for the timber, a total of $9,350.

The original purchase price paid by the Department of Commerce was $581.12 and the price now to be paid by the Indians for the land is the same amount. So I am assuming that the Indians, at the expense of the Government, are getting approximately $8,750 profit on the deal; is that correct?

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am glad to yield to my colleague.

Mr. HALEY. Of course, originally this land was transferred to the Federal Government for a specific purpose, namely, to build a lighthouse, otherwise the property would not have been sold. It is true there has been some increase in the timber values. There is some argument as to just how much this increase amounts to. But, I want to call my friend's attention to the fact that this is a very poor tribe and they do not have the money to purchase the timber rights and, as I say, there is some doubt about the eight thousand and some-odd dollars really being the value of the timber because of the inaccessibility of the timber and getting it out and marketing it. But I think this is a good bill, and I hope the gentleman will not object to it.

Mr. FORD. I know there are certain extenuating circumstances here. But the committee of objectors does have the policy of requiring that the fair market value be paid by anybody who purchases land from the Federal Government. If it were not for the extenuating circumstances here, I would object to the consideration of the bill.

Mr. ASPINALL. Mr. Speaker, will the gentleman yield?

Mr. FORD. I am glad to yield to my colleague.

Mr. ASPINALL. I think if we trace this back to the time when the Federal Government took this land from the Indian tribe, we would find that the Indian tribe was in no position to question the amount that was paid to them. They took what was offered to them and they released the possession of their land, that is, at least as far as the surface use of the land was concerned. The Federal Government never did use the land as proposed. The land has remained vacant all this time. I think the gentleman from Michigan is perfectly in order if he treats this as one of those cases where extenuating circumstances make an exception to the general rule.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That lands heretofore set aside under the provisions of the Act of August 22, 1914 (38 Stat. 704), for lighthouse purposes at or near Cape Elizabeth on the Quinault Indian Reservation, State of Washington, and consisting of eighty-five and five one-hundredths acres, more or less, in lots, 1, 2, and 3 in section 34, township 22 north, range 13 west, Willamette meridian, which lands are excess to the needs of the Treasury Department, shall be, and the same are hereby, set aside in trust for the Quinault Tribe of Indians, in the same manner and to the same extent as other real property held in trust by the United States for said tribe.

SEC. 2. This Act shall not become effective until the Quinault Tribe of Indians shall have agreed to eliminate from their suit now pending before the Indian Claims Commission under the Act of August 13, 1946 (60 Stat. 1049) any claim based on alleged inadequate compensation for said lands and to renounce any other claims they may have with respect thereto. Neither the lands herein authorized to be disposed of nor the cost or value of said lands shall be considered by way of offset under section 2 of said Act. Nothing contained in this Act shall be construed as an admission of liability on the part of the United States with respect to these or any other lands and improvements.

With the following committee amendment:

Page 2, line 3, strike out all of section 2 and insert in lieu thereof the following:

"SEC. 2. The Indian Claims Commission is directed to determine in accordance with the provisions of section 2 of the Act of August 13, 1946 (60 Stat. 1050), the extent to which the value of the title conveyed by this Act should or should not be set off against any claim against the United States determined by the Commission, provided that said setoff shall not exceed the sum of $581.12."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 507) to set aside certain land in Washington for Indians of the Quinaielt Tribe, a similar bill to the House bill just passed.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASPINALL: Strike out all after the enacting clause of the bill, S. 507, and insert the provisions of the bill, H.R. 4945, as passed.

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

By unanimous consent (at the request of Mr. ASPINALL), the title was amended so as to read: "A bill to set aside certain land in Washington for Indians of the Quinaielt Tribe."

A similar House bill, H.R. 4945, was laid on the table.

CREDITING CERTAIN MINORITY SERVICE

The Clerk called the bill (H.R. 6597) to amend title 10, United States Code, to permit the crediting of certain minority service for the purpose of determining eligibility for retirement, and for other purposes.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 53 of title 10, United States Code, is amended, as follows:

(1) By adding the following new section at the end thereof:

"§ 1039. Crediting of minority service

"For the purpose of determining eligibility for retirement or transfer to the Fleet Reserve or Fleet Marine Corps Reserve, entitlement to retired or retainer pay, and years of service in computing retired or retainer pay of a member of the armed forces, any service which would be creditable but for the fact that it was performed by him under an enlistment or induction entered into before he attained the age prescribed by law for that enlistment or induction, shall be credited."

(2) By adding the following item at the end of the analysis:

"1039. Crediting of minority service."

SEC. 2. Section 1 applies to service performed, and retirements or transfers to the Fleet Reserve or the Fleet Marine Corps Reserve effected, before and after this Act takes effect.

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.

ADVANCE PAY IN EVENT OF EMERGENCY EVACUATION

The Clerk called the bill (H.R. 7724) to provide for advances of pay to members of the armed services in cases of emergency evacuation of military dependents from oversea areas and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, a bill is to come up under suspension later this afternoon dealing with advances to pay under emergencies dealing with civilians in the Federal Government.

With that in mind I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FEDERAL FACILITIES CORPORATION

The Clerk called the bill (H.R. 7864) to dissolve Federal Facilities Corporation, and for other purposes.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of section 2 of this Act, the Administrator of General Services is hereby designated to administer the contracts of sale of the Government-owned rubber producing facilities made pursuant to the Rubber Producing Facilities Disposal Act of 1953 (67 Stat. 414), as amended, and to administer other matters involving the Rubber Producing Facilities Disposal Commission, including the exercise of all powers and authority conferred upon the said Commission by section 6 of the Act of March 21, 1956 (70 Stat. 51, 53), and also including the winding up of the affairs of the Commission. The said contracts are hereby transferred from Federal Facilities Corporation to the Administrator of General Services.

SEC. 2. The administration of the national security clause contained in the contracts of sale referred to in section 1 of this Act shall be carried out in accordance with the needs and requirements of the national defense as determined by the Secretary of Defense.

SEC. 3. The records and the remaining assets and liabilities of the Rubber Producing Facilities Disposal Commission are hereby transferred from Federal Facilities Corporation to the Administrator of General Services for use of the Administrator in connection with the administration or performance of his functions and duties under sections 1 and 2 of this Act, or for other disposition as may be determined, consonant with law, by the Administrator.

SEC. 4. (a) Notwithstanding any other provision of law, the books of account, records, documents, property, assets and liabilities of every kind and nature, including, but not limited to, all funds, notes (and accrued interest thereon), mortgages, deeds of trust, contracts, commitments, claims, and causes of action, of Federal Facilities Corporation are transferred to the Administrator of General Services for liquidation and, in connection therewith, there are also transferred to the Administrator, notwithstanding the provisions of section 6 of this Act, all functions, powers, duties, authority, rights, and immunities now vested in, or available or applicable to, the Corporation which shall be performed, exercised, and administered by the Administrator in the same manner and to the same extent as if the same were performed, exercised, and administered by the Corporation. The Administrator shall assume and be subject, in his official capacity, to all liabilities and commitments, whether arising out of contract or otherwise, of the Corporation but he shall pay into the Treasury, as miscellaneous receipts, all future receipts and all remaining funds of the Corporation transferred to, or received by, him pursuant to this Act.

(b) Any obligation of General Services Administration to Federal Facilities Corporation existing by virtue of the provisions of section 5(b) of the joint resolution, "To authorize the disposal of the Government-owned tin smelter at Texas City, Texas, and for other purposes", approved June 22, 1956 (Public Law 608, Eighty-fourth Congress, chapter 426, second session (70 Stat. 329)), is canceled.

SEC. 5. The Administrator of General Services is authorized to delegate, from time to time as he may deem to be appropriate, to any officer, employee, or administrative unit under his jurisdiction the performance of any function and the exercise of the related authority transferred to the Administrator by this Act.

SEC. 6. The succession of Federal Facilities Corporation is terminated and the Corporation is dissolved. The charter of the Corporation, as amended, is repealed.

SEC. 7. No suit, action, or other proceeding lawfully commenced by or against Federal Facilities Corporation before the dissolution of the Corporation shall abate by reason of such dissolution; but the court may, on motion or supplemental petition filed at any time within twelve months after such dissolution and showing a necessity for the survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, allow the same to be maintained by or against the United States in such court. After the dissolution of the Corporation, any suit, action, or other proceeding which, but for such dissolution, would be commenced by or against the Corporation, shall be commenced by or against the United States in a Federal court of competent jurisdiction.

SEC. 8. In the event that title to any real property which was sold by the Rubber Producing Facilities Disposal Commission or by the Federal Facilities Corporation to private industry on credit, under mortgage, deed of trust, or similar arrangement, is acquired by the United States by reason of default by, or failure of performance of, the purchaser, or its successor in interest, of any of its obligations, such real property shall continue to be subject to special assessments for local improvements and to State, county, municipal, or local taxation to the same extent according to its value as other real property is taxed and the Administrator of General Services is authorized and directed to pay such special assessments and taxes.

SEC. 9. This Act shall take effect at the close of September 30, 1961.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DECEASED DEPENDENTS OF MILITARY PERSONNEL

The Clerk called the bill (H.R. 7935) to restore authority in the Armed Forces to prepare the remains, on a reimbursable basis, of certain deceased dependents of military personnel and to transport the remains at Government expense to their homes or other appropriate place of interment.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1485(a) of title 10, United States Code, is amended by inserting the phrase "excluding Alaska and Hawaii" after the words "United States."

SEC. 2. This Act is effective from January 2, 1959.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXERCISE COMMAND OF TROOPS BY OFFICERS OF ARMY MEDICAL CORPS

The Clerk called the bill (H.R. 7722) to amend section 3579, title 10, United States Code, to provide that commissioned officers of the Medical Service Corps may exercise command outside the Army Medical Service when directed by proper authority.

There being no objection the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3579 of title 10, United States Code, is amended—

(1) by striking the word "A" at the beginning of subsection (a) and inserting the words "Except as provided in subsection (c), a" in place thereof; and

(2) by adding the following new subsection at the end thereof:

"(c) An officer of the Medical Service Corps may exercise command of troops that are not part of the Army Medical Service whenever authorized by the Secretary of the Army. The Secretary of the Army may delegate such authority to appropriate commanders as the interest of the Army may require."

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.

COMPACT BETWEEN THE STATES OF PENNSYLVANIA AND OHIO RELATING TO PYMATUNING LAKE

Mr. WALTER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 7454) consenting to the amendment of the compact between the States of Pennsylvania and Ohio relating to Pymatuning Lake.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

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 Amercia in Congress assembled, That the consent of Congress is hereby given to the amendment, as contained in Act numbered 235 of the State of Pennsylvania, approved August 12, 1959, and as agreed to by the State of Ohio on April 16, 1961, of the compact between such States, approved by the Congress in the Act of August 28, 1937 (50 Stat. 865), relating to Pymatuning Lake.

SEC. 2. The Congress reserves the right to alter, amend, or repeal this Act.

With the following committee amendment:

Page 1, line 6, strike out "16" and insert "18,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING PROTECTION FOR THE VICE PRESIDENT

Mr. FORRESTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6691) to amend title 18, United States Code, sections 871 and 3056, to provide penalties for threats against the successors to the Presidency, to authorize their protection by the Secret Service, and for other purposes.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, section 871, is amended to read as follows:

"§ 871. Threats against President and successors to the Presidency

"(a) Whoever knowingly and willfully deposits for conveyance in the mail or for a delivery from any post office or by any letter carrier any letter, paper, writing, print, missive, or document containing any threat to take the life of or to inflict bodily harm upon the President of the United States, the President-elect, the Vice President or other officer next in the order of succession to the office of President of the United States, or the Vice President-elect, or knowingly and willfully otherwise makes any such threat against the President, President-elect, Vice President or other officer next in the order of succession to the office of President, or Vice President-elect, shall be fined not more than $1,000 or imprisoned not more than five years, or both.

"(b) The terms 'President-elect' and 'Vice President-elect' as used in this section shall mean such persons as are the apparent successful candidates for the offices of President and Vice President, respectively, as ascertained from the results of the general elections held to determine the electors of President and Vice President in accordance with title 3, United States Code, sections 1 and 2. The phrase 'other officer next in the order of succession to the office of President' as used in this section shall mean the person next in the order of succession to act as President in accordance with title 3, United States Code, sections 19 and 20."

SEC. 2. The analysis of chapter 41 of title 18, United States Code, immediately preceding section 871 of such title is amended by deleting

"871. Threats against President, President-elect, and Vice President."

and inserting in lieu thereof the following:

"871. Threats against President and successors to the Presidency."

SEC. 3. The first independent clause of title 18, United States Code, section 3056, is amended to read as follows:

"§ 3056. Secret Service powers

"Subject to the direction of the Secretary of the Treasury, the United States Secret Service, Treasury Department, is authorized to protect the person of the President of the United States, the members of his immediate family, the President-elect, the Vice President or other officer next in the order of succession to the office of President, and the Vice President-elect; protect a former President, at his request, for a reasonable period after he leaves office;".

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection a second will be considered as ordered.

There was no objection.

Mr. FORRESTER. Mr. Speaker, I yield myself such time as I may consume.

The SPEAKER. The gentleman from Georgia is recognized.

Mr. FORRESTER. Mr. Speaker, very briefly, H.R. 6691 makes salutary amendments to title 18, section 871, and title 18, section 3056.

As section 871 is now written it punishes threats to the President, to the President-elect and the Vice President, but for some reason the bill does not include the Vice-President-elect, nor does it include certain other officers who may be in succession for the Presidency; and, of course, we know that in the event there is no Vice President the next in succession would be the Speaker of the House, and no Speaker, the President pro tempore of the Senate.

Section 3056 simply broadens the authority of the Secret Service to extend protection to the Vice President without the Vice President having to request it; and, if there is no Vice President, it provides protection for the next in succession to the Presidency, which would be the Speaker of the House and then the President pro tempore of the Senate. It also provides protection to the Vice-President-elect.

Mr. Speaker, the person of the President is protected and also the members of his immediate family. The protection granted the Vice President extends only to him in an individual capacity and is not extended to the respective families of the Vice Presidents.

This bill also provides protection for a former President at his request for a reasonable time after he leaves office.

There is nothing partisan in this legislation. As a matter of fact, I think last year an identical bill was placed in the hopper, but we never got around to its consideration. This particular legislation at this time stems from a request coming from the White House suggesting that these omissions be corrected, and very frankly I agree.

The present law is not adequate. I can see no reason on earth why our Vice President should not receive protection without specifically requesting it. He should be granted this protection. I think it is very embarrassing for him to have to ask for it. As a matter of fact, I think the Vice President should not be put to that choice, occupying an office of such dignity. There are some other reasons why this should be enacted. That same rule ought to be applicable to those who stand in line of succession to the Presidency.

There is a provision for protecting, for a reasonable time, former Presidents in the event the former Presidents should require it. That is reasonable, in my opinion; it ought to be done. As a matter of fact, if I had any criticism at all, I think there ought to be an addition saying it could be done at his request or at the discretion of the Secret Service.

Mr. Speaker, I hope this legislation will be adopted.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from New York.

Mr. CELLER. Is it not true that in the case of former President Eisenhower, many people have been crowding around his Gettysburg farm and at times are most annoying to him? They climb over fences. Barriers mean nothing to them. They take all kinds of souvenirs from off the farm itself, and while the former President may be loath to ask for such protection, if it gets to a situation where he cannot help himself, he may have to ask for protection. This bill would provide that protection?

Mr. FORRESTER. This bill would only provide protection for his person. It does not protect his property in any way, shape, or form, and I want to make that crystal clear, because there were some statements in the newspapers to the contrary.

Mr. CELLER. Is it not a fact also that at best the cost would not be over $100,000 for protection of the Vice-President-elect and our past Presidents who are now alive?

Mr. FORRESTER. I do not think it would be any more than that. I say they are entitled to that protection. The office is entitled to that protection. I do not think my record will indicate that I am extravagant, but the people elected the Vice President of the United States, and he is entitled to this protection. I do not believe he ought to have to come in and beg for it. As a matter of fact, I happen to know that there is a lot to the power of suggestion. You put it in the paper that a Vice President requests this protection and you will have a lot of crackpots from all over the country who may put his life in danger who had not even thought about it if you had not put in the newspaper that the Vice President made the request.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. How does that hook up with your civil rights legislation? Have I not the right to go to Gettysburg and watch those people up there?

Mr. FORRESTER. The gentleman does not believe I would deprive him of any of his civil rights, does he?

Mr. HOFFMAN of Michigan. I know, but I do not want the FBI shoving me around. I think I have a right to drive up that public road.

Mr. FORRESTER. There is no doubt about that. I just made the statement that all this bill would do would be protection of the person of the former President. I do not believe they are going to shove the gentleman off the road.

Mr. HOFFMAN of Michigan. What are you going to do with these fellows who follow President Truman around? Are you going to deprive him of all that publicity?

Mr. FORRESTER. I think the gentleman forgets, though, that the former President would have to request this protection.

Mr. WILSON of Indiana. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from Indiana.

Mr. WILSON of Indiana. I wonder if there should not be, perhaps, a limitation put on the number of places of abode or residence where he could request guards. How many different places of residence does the President have, do you know? I believe there is one at Hyannis Port. I believe he has a home in Massachusetts. I believe he has one at the White House. He has one in Georgetown; he has one in Virginia; and he has one in Florida. I do not know how many more he has. Now, there are about 11 different homes where we would supply guards that he would call his place of abode.

Mr. FORRESTER. But would the fact that he had two or more men with him be analogous or pertinent to this?

Mr. WILSON of Indiana. Well, there could be various members of the family at various places at the same time. You might have to have a whole division, perhaps, to satisfy the security needs of all these different people.

Mr. FORRESTER. The gentleman knows that that has been in force and that has been in effect and been in practice for more than 100 years.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. FORRESTER. I yield to the gentleman from New York.

Mr. CELLER. As far as the President is concerned, we have laws on the books already offering him this protection. This has nothing to do with the protection accorded to the President. This only refers to the Vice President and past Presidents now living.

Mr. FORRESTER. Not only that, but the Vice President has it now if he requests it. We are just trying to relieve him of making that request and trying to give the dignity that the office is entitled to.

Mr. GROSS. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I have yet to see a Vice President that appeared to be embarrassed because he asked for and was accompanied by Secret Service men. I just do not understand that argument. Providing protection for Vice Presidents has been going on for years and years and then some more years and I have not seen any of them who seemed embarrassed because they asked for Secret Service men or they were assigned to them.

Incidentally, I had a letter from the Secretary of Defense a few days ago concerning a trip that the present Vice President of the United States made in connection with the dedication of a saline water conversion plant at Freeport, Tex. My interest in this junket, among other things, was in trying to learn who provided the transportation, and I find that the Air Force provided jet airplane transportation from Washington to Houston, Tex., and return, at a cost to the taxpayers of $9,500—I did not make a mistake—at a cost of $9,500 from Washington to Houston, Tex. Another plane was used from Houston, Tex., on to Freeport, and the trip was topped off with a so-called inspection of Padre Island, apparently for the purpose of coming to Congress to get the taxpayers of this country to vote money to make Padre Island, along the Texas coast of the Gulf of Mexico, a national park. I find Vice President JOHNSON's passenger list contained two Secret Service agents making the trip in addition to a number of Congressmen, plus some Pooh-Bahs in Government, plus several handpicked newspapermen and a photographer. Now, in the pictures of the Vice President on this trip to Texas, I did not notice that his face was red or that he appeared embarrassed by having taken two Secret Service men along on this $9,500 jet flight at taxpayer expense from Washington to Houston, Tex.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Georgia.

Mr. FORRESTER. It is very interesting to hear about that incident that occurred, but what relevancy or what peculiarity does it have to the legislation that we have before us now?

Mr. GROSS. He had two Secret Service men with him on this trip and I did not notice that he was embarrassed by the fact of having them with him.

Mr. FORRESTER. Of course, the gentleman never wants the Vice President of the United States embarrassed, does he?

Mr. GROSS. Oh, of course not. Let me ask the gentleman how Vice President JOHNSON gets these Secret Service men? Does he write a letter, or telephone? How does a Vice President get these men? I am sure you gentlemen held hearings on this bill.

Mr. FORRESTER. Yes, we did. If the gentleman will yield, it could possibly be that the Vice President might not even know he was in danger, while the head of the Secret Service might know it. That is what we are trying to do, to relieve him of that necessity.

Mr. GROSS. You want him to have 24-hour, around-the-clock Secret Service protection whether he wants it or not?

Mr. FORRESTER. That is exactly what we want. That is what the Republican administration wanted, and that is what the Democratic administration wants.

Mr. GROSS. Whether he wants it or not?

Mr. Speaker, I will leave the Vice President for a little while and try to get back to him. Let us go to the former Presidents.

What do you mean by reasonable time in which you are going to furnish Secret Service protection to a former President? What is a reasonable time? Will the gentleman give the House some idea?

Mr. FORRESTER. Yes. I would say that a reasonable time would be an appreciable time since he left office.

Mr. GROSS. What was that again?

Mr. FORRESTER. Some appreciable time after he left office.

Mr. GROSS. Would it be 6 months, a year, 5 years, or what?

Mr. FORRESTER. Let me say this to the gentleman: I do not want to pinpoint it because I think the word "reasonable" is put in there for the specific reason of not having to pinpoint it. I think the word "reasonable" would be construed along with conditions that existed at the time.

Mr. GROSS. With reference to the people who are climbing over the fences on the Eisenhower farm up at Gettysburg, as suggested by Mr. CELLER, if they continue to do that for the next 10 years or 15 years would you continue to have Secret Service people up there? I still do not have an answer.

Perhaps the chairman of the Judiciary Committee can tell me the meaning of "reasonable time."

Mr. CELLER. If the gentleman will yield, I will read from the report the testimony before the subcommittee of the House Committee on the Judiciary of Mr. Eugene Baughman, Chief of the Secret Service, who said he contemplated this would require a detail of 4 or 5 agents for a period of 6 months after the President leaves office.

Mr. GROSS. That is Mr. Baughman talking. That is not the chairman of the committee talking. What do you say is a reasonable time?

Mr. CELLER. I thinks 6 months would be a reasonable time.

Mr. GROSS. But it could be longer? Is that what the gentleman is saying?

Mr. CELLER. It could be, but I doubt whether it would.

Mr. GROSS. And if the souvenir hunters continue to climb the fences at Gettysburg, you would have Secret Service men up there from now until doomsday, despite the fact that the county in which he lives in Pennsylvania and the State of Pennsylvania has the first obligation to protect the property of the former President of the United States, is that not right?

Mr. CELLER. That is probably correct.

Mr. GROSS. Why do you want to saddle it on all the taxpayers of the country?

Mr. CELLER. There may be circumstances quite beyond the ken, intelligence and expertise of the State officials. There may be certain knowledge residing only in the minds of the Secret Service that would require attendance on the President for at least 6 months and perhaps a little longer. But I am willing to take the word of the expert, the Chief of the Secret Service, who says 6 months would be a reasonable time.

Mr. GROSS. According to the report, Mr. Baughman also says he can absorb the cost of these additional agents without additional money. If that is true, we have been appropriating money and providing agents that they do not need—either men or money or both. If they can absorb the cost of a half dozen Secret Service agents up at Gettysburg for a reasonable time—and I still do not know what a reasonable time is—for around-the-clock protection of a former President, they have got some people stacked up over there whom they do not need; is not that correct?

Mr. CELLER. I do not think so. I think you are conjuring up a lot of impossibilities and improbabilities. I do not think that is the case. I think we can take the word of Mr. Baughman, who is a very dedicated public servant.

Mr. GROSS. The gentleman can sing the praises of Mr. Baughman on his own time. The fact is that they can absorb all of these costs, and there will be considerable cost, without an additional appropriation. If so, they are getting more money now than they ought to have.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. With the President's frightening us every day about the dangers from abroad, and asking for all these billions for national defense and for civil defense, now they come along with a bill, and there is no limit to this thing. With a large family and relatives here and there, the immediate family, and I suppose that includes his brothers and sisters-in-law, with all those in all parts of the United States and sometimes abroad part of the time, why do you not give us some estimate about the cost?

When the President tells us that every dollar for national defense we must have in the next week or we will be blown some place, to Heck—I might as well use that word—we ought to have some estimate of the cost of this.

Mr. FORRESTER. Certainly the bill does not relate to the brothers-in-law and the sisters-in-law. The gentleman will concede that.

Mr. GROSS. No, I will not concede that, because they seem to be a part and parcel of all the trips that are being made. They are part of the family.

Mr. HOFFMAN of Michigan. Certainly they are a part of the family.

Mr. FORRESTER. The bill states it would be for the Vice President, which means the person of the Vice President and could not include the family. It could not mean the family.

Mr. GROSS. If a Secret Service man is riding with the Vice President and someone tries to get close to the wife of the Vice President without being authorized to do so, does the gentleman think the Secret Service is going to stand by and let that happen?

Mr. FORRESTER. I would certainly hope he would not.

Mr. GROSS. So would I. But let us stop slicing it as thin as the gentleman wants to slice it. Let us use a little reason on this bill. I would like to have the opportunity to amend this bill to define a reasonable time, so that we would not be stationing Secret Service agents up at the farm at Gettysburg for the next several years. The State and the county have an obligation to provide protection to the former President. Moreover, he is not a pauper. If the tourists are running all over his farm, he might hire some person who is unemployed to look after his property.

Mr. MATHIAS. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Maryland.

Mr. MATHIAS. Does the gentleman feel that when a citizen has rendered service as a President of the United States he might have been generating danger to his own person?

Mr. GROSS. I think you could say there is the possibility of danger being generated to the person of a common garden variety Member of Congress.

Mr. MATHIAS. Does the gentleman think there is reason for that, when there is a threat to the person within a reasonable period of time?

Mr. GROSS. No, I do not think so.

Mr. MATHIAS. Does the gentleman think the State of Pennsylvania could provide protection for President Eisenhower when he leaves Pennsylvania and goes to Maryland or some other State?

Mr. GROSS. I do not think President Eisenhower needs very much protection. I do not think he presently has any protection going to and from the farm at Gettysburg to Washington, D.C. I do not think he has that kind of protection today. He seems to get along pretty well. If you want to employ the Secret Service to go up there and take care of the curiosity seekers and the souvenir hunters, that is another thing. That is what I am objecting to.

Mr. MATHIAS. That is not in this bill.

Mr. GROSS. That is what can happen, and the gentleman knows it.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF AGRICULTURE CENTENNIAL OBSERVANCE

Mr. LANE. Mr. Speaker, I move to suspend the rules and pass the joint resolution (H.J. Res. 435) to provide for recognition of the centennial of the establishment of the Department of Agriculture, and for other purposes.

The Clerk read as follows:

Whereas May 15, 1962, marks the centennial of legislation establishing the United States Department of Agriculture; and

Whereas such Act is a landmark in agricultural and legislative history; and

Whereas the research, service, and educational work of the United States Department of Agriculture has over the years resulted in great benefits to the American people through increased efficiency in the production, utilization, and marketing of agricultural products essential to the health and welfare of our people and through the promotion of a sound and prosperous agriculture and rural life indispensable to the maintenance of maximum employment and national prosperity; and

Whereas during the hundred years since the establishment of the Department of Agriculture a significant factor in producing the unparalleled agricultural revolution which has taken place in this Nation has been the cooperation between the United States Department of Agriculture and the national system of land-grant universities and colleges which was inaugurated under the first Morrill Act of July 2, 1862, and this historical anniversary will also be observed during the same year: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it is fitting and proper to commemorate the centennial of the establishment of the Department of Agriculture by appropriate celebration; that the President is authorized and requested to issue a proclamation designating 1962 as the centennial year of the establishment of the United States Department of Agriculture; that such centennial be otherwise appropriately recognized and commemorated; that the Department of Agriculture in its centennial observances may cooperate with land-grant universities and colleges and other appropriate organizations and individuals; and that the historical and present close cooperative relationship with the national system of land-grant universities and colleges be recognized in connection with such centennial.

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second in order to insure discussion of the legislation. I am not opposed to it.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. LANE. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, House Joint Resolution 435 has as its purpose the recognition of 1962 as the centennial year of the Department of Agriculture and would provide for the observance of the establishment of that Department by providing for departmental cooperation with land-grant universities and colleges and other appropriate organizations and individuals, and by providing for the recognition of the close cooperative relationship with our national system of land-grant universities and colleges in connection with the centennial.

House Joint Resolution 435 was introduced in accordance with the recommendations of an Executive communication transmitted to the House of Representatives by the Department of Agriculture. In its communication, the Department observed that over the past 100 years the research, service, and educational work of the Department of Agriculture has resulted in great benefits to the American people as individuals and to our national development and prosperity. Others have contributed to this development including our land-grant universities and colleges, farm organizations, agricultural societies, commodity groups, trade associations, and industries associated with agriculture. In view of this combined effort, the Department views its centennial as an occasion for calling public attention to the contributions of the combined agricultural enterprise in furthering the health and welfare of every individual, our national economic development, and the development of underdeveloped areas. The recognition of the centennial by the Congress and the President would contribute significantly to obtaining broader understanding of these basic roles of agriculture in our national life.

The communication took notice of the fact that on July 2, 1862, President Lincoln signed the Morrill Act upon which is based our nationwide system of land-grant universities and colleges, and stated that it was the Department's understanding that these institutions, which will observe in 1962 the 100th anniversary of their founding, will also offer to the Congress a proposed joint resolution recognizing their centennial, and that their proposed resolution will contain a reference to the Department's

centennial, as does the Department's proposed resolution contain a reference to the land-grant centennial. The Department and the land-grant institutions expect to observe several of their centennial activities jointly in recognition of their present and historical close relationships.

The contributions made by the Department of Agriculture to the life of our people and to the growth of our Nation over the years have truly been significant and of vital importance. It is only proper that the hundred years of existence of the Department be observed in the manner provided in this resolution.

Mr. SHRIVER. Mr. Speaker, will the gentleman yield?

Mr. LANE. I yield to the gentleman from Kansas [Mr. SHRIVER], a very active, sincere, conscientious member of the Judiciary Committee and one of the members of the subcommittee that considered this bill.

Mr. SHRIVER. Mr. Speaker, I rise in support of the resolution.

Our Committee on the Judiciary unanimously recommended the passage of this resolution.

Over the past 100 years, the research service and educational work of the Department of Agriculture has resulted in great benefit to the American people as individuals, and to our national development and prosperity. Others have contributed to this development, including our land-grant universities and colleges, our farm organizations, our agricultural societies, commodity groups, trade associations, and industries associated with agriculture.

The recognition of the centennial by the Congress and by the President would greatly contribute to obtaining broader understanding of the basic role of agriculture in our national life.

On July 2, 1862, President Lincoln signed the Morrell Act upon which is based our nationwide system of land-grant universities and colleges. A few moments ago this body passed a resolution similar to this one to recognize the centennial of the land-grant schools, and the land-grant institutions expect to observe several of their centennial activities next year jointly in recognition of their present and historical close relationship.

This recognition of the Department of Agriculture's centennial calls for no additional appropriation. The passage of this resolution will provide for the recognition of the centennial of the establishment of our Department of Agriculture, a most worthy piece of legislation.

Mr. GROSS. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, there is a time for all things, and it would seem, with the President, the whole administration, and the press telling us every day that we are in imminent danger from Russia, may be blown off the earth before the day is over, that we should get busy and implement an adequate defense, that we must at once find the money for civil defense—that is, dig a hole so we can crawl into it if the bombs come—with all the things which threaten our immediate destruction—with the unemployment appropriations, with money for depressed areas—I do not know the last, but imperative requests or demands come to the House every session and it seems as though there is a demand for further appropriations without paying any attention whatever to the size of the national debt, to a $9 billion annual interest charge on that—we should save our dollars to be able to save our existence—but just ignore the fact that somewhere, sometime, someone must furnish the money which is necessary to enable us to exist, either as individuals or as a nation. It does seem to me as an old candlestick molder and horse-and-buggy fellow, it does seem that we should look around and try to find out what is first needed. Many things are desirable but all are not essential. There is, believe it or not, a limit to what we can do.

This morning, just a few minutes ago, I listened to the gentleman from California [Mr. HOLIFIELD], a member of the Committee on Atomic Energy, tell us that because the other day the House did not give $300 million additional for civil defense, we might find ourselves with no place to go if attacked; is that right?

Mr. MASON. That is right.

Mr. HOFFMAN of Michigan. That is what it was for?

Mr. MASON. That is the program.

Mr. HOFFMAN of Michigan. Then because we cut the $95 million out of a bill, to make electricity from steam, we were going to be blown—to one or the other place—we will say somewhere in outer space. We have all of those people advising the President, and all these newsmen sitting up in the gallery watching legislation. Do they not know what is going on? They may listen to what we say and they may be deceived to a large extent. But they are presumed to have commonsense, they are presumed to have some background of experience, as are we. We are all supposed to know you cannot make something out of nothing. A "silk purse out of a pig's ear" as Judge Weist of the Michigan Supreme Court once told me. Nevertheless, we go on day after day appropriating millions of dollars we do not have—must borrow. We do not pay any attention any more to a bill that calls for a million dollars. We get interested only when the bill calls for billions, then only in support of the appropriation though we know we are bankrupt.

I see my good friend, chairman of our Committee on Government Operations, Mr. DAWSON, here. There is coming a day when we cannot support all those things which are desirable and call for money. Nor can we care for all the people who go to Chicago, because they think it is, and is, a good place to live. What are the people of Chicago going to do as hundreds of thousands move in on them—people who do not have a job—no resources? Are you going to ask the people in the sticks, the businessmen in the sticks, to contribute so that they can continue on relief? That is the situation in Chicago, as in other cities, of which you are well aware. That situation exists in practically every city in the land, in every community, to which someone thinks we can go and live at less expense, less effort on his own part, and live in more comfort. A laudable ambition perhaps but easily overworked.

Why celebrate the creation of the Department of Agriculture? Every other department may ask that its birth be celebrated. Let us remember the day it came into existence and let it go at that. I have been married 61 years, but we have not celebrated our wedding every year. It is not necessary. The wife and I are satisfied. Why celebrate the day that something that is good came into existence. I just cannot figure it out. Why in these days of immediate danger we spend money for celebrations.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Does not the gentleman think it would be more in keeping with the times if we were to introduce a joint resolution to celebrate the day when this Federal debt hits $300 billion?

Mr. HOFFMAN of Michigan. I cannot agree wholly, completely with my colleague, my very warm personal friend from Iowa. I would be willing and very happy to celebrate the day we end deficit spending. There is something good about that national debt. We are providing by building that debt up, not reducing it, not paying it, we are providing against unemployment for future generations. I have five grandchildren and great grandchildren, eight of them. They are going to be working all the time when they grow up to pay off that national debt that you and I created. We do not let them pay the interest on that now, the grandchildren and the great grandchildren because they are too young to earn. But they are grumbling about it. At least my children are. They ask, "Why do you make that debt for us to pay? I would like to make my own debts."

Yet we go ahead. We are fixing it so that they are going to be economic slaves paying a debt you and I created. That is real generous of us is it not? We spend. They pay.

Why do we do that? Oh, I know some vote against it, but that does not help. Only a few—I doubt if a dozen vote against this bill which, of course, will cost something—whose only purpose is to enable a few Federal employees to celebrate something Congress did years ago. Can you, I ask the gentleman from Iowa, not persuade, if your arguments are logical and convincing, your brave colleagues to cut down on some of these appropriations? Yes, I know once in a while on a point of order you get a million or two out of a bill, but what does that amount to? I do not know. I think we must have an executive session and see if we cannot devise some more effective means to combat this trend. Now, is it not silly? Is it not foolish to continue to appropriate for projects which may be desirable, which may be enjoyable, but which are not necessary, when we are told, as we are, day after day, in every issue of the

papers, that the Communists are ready to wreck and destroy us? They are building bases down here in Cuba, missile bases, the papers tell us, from which they can send over bombs to destroy us—while we celebrate. Why not save and spend our money for defense instead of celebrating something?

Mr. LANE. Mr. Speaker, I yield 10 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to speak out of order and that all Members who desire to do so may be permitted to extend their remarks in the body of the RECORD on the subject I shall discuss and also have 5 legislative days in which to extend their remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, 2 years ago I had the honor and the pleasure of introducing in the House of Representatives the resolution that had passed the other body known as the Captive Nations Week resolution.

The full membership of the House recognized the importance and significance of this resolution by granting unanimous consent for its immediate consideration and also, by unanimous vote of the Members, adopted the resolution.

The adoption of the resolution was driven home to the Kremlin overlords for, shortly after the passage of the same, Khrushchev showed his anger in a number of public utterances. And when Khrushchev showed his anger, I was happy because I knew we had penetrated his skin, that he understood the resolution and its provisions, and its message of hope to well over 100 million persons behind the Iron Curtain, and even in the Soviet Union to those who despise their Soviet and Muskovite tyrants.

And, as provided in the resolution, this week is Captive Nations Week for Americans and also for millions who live in Communist-dominated nations.

It is well in Congress and throughout the United States that we stress the importance of this week.

By doing so we keep alive the hopes of tens of millions of persons in Poland, Lithuania, Hungary, Czechoslovakia, and other such Communist-dominated countries, and their prayers and hopes for emancipation from Soviet and Muskovite domination are understood in America, and that we of the United States have not forgotten them in their determination to have restored, as soon as possible, their liberty and independence.

By doing this we hit Khrushchev and his associates in one of their weakest spots. Also, by our country constantly calling upon the Soviet Union to allow the people of the dominated countries in the free and secret ballot, internationally supervised, to determine their own form of government, we are placing communism in a defensive position, and strengthening our own position by holding out hope to millions behind the Iron Curtain.

Khrushchev and his associates well know the situation. They know in case of war that tens of millions of persons in Communist-controlled countries, now a potential danger, will become an actual danger to the Soviet Union and international communism.

The spirit and desire for independence and liberty, as well as their hatred of communism, is very much alive among these millions.

For example, witness the uprising in Hungary and East Germany of recent years.

The Soviets, in case of war, cannot rely upon the support of even the armed forces of dominated countries, never mind the people. They know that the great majority of the military will turn against them.

The people behind the Iron Curtain who despise communism cannot act now in any organized way, but if the day should come, they will. Because they know the vicious intent and purposes of international communism, which they despise and hate, as well as possessing a contempt for Russian imperialism.

These are some of the reasons why Khrushchev expressed his anger when the Congress passed this resolution a few years ago.

And these are among the reasons why our Government and our people should always keep alive, at all times, the hope of millions of Communist-enslaved persons, but particularly this week set aside by the Congress as Captive Nations Week.

I have referred briefly to the uprising in East Germany and Hungary of recent years.

These events show an indisputable truth, that dictator can suppress liberty, and then only temporarily, but they cannot destroy the desire for liberty.

Let us suppose that another spontaneous uprising occurs, for example, in Poland, with her large population, deep faith, and determined desire for independence and liberty.

It is clearly evident that the Gomulka Communist regime is starting again a terrorization of the people of Poland in engaging in further severe repressive measures that run directly contrary to the individualism, the historical background, the customs, and more, the deep religious faith of the people of Poland.

Such repressive measures can go too far, and when they do, another uprising, like East Germany and Hungary, will take place. I use further action in Poland as an illustration of Communist weakness, and of liberty-loving strength. In connection with this, our Government should have a policy of quick and decisive action if any such uprising should occur in the future, or in Poland, or in any other country. If no such policy exists now, one should be devised. I assume that one does exist.

There are so many other imponderables involved representing weakness on the part of the Soviets and Muscovites, and reserve strength on our part.

But we must have plans and be ready to capitalize such a situation if one should arise again.

And so it is well for us to recognize in our country the importance of Captive Nations Week, particularly in keeping alive the hope and courage in the minds of countless of millions of persons, and their faith and confidence in America.

Mr. JUDD. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Speaker, I want to associate myself, as I know all of the other Members of the House do, with the very pertinent remarks of the gentleman from Massachusetts [Mr. McCORMACK]. The 100 million captives in Eastern Europe are part of the 1 billion persons around the world who have been deprived of their freedom by Communist tyrants through no fault of their own, are among the most heroic and important peoples in the world—heroic because they have never given up, and important because they are strategically so located that at the moment of showdown, which is bound to come, they can strike the most vital blows on behalf of freedom through their resistance within the Communist bloc, through sabotage and sitdowns and all sorts of measures. Their importance looms even larger at this particular time when we are talking about enlarging our own Armed Forces, and making new explorations into space, and devising new weapons, and drastically expanding our civil defense preparations, and increasing our foreign-aid program—all for the purpose of strengthening ourselves against the Communist threat. I believe these captive peoples are our most important and dependable allies, and I suggest that we should test every proposal in this field by one simple criterion: If we were to adopt a proposed course of action, would it strengthen the oppressed captive peoples of the world? Or would it strengthen their oppressors?

Would an action we are thinking of taking in Congress, or a statement by a high official, increase the respectability, the prestige, the influence, and, therefore, the power of the tyrants? Or would it send a message of hope and encouragement to, stimulate the will to resist and heighten the morale of their victims, the captive peoples?

America's own survival may well depend on the ability of these people to hold fast and to keep their own Communist oppressors so tied down and busy at home that they cannot embark on more dangerous adventures abroad. I do not know that we have done anything in the Congress in recent years that has heartened these people more than the passage of the captive nations resolution 2 years ago. I rejoice that the President has issued his strong proclamation. In doing these things, we are alerting our own people to the danger. And we are sending a message to the captive peoples encouraging them to hang on, assuring them that we will not forget them, and that together we will work to retain the freedom of those now free and regain freedom for those who have been deprived of it.

Mr. McCORMACK. I appreciate the remarks of the gentleman from Minnesota. There is nothing the Congress has

done in recent years, in my opinion, that has made such a marked contribution toward penetrating and probing the inherent weakness in the Communist armor than the passage of this great resolution a few years ago. It is of inestimable value in connection with the battle for the minds of people. It is of vital importance that we constantly keep alive in the minds of the more than 100 million persons behind the Iron Curtain who despise communism the fact that America will not let them down.

Mr. JUDD. If the gentleman will yield further, does not all the evidence indicate that the Communists are in great trouble at this particular time, largely due to the resistance of the people whom we are remembering. There are food shortages in the Soviet Union after 40 years of the supposedly blessed and benevolent Communist regime. Khrushchev tells them "Eat more horsemeat." There are food shortages in Poland and Hungary, which when free have always had food surpluses.

Mr. McCORMACK. And in Red China.

Mr. JUDD. Yes, worst of all in Red China. The Communists are in trouble. Let us keep them in trouble. Mr. Khrushchev's threats repeated every week, about what he is going to do are, in my opinion, more signs of internal weakness than of firm intention. He protests too loudly, trying to terrorize the world into further concessions. This is the moment for all freemen to hold fast, as the captive peoples have been doing so steadfastly and so long.

Mr. PUCINSKI. Mr. Speaker, it should be a source of inspiration to every Member of Congress to join our distinguished majority leader in observing Captive Nations Week. It was the majority leader, Mr. McCORMACK, who in 1959 marshaled the Captive Nations Week resolution through the House. This resolution shall stand as a monument to Mr. McCORMACK'S deep understanding of the plight of these captive nations. I am sure millions of people now enslaved by communism are grateful that under the guidance of the gentleman from Massachusetts we here in Congress adopted the Captive Nations Week resolution.

Mr. Speaker, I am indeed very proud of the fact that on Sunday, July 16, the people of the United States began observing Captive Nations Week. President Kennedy is to be commended for issuing the proclamation which reminds the entire world that the United States has not forgotten the people behind the Iron Curtain.

I am particularly proud of the fact that under the leadership of Mayor Richard J. Daley, the people of Chicago joined in this mass observance yesterday in Grant Park, in this way, registered their firm determination that the conscience of the free world cannot rest until the millions of people now living behind the Iron Curtain are again permitted to join the family of free nations and to enjoy all the liberties so richly manifested in the United States.

I commend the Congress of the United States for its wisdom and courage in adopting unanimously in 1959 the resolution which establishes the third week in July as Captive Nations Week in America.

By this act, the Congress of the United States has served notice upon Kremlin leaders of international communism that this country refuses to accept as an accomplished fact the illegal and barbaric enslavement of millions of people throughout Eastern Europe.

These enslaved millions of people now living in the captive nations of Eastern Europe are the free world's most effective secret weapon. There is no question in my mind that a series of uprisings throughout all of the captive nations would result if Nikita Khrushchev is foolish enough to use armed aggression against West Berlin.

On the basis of information which I have assembled from those who maintain close contact with the captive people of Europe, I am confident that any diversion of Communist armed forces, now keeping these nations enslaved, would touch off widespread uprisings in protest against the Soviet Union.

No one knows this better than Nikita Khrushchev.

It is for this reason that I earnestly hope the formulators of free world foreign policy, in observing Captive Nations Week through America, will remain steadfast in their determination not to give an inch in Berlin.

We may be confident that any use of armed force by the Communists in Berlin would touch off widespread unrest, above all in East Germany. We know that since 1953, the Communists have experienced increasing difficulty in keeping the East Germans suppressed in the light of spectacular postwar recovery and the complete freedom enjoyed by their fellow countrymen in West Germany.

We know also from the Poznan uprising in Poland, and a similar uprising in Hungary in 1956, that the same yearning for freedom exists in every one of the captive nations.

There is no question that the revolutionary spirit which carved out a new concept of human dignity and freedom in America 175 years ago permeates the people of these captive nations today. As we look at the names of the heroic people who fought for freedom in our own Nation during the American Revolution, we find they come from virtually every one of the European nations now held in bondage by the Soviets. The spirit of freedom among the people of Eastern Europe is made of such tough fibers that neither time nor oppression can destroy it. It exists in the captive nations to this day.

I pray that no captive nation will be foolish enough at this time to attempt an uprising. Recent experience has vividly shown us that the might of Communists arms and tanks can crush any such effort. But I also know the spirit of these people and it can be reliably stated that any diversion of Soviet might, at any point in Europe, could result in trouble for the Communists behind the Iron Curtain.

The 16 years of Communist oppression behind the Iron Curtain has, if anything, stiffened these peoples' determination to be free. This is a fact which Khrushchev and his Kremlin associates understand better than anyone else.

In observing Captive Nations Week, I hope the free world will not make the tragic mistake of interpreting the laudible self-discipline of these enslaved people in yielding to Communist domination as a permanent acceptance by them of Soviet tyranny.

Our greatest allies today are these forcibly imprisoned people behind the Iron Curtain. If Khrushchev is foolish enough to precipitate any armed conflict over West Berlin, the free world can confidently believe that the people of the captive nations will be marching eastward instead of westward.

Too long have too many leaders of Western democracies ignored this very important fact. By this observance of Captive Nations Week, we, as Americans, are reminding the people behind the Iron Curtain that our hope and desire for their ultimate liberation does not and will never waiver.

We, as Americans, can find a great deal of vigor in demanding that any solution to the Berlin question must be based on a strong demand that all World War II commitments to the people of east-central Europe be carried out by the Soviets—including free and unfettered elections in the captive nations. Khrushchev must realize that the time to deal with all of the unkept promises of World War II is now.

Mr. Speaker, I include in my remarks today two excellent editorials which are most fitting as our Nation begins observing Captive Nations Week. The first appeared in the July 14 edition of Life magazine and the second appeared in the New York Herald Tribune yesterday. Both of these editorials have made a profound contribution toward a better understanding of what an important role the captive nations can play in resolving many world problems.

The editorials follow:

[From Life Magazine, July 14, 1961]

BERLIN—WHY WAIT FOR MR. K.?—THE WEST CAN HAVE A GREAT ISSUE IN EASTERN EUROPE, BUT ONLY IF WE WILL WAGE REAL POLITICAL WARFARE

This is a summer of foreboding in the West. Not since 1939 has that grisly prewar feeling run so strong. There is even a fatalistic readiness—among three Americans in five, according to Reporter Samuel Lubell—to use nuclear weapons if need be. And all because Khrushchev has set another deadline, December 31, for a showdown on the free city of Berlin.

President Kennedy could ameliorate this grim atmosphere by a positive line of action. It would, in our opinion, greatly reduce the chances of war over Berlin; or, if worse comes to worst, it would put us in a better position to win such a war. Instead of waiting apprehensively for Khrushchev's deadline, Kennedy should set an earlier one of his own. Since Khrushchev has seen fit to raise the Berlin question, why should not Kennedy insist on the right of East Germans to self-determination in free elections, as promised by Stalin at Yalta and Potsdam and by Khrushchev at Geneva in 1955? And on the similar rights of Poles, Hungarians, Rumanians, and Bulgarians, not to mention

the Baltic peoples?—rights spelled out in treaties that have been systematically violated by Russia since the war. Kennedy recently gave verbal support to the East German rights and they are doubtless mentioned in the Allied replies to Khrushchev this week. What we suggest is that Kennedy now make a cause of self-determination for all Eastern Europe and back it with certain actions that could make Khrushchev sorry he ever opened the subject of Berlin.

Militarily, Berlin is an exposed and highly vulnerable Western salient surrounded by 400,000 Russian troops. Politically, however, it is a Western asset and a Communist liability. It symbolizes the chief weakness of Soviet power, which is the unquenched desire for freedom of 100 million captive Europeans. They have demonstrated this desire by heroic revolts and by fleeing westward by the millions ever since World War II. East Germany alone continues to lose 4,500 refugees a week. A food shortage coupled with the threat to their escape hatch has just caused fresh demonstrations by East German workers; some experts predict another revolt. Eastern Europe's hatred of communism is so great a political liability to Khrushchev that it amounts to a military weakness as well, if there were war of any kind over Berlin, "the Russian rear [as Dean Acheson put it] could be in turmoil overnight."

In view of this weakness, it is preposterous that Khrushchev should be allowed to get away with demands in Germany. His very belligerence is probably defensive. The West's passive and strictly defensive show of fortitude about Berlin is also somewhat incongruous. Berlin is not our Thermopylae; it is an opening in the heart of captive Europe, with which its cause is inextricably linked. The freedom of Europe was earned in blood (one-third of East Germany was held by American troops in 1945) and sealed in solemn treaties. Khrushchev should be summoned to a conference not about Berlin, but about the reunification of Germany with free elections under Big Four supervision; and about self-determination, free elections, free press, etc. in Eastern Europe as well.

When he refuses, the West has several recourses to make him change his mind. They are not mere words and do not have to be shouted; they are acts of political warfare, the kind of warfare he has so long conducted against us.

One is economic sanctions. This could mean anything from a complete embargo on East-West trade to an undeclared but systematic sabotage of Western deliveries behind the Iron Curtain. The East bloc is much more dependent on this growing trade than the West. West German steel and ships, factories from Britain, grain from the United States are other items whose stoppage would hurt the Communist economies.

Such measures might antagonize pro-Western opinion behind the Curtain. But this could be at least neutralized by the radical step-up in the way the West explains its aims and policies to the captive nations. The Voice of America, Radio Free Europe, RIAS and other organs of propaganda could be remobilized. The "captive nations" theme, soft-pedaled of late, has proved its ability to enrage Khrushchev. Although RFE did not foment the Hungarian revolt, it has the power to stir up almost any degree of unrest that may suit our purposes. The chief problem is to say no more and no less than we are prepared to support with action.

The third major ingredient in political warfare is active military preparedness. (Khrushchev himself last week canceled proposed reductions in Russia's armed forces and upped his military budget by $3.5 billion.) Kennedy and his advisers are now deeply engaged in "contingency planning" to prove our resolve to defend Berlin. But if he enlarges his cause to the whole Eastern theater, the military planning should be enlarged, too. We could take various emergency steps, and the NATO command could move to a higher state of readiness. In appropriate combination and without fanfare, such acts would give Khrushchev the right message.

It may be objected that political warfare of this kind is out of character for the Western democracies, or even impossible for an alliance of unequally resolute states. But that, surely, has been the trouble with Western policy: its divided and nerveless reluctance to answer Khrushchev's political warfare with our own. Only strong Washington leadership can change this state of affairs. On the anniversary of the 1953 East German revolt last month, Leo Cherne remarked: "If freedom is really our purpose then it must be defended where it was once enjoyed—not merely urged where it has never yet flowered. In fact, those who have never tasted freedom may never live under it, if those who have pioneered freedom (i.e., Europeans) are permitted to remain slaves."

This doubtless sounds like that old proposition called "rollback" or "liberation," which was gradually shelved as too risky in a nuclear age. Its opponents say it confronts the Communists with intolerable choices, like cornering a tiger. But since we face the risk of war for Berlin in any case, why not be smart about it as well as brave? Said Mayor Willy Brandt, "In negotiations, if you want to keep what you have, you must ask for more than you have."

There is no solution to the Berlin problem (except Khrushchev's solution) if it is isolated from the problem of the Germanys and Eastern Europe, the unfinished business of World War II. For the West to embrace this larger issue, controlling its course and timing, would put Berlin in a truer perspective. It would tear the mask from Khrushchev's absurd bellicosity on his weakest front. It would rescue our own Berlin policy from the trap of mere nuclear fortitude. It would put that policy back in touch with the great hopes we nurtured, and the obligations we assumed, only yesterday. In Eastern Europe, their memory is still green.

[From the New York Herald Tribune, July 16, 1961]

EAST GERMANY: RESTLESS CAPTIVE

The annual observance of Capitive Nations Week demonstrates America's awareness of the plight of many peoples who have been brought under the Communist yoke. But the restlessness of one of those peoples is becoming an ever more significant factor in the growing tension between East and West in Europe.

East Germany was the first Communist satellite to rebel in 1953. Their economy had been milked, ever since the war, by the Russians, and the German Communists who were doing the Soviet Union's dirty work were resoundingly unpopular. The revolt failed, thanks to the Russian tanks. But Moscow, then passing through its first post-Stalin phase of attempting to mollify the satellites, made real efforts to ease stringencies of food and modify harsh conditions of labor in East Germany. Some real economic progress was registered there, and eventually it was assumed that the East Germans, if they had no real enthusiasm for the Communist regime, were coming to accept it as a fact of life.

This assumption was used, by both the Soviet Union and some Western commentators, as a basis for the argument that Germany had already been effectively divided. It also seems to have inspired the East German Communists to communize East German agriculture. But both the prospect of a final division of Germany and the results of Red land policies have started off a new wave of migrations from East to West Germany. It has also produced unrest within the East German state.

This may stimulate Mr. Khrushchev's attempts to settle the German problem definitively—on his own terms. But it is also a source of weakness, practical and moral, for those efforts. East Germany certainly is not Communist at heart; communism is not working there and a real crisis over Berlin would in all probability mean a real crisis in East Germany. Mr. Khrushchev must take that into account, no less than Western plans.

Mr. WALLHAUSER. Mr. Speaker, only 2 weeks have elapsed since our Nation celebrated the 185th anniversary of the birth of freedom on this continent. On that July 4 nearly 200 years ago, when we were a captive nation, our forebearers courageously proclaimed their "inalienable" right to be free and independent:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness.

Lest confidence in our own security turn to conceit, it is imperative for us, the inheritors of this eloquent legacy, to periodically review this text. We cannot be worthy of our inheritance nor can we be, in reality, secure while its tenets are disavowed anywhere in the world community.

These truths, which seemed to George Washington, John Adams, Thomas Jefferson, and the Continental Congress so self-evident, are now denied by Communist leaders. Under the transparent cloak of the Marxist doctrine of the inevitability of class struggle and world revolution, the Soviet Union has followed a policy of territorial expansion second to none, until today they must be recognized as the foremost colonial power in the world. Their iron fists clinched, Red armies have "liberated" the people of Albania, Armenia, Azerbaijan, Bulgaria, mainland China, Cossackia, Czechoslovakia, East Germany, Estonia, Georgia, Hungary, Idel-Ural, Latvia, Lithuania, North Korea, North Vietnam, Poland, Rumania, Tibet, Turkestan, Ukraine, White Ruthenia, and Yugoslavia—freed them of the responsibility of choosing their own form of government and their officials, liberated them of the right to speak and think freely. These countries did not buy communism in the "open market," but had it foisted upon them and the Iron Curtain dropped around them by the ruthless colossus of the East, the Soviet Union.

And what has resulted when the people of a captive nation have found that their puppet government was destructive of their ends? Let us look at the record:

First. On June 16, 1953, workers in East Berlin, upset by increased work

quotas, demonstrated against their Communist bosses. The next day this was followed by anti-Communist rioting and a general strike involving 200,000 people over East Germany. Russian troops and tanks were summoned quieting the uprising and killing 16.

Second. On June 28, 1956, workers in Poznan, Poland, revolted against Red control. Again the Russian military intervened, crushing the rebellion with 44 killed and hundreds wounded.

Third. On October 23, 1956, it was once more evident that Soviet-dominated people were dissatisfied with their puppet leaders. Hungarian rebels, armed with homemade weapons and raw courage, overthrew the Government of Imre Nagy and managed to control the capital, Budapest, for almost 2 weeks. Without warning, however, on November 3, Russian troops, tanks, and armored cars assaulted the city, brutally murdering tens of thousands, causing 180,000 more to flee the country, and restoring Communist dominion.

Peace in our time is uneasy and uncertain. There are those among us who claim there is no peace—that a state of war exists now between the free and Communist worlds. It is indeed a strange war, although in the long run just as deadly in the event of a Red victory. No shots pierce the still of shell-shot battlefields, no long-range bombers drone overhead releasing their share of death and destruction, no nuclear weapons flatten defenseless cities and massacre innocent millions. There are rumblings of this in the background, of course. The cold war of 1961 is and must of necessity be fought on the battleground of men's minds. We, who have inherited the liberal tradition of the framers and signers of the Declaration of Independence, are prepared to wage war on that battlefield—relish the opportunity to do so. But we must be well armed. To investigate the state of captive nations, to publish the truth about their enslavement, and to determine the weapons necessary to win the cold war in this area, the Congress should establish a special select committee on captive nations. Today the captive nations serve Russia as a bridge for the advance of communism. We look forward to the day when these nations, free and independent, with the memory of their Communist shackles ever fresh in their minds, will ring the Soviet Union as a moat through which the Soviet ideology will be unable to creep.

On this first day of Captive Nations Week, we would all do well to remember these words of former President Eisenhower, who declared, "the United States would never believe and accept the idea that a true peace had been established in the world until every single nation had the right to express its own views about its own destiny."

Mr. CELLER. Mr. Speaker, I do not believe it is a difficult question to answer, when asked, "How is the love of liberty kept alive under repression?" The answer lies in one word "hope." This is what Captive Nations Week is all about—"hope."

Behind the iron and bamboo curtains, the peoples must believe that they are not forgotten, that there are friends who hope with them, pray with them, and who each, in his own way, works for their ultimate freedom and independence.

We cannot emphasize enough that 100 million people have been deprived of their liberties by a ruthless colonialism, for let it not be mistaken, that the Soviet powers are colonial powers.

In East Germany, in Hungry, in Poland, in Tibet, passion for freedom asserted itself only to be crushed by the might of Communist colonialism. Let it be made clear that, we, in Captive Nations Week, reaffirm our basic dedication to freedom for all peoples, everywhere. We in the West give voice to these people struck silent by Communist oppression.

There are those who have spoken for themselves. Since 1945, 250,000 refugees have escaped each year into free Berlin. With so great an exodus, can it even be believed, for one solitary moment, that the peoples behind the iron curtains are contented and willing subjects? Indeed, the flow of gifted men and women and skilled workers into West Germany has spurred Khrushchev to create a crisis, for this steady stream of refugees reveals the weakness, the barrenness, the stifling atmosphere of life under the Soviet heel.

It is the irony of this age that Communist oppressors talk so glibly about their support of anticolonialism, when they, themselves, are in fact and in deed the strongest practitioners of colonialism existing today. Such is "the tribute that hypocrisy pays to virtue." Let it be said to these 100 million, again, and still again; "you are not forgotten."

Mr. LINDSAY. Mr. Speaker, during the week of July 16–22 we observe the second anniversary of Captive Nations Week.

When the Captive Nations Week resolution passed the Congress in 1959, it served notice upon the Kremlin that the United States would never acquiesce to the permanent captivity of these once independent nations of Europe and Asia now under the brutal yoke of Soviet imperialism.

Today it is more important than ever that we make it absolutely clear to the Soviet Union that we stand unalterably opposed to her oft-expressed desires for total world domination and that we will continue to work in behalf of the eventual freedom of the captive peoples of the world.

Mr. Speaker, I deem it of the utmost urgency that we make known our position on these matters in the most effective way possible. Therefore, I am honored to join with the National Captive Nation's Committee, other groups and millions of Americans throughout the Nation in the observance of Captive Nation's Week.

Mr. FARBSTEIN. Mr. Speaker, all dictatorships are unbearably tyrannical, and all of them, sooner or later, become the curse of the people upon whom they are imposed. No matter how highly motivated and well-meaning they appear at the outset, they invariably wind up by causing more misery and misfortune than any other type of government. This was certainly true in the case of Fascist and Nazi dictatorships, and, as we have learned since the last war, it is even more true in the case of Kremlin-inspired Communist dictatorship. Perhaps it is no exaggeration to say, in marking Captive Nations Week, that the Communist Soviet dictatorship has caused more suffering to more millions of innocent and helpless peoples than all other dictatorship known in human history. I am saying this with a clear conscience and without doing any violence to sad but true facts. The curse of Soviet dictatorship extends today from the Baltics to Vladivostock, from the Bay of Finland to the Black Sea, from the isles of northern Japan to North Korea.

Since World War II began about 100 million peoples have been enslaved under the Soviet dictatorship in Europe alone, including the Estonians, Latvians, Lithuanians, Czechoslovaks, Germans in East Germany, Poles, Albanians, Bulgarians, Hungarians, and Rumanians. All these industrious, stouthearted, and liberty-loving peoples were relatively free in their homeland before the last war. Many of them had attained freedom and independence at the end of the First World War. And then came the war, which in itself was bad enough, and in which they all suffered immeasurably, in a manner beyond our imagination. But what followed after the war was not freedom but dictatorship. All these countries were taken within the Soviet domain, and there the peoples in these countries are captives of their Communist overlords.

The official designation of this week as the Captive Nations Week echoes the genuine wishes and desires of the people of this country, as enacted by the Congress in 1959 and as proclaimed annually by the President. We shall continue to observe the third week of July each year as Captive Nations Week until the last of these enslaved peoples are free and are masters of their own destiny in their historic homeland. I deem it an honor to raise my voice once more on behalf of these captive nations and hope for their delivery from Communist totalitarian tyranny.

Mr. DINGELL. Mr. Speaker, the plight of the captive nations is among the most tragic results of the last war. Prior to the outbreak of that war independence reigned throughout Eastern Europe, in all lands extending from the Gulf of Finland to the Aegean Sea. Peoples in nearly all these countries, the Estonians, Latvians, Lithuanians, Poles, Czechoslovaks, Hungarians, Bulgarians, Rumanians, Albanians, and others, had regained their full freedom at the end of the First World War, and enjoyed it during the interwar years. However, the last war, fought for the cause of freedom, proved fatal to the freedom of these peoples. Some of them had already fallen behind the Iron Curtain during the war, and by the end of the war nearly all of them had become victims of Soviet deceit and duplicity.

Still others were subsequently added to the long list of Soviet victims.

Today, more than 16 years after the war, these peoples still suffer behind the impervious Iron Curtain and are subjected to Communist totalitarian tyranny. In voicing and echoing the genuine desires of these peoples for freedom on this Captive Nations Week, let us hope that they will attain their goal, their richly deserved freedom.

Mr. WEAVER. Mr. Speaker, I would like to call attention to the fact that this is Captive Nations Week in the United States, so prescribed by Public Law 86–90.

When this joint resolution was approved in the 86th Congress it was done without any emotional fanfare on the part of the Members but rather as a calculated effort on our part to inform the world of the continued interest of one free people in the freedom of all men, everywhere.

The action we took was designed to inform the free world of our own keen desire that they, as well as the United States, retain their freedom.

Perhaps more important, this action was calculated to restore in the minds and spirits of men and women whose nations had been captured by the atheist ideology known as communism that we are still determined that someday they, too, will be able to breathe the pure air of freedom again.

Mr. Speaker, there is a great English poem with the lines:

> Stone walls do not a prison make,
> Nor iron bars a cage.

So long as men, in their minds and souls are free, the spirit of freedom lives on and will triumph for them and all the world. Only if those behind the iron bars of Soviet imperialism are certain that none in the world cares whether they are free or not will their souls and minds lose the desire for freedom.

In declaring the third week of July of each year to be Captive Nations Week, the Congress acted to keep this spirit alive. It is my hope that this country through its actions and words will maintain this spark of liberty in the world and this spark of hope for those millions whom the Soviets have captured.

In closing, might I point out that in my opinion no man is completely free so long as one of his fellow men is held captive. The freedom of all men must be the responsibility of every individual. This is the tradition of our American people and one which I hope will never die.

Mr. DULSKI. Mr. Speaker, as we again observe the third week in July as Captive Nations Week, let us renew our dedication to work relentlessly for the freedom of these countries.

The Soviet Union's rise to the rank of a great power has ushered in a sad era for freedom and democracy. As the avowed apostle of communism, and as actual champion of Communist totalitarian dictatorship, it sought and found its victims in Eastern and Central Europe. Their Soviet form of government was imposed upon 100 million people who before the war had their own independent governments and were relatively happy.

Today, for more than 16 years, these peoples are real captives of the Soviet Union, prisoners in their homeland. They are the captive nations of Europe. The Government of the United States and those of its allies have worked ceaselessly since the end of the war for the betterment of their lot, and for their delivery from Soviet tyranny, but without success. On the observance of Captive Nations Week, we pledge to carry on that work, and will do everything in our power, short of war, to see them freed from Communist totalitarian tyranny.

Mr. PIRNIE. Mr. Speaker, this week the American people observe the second anniversary of Captive Nations Week.

At this time last year the passage of the captive nations' resolution caused great stir in the Kremlin, with Mr. Khrushchev openly admitting his concern. This is understandable, for the captive satellite nations together comprise the Achilles heel of international communism. The courageous uprisings in Hungary, Poland, and East Germany vividly evidenced great internal unrest within the Soviet Empire. Each refugee is dramatic living proof of growing dissatisfaction with totalitarian puppet regimes thinly disguised as "people's republics." It is significant that this last weekend a record flow of over 4,000 refugees sought freedom from such tyranny in West Berlin.

In reaffirming that these existing Communist satellite regimes do not legitimately represent them, we offer some hope to these captive peoples. Unfortunately, in the past, we have not always acted in accordance with our expressions of support for their struggle for freedom. Nevertheless, by refusing to recognize Soviet domination, we assure these people of our continuing interest in their cause and admiration of their spirit.

In the meantime, we express our sympathy not only to them, but to the newly emerging nations that are endeavoring to realize their destinies by self-determination. This observance emphasizes to the world that we still adhere to the principles of our Founding Fathers—that governments derive their just powers from the consent of the governed, and that when government becomes destructive of these ends, it is the right of citizens to alter or abolish it.

In brief, Mr. Speaker, we proclaim the right of people everywhere to be their own master and not to remain captives of any commissar or dictator, nor be obliged to confess any creed except one compatible with conscience. These are the precious rights we covet for all mankind.

Mr. McDONOUGH. Mr. Speaker, this week of July 16–22 is being observed throughout the United States as Captive Nations Week. This is the second observance of this event, and in a proclamation on Captive Nations Week issued by President Kennedy the people of the United States are urged to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom.

Since World War II, millions of people in the captive nations who once knew freedom and national independence have been held under the domination of Soviet Russia and have suffered the denial of individual liberty and have been subjected to the cruel tyranny of Communist rule.

The United States as a nation is dedicated to the principles of national independence and freedom of the individual. The people of this Nation stand firm in their determination that liberation must come to those nations now held against their will and subjugated by the Soviet Union.

The United States will never compromise with liberty and freedom, and it is important that the people of the captive nations know that the position of this Nation and the American people is firm, and that the free world will not waver in its determined stand for the liberation of the captive nations.

Observance of Captive Nations Week in the United States serves notice once again to Communist Russia that this Nation supports the cause of freeedom throughout the world, and that our efforts will continue ceaselessly to achieve deliverance of the captive nations from Soviet bondage.

Mr. BARRY. Mr. Speaker, it is reassuring to see President Eisenhower's lead being followed by the present incumbent of the White House in declaring this to be Captive Nations Week. As a member of the House Foreign Affairs Committee it seems to me important that those of us who are charged with responsibility for foreign policy take a strong position on the issue of the captive nations.

This is not just a well-intentioned but ineffective gesture on our part. What we are doing here in proclaiming Captive Nations Week has so angered the Soviet Government that in Ivestia this week it is attacked—and thus recognized officially by the Communists, declared by them to be harmful to their cause and, most important, brought to the notice of the people of the Communist world as no Western news source ever could.

Captive Nations Week was proclaimed in 1959 as a calculated effort on the part of the United States to inform the peoples of the world and particularly those under Communist subjection that those who are free have not forgotten and do not ever cease to strive for the liberation of those in Communist captivity. It is good to know that the message is getting through to those who need it most.

The United States must never compromise with the sacred principles upon which the country was founded, liberty and freedom for all men. Our forefathers revolted against tyrannical rule. They fought for freedom. They pledged their lives, their fortunes, and their sacred honor for the principle that the fellowman should be free. By observing Captive Nations Week we are reaffirming these principles before the world. And they need to be reaffirmed at every opportunity.

The captive nations are no small group about which we could afford to shrug our

shoulders. The number is alarming: Estonia, Latvia, Lithuanian, Poland, Czechoslovakia, Hungary, Rumania, Yugoslavia, Albania, Bulgaria, East Germany in Europe; China, Mongolia, Manchuria, North Korea, Tibet, North Vietnam in Asia; and now in the heart of the Americas a hundred miles from Miami we have the captive nation of Cuba. We have not mentioned the conquered peoples within the Soviet Union itself—the Armenians, the millions of Moslems in Turkestan, and others. Nearly a billion people, almost half the world, is today captive to communism. We must continue to support by every means at our command the urge for freedom in this enormous group.

They say that imperialism is coming to an end around the world. Nothing could be further from the truth. What is happening today should be no puzzle as it is exactly what has been going on for thousands of years. Old empires are coming to an end but a vast new empire is being created, the Soviet Communist empire. We must dedicate ourselves ceaselessly and publicly to freeing the subject peoples of that empire in conformity with our American tradition to stand for the freedom of all subject peoples from the imperialistic subjugation of all empires. To this end an effective tool is Captive Nations Week. Its importance and effectiveness was shown this week when it was so violently attacked by the Communists in their official government publication.

Mr. DANIELS. Mr. Speaker, throughout the Nation this week is being commemorated as Captive Nations Week. It is particularly timely, in view of the current tenor of Soviet activity, to consider the significance and meaning of this celebration.

It is during this week that we recall more poignantly than usual the tragic series of events which turned the countries of Eastern Europe into Soviet satellites. And we recall as well those equally fateful aggressions which forced those would-be independent nations within the Soviet Union to lose their identity as separate peoples.

I believe it would be a most fitting manifestation of our concern for these oppressed peoples if we promptly established a House Committee on the Captive Nations. This act would reinforce our recognition of the basic truth that these nations have never lost their aspirations for independence and freedom. And it would remind Mr. Khrushchev, once again, that we shall never forget the tyranny which made their subjugation possible.

Mr. GALLAGHER. Mr. Speaker, this week is the second anniversary of Captive Nations Week.

World War II raised Soviet Russia to the rank of great powers, and at the same time it took a world war to teach us the ugly and barbaric nature of the Soviet system. And no single act of that totalitarian tyranny has exposed its inhuman side to the world as has her capture and enslavement of a large number of East European nations behind the Iron Curtain. That is a shocking and heart-rending fact of our postwar world.

Prior to the war these nations had constituted independent, sovereign states in their respective lands, stretching from the Baltic region to the European shores of the Black Sea. As the result of the war, and its aftermath, all of these were first overwhelmed by the Red army, then subdued and finally enslaved as the satellites of the Soviet Union. For more than 16 years peoples in these countries, numbering about 100 million, have been imprisoned in their homelands, behind the impenetrable and inscrutable Iron Curtain. The fate of these peoples is a serious concern of all leaders in the free world, and as they have worked for the freedom of these peoples in the past, so they will continue to do in years to come, until these peoples attain their freedom. On this Captive Nations Week we pledge to carry on the struggle for the freedom of all these nations. Instead of compromising each Soviet inspired crisis which demands more of the free world legal position we should demand freedom for Poland, Latvia, Lithuania and Estonia and the other captive nations. Let us make the Soviets defend their indefensible positions on these captive nations. Let us demand free elections and continue to press for freedom until it becomes a reality for people everywhere.

Mr. BOGGS. Mr. Speaker, President Kennedy has designated this week as "Captive Nations Week" and has urged all Americans to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom. I wholeheartedly endorse our country's fullest efforts to obtain freedom for the peoples of all nations who are held captive by a tyrannical regime; I am pleased to join in citing the second anniversary of Captive Nations Week. The Soviet Union's domination of the countries of Eastern Europe is the central crime of which our Government and our citizens are most immediately concerned —particularly in light of Premier Khrushchev's threats against the United States and our Western allies over Berlin.

As a member of the Interparliamentary Union, I journeyed to Poland just 2 years ago and talked with the people there; I came away convinced, as I am still convinced, that the Polish people have a strong desire for personal freedom and they wish to restore the integrity of Poland as a nation. Poland is but one of the dozen countries of Eastern Europe under the heel of Soviet tyranny, and I am sure that the citizens of all of these nations share the feelings of the oppressed people of Poland. We must stand firm in Berlin and rededicate ourselves to the task of restoring freedom and liberty to the peoples of Eastern Europe.

Through increasing our informational and educational efforts and fostering the strengthening of the European Common Market, we can help to shake the Kremlin's hold on these countries; by maintaining our position in Berlin and opposing the signing of a separate peace treaty with East Germany, we will be giving voice to our desire for the eventual liberty of the people of East Germany and the reunification of Germany as a complete nation among the free countries of Europe. By this annual observance of Captive Nations Week, the United States is recognizing the hopes and aspirations of all the oppressed people under Communist tyranny and other dictatorships for those sacred freedoms which we enjoy.

Mr. McDOWELL. Mr. Speaker, the tragic story of the captive nations is the most heart-rending episode in the postwar world, particularly in Europe. The sad irony is that these nations through the length and breadth of Eastern and Central Europe, with about 100 million inhabitants were free, before World War II. As the result of that war, or, more correctly, because of the Soviet Union's aggressive and oppressive policies in Europe, these nations lost their independent status and have become victims of Communist totalitarianism. When the Soviet authorities carried out their plans for the enslavement of peoples in these countries, the governments of Western democracies protested in a most vigorous manner.

Since the end of the war the Government of the United States and its allies have done their utmost, short of waging war, to help these captive nations held in the grip of Soviet tyranny, but with little success. As proof of our determination to pursue such a policy, and to remind our friends that we have not forgotten the fate of these captive nations, the third week in July of each year is set aside by congressional resolution and Presidential proclamation, as Captive Nations Week. This we shall continue to do as a reminder to the world of our great concern for the nations now held captive by Communist totalitarian tyranny.

Mr. HALPERN. Mr. Speaker, this is a most significant week. It is the period during which the American people through their Representatives in Congress proclaim their link to the millions of freedom-loving people under Soviet domination. It is peculiarly fitting that at a time when world attention is focused on the threat to the freedom of Berlin that we pay tribute to the captive peoples of the Soviet bloc. To the submerged nationalities and to the oppressed minorities in Eastern Europe, this Captive Nations Week conveys the message that their deeply felt aspirations for freedom are known to the people of the United States, are a matter of concern to the Congress of the United States. The existence of these captive nations is due largely to the imperialistic policy of the Soviet Union which through the use of economic, psychological, and military force have maintained puppet governments in these countries.

Mr. Speaker, earlier this session I had the privilege of cosponsoring with my distinguished colleague from Pennsylvania [Mr. FLOOD], a resolution creating a special captive nations committee—House Joint Resolution 215—which would provide us with a means of systematically reporting on these nations. The work and the reports of this committee would maintain the spotlight of free world attention on Moscow's colonial system. It

is my hope that this Congress will act favorably on the establishment of this committee. Its impact would be felt throughout the entire world.

Mr. Speaker, on this occasion it is most fitting to recall that not a single one of the dominated regimes of Eastern and Central Europe came to power through a free election or anything nearly resembling a free election. Beginning with the Nazi-Soviet pact of 1939 the Soviet Union has continued a policy of imposing puppet regimes whenever possible.

The curse of these dictatorships extends today from the Baltic Sea to Vladivostok and includes over 100 million people, including the Estonians, the Latvians, the Lithuanians, Czechoslovaks, Germans, Poles, Albanians, Bulgarians, Hungarians, and Rumanians. Each year Captive Nations Week expresses the desire of the American people that these enslaved become free and become masters of their own destiny. Moreover, I hope that the observance of this year's Captive Nations Week will demonstrate to Khrushchev our steadfastness and our readiness and willingness to defend freedom. The captive nations look to us for hope. Let us not let them down.

Mrs. WEIS. Mr. Speaker, it gives me great pleasure to join with the other Members of the House in their remarks concerning the proclamation of Captive Nations Week. The importance of those nations now under Communist subjugation cannot be overestimated. The desire, expressed by the people of these countries, to be free, and their right to be free must not be forgotten.

This is the third observance of Captive Nations Week which originated with the captive nations resolution unanimously approved by Congress a little over 2 years ago. The effect which this resolution has had on the Communist hierarchy has been remarkable. Khrushchev and other Russian leaders have gone to unheard-of lengths to label the United States as colonialist and to create the impression that the captive nations are really free. The real importance of this proclamation, as substantiated by the Communist's own reaction, should not be overlooked.

Since the late 1940's, the Communists have attempted to establish the myth that the satellite nations of Europe are free. The satellites have been labeled "allies"; the constituent republics—Ukraine and Byelorussia—as "independent." This myth is patently ridiculous. However, every possible effort must be made to see that it does not—through constant repetition or skilled propaganda manipulation—mislead the peoples of this Nation or the world. This week, Captive Nations Week, should serve to focus attention on the plight of the captive nations of the world. It should also serve to remind those uncommitted nations that the most despicable aspects of colonialism and imperialism are still existent within the Communist empire.

I earnestly hope, as I am sure do my colleagues, that the proclamation of Captive Nations Week will be the first in a series of events which will, sometime in the not too distant future, lead to the establishment of freedom in these now captive nations.

In our attempt to end the spread of communism in the free world we must not, and shall not, lose sight of the plight of those nations now subject to the horrors of Communist domination. Nor shall we, under the pressure of present crises in Berlin and Laos, abandon our commitments, both moral and material, to the peoples of these captive nations.

Mr. LANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks in the RECORD on House Joint Resolution 435.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. The question is, Will the House suspend the rules and pass the joint resolution?

The question was taken, and the Speaker announced that in his opinion two-thirds had voted in favor thereof.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 367, nays 12, not voting 58, as follows:

[Roll No. 112]

YEAS—367

Abbitt	Bruce	Durno
Abernethy	Burke, Ky.	Dwyer
Adair	Burke, Mass.	Edmondson
Addabbo	Burleson	Elliott
Addonizio	Byrne, Pa.	Ellsworth
Albert	Byrnes, Wis.	Everett
Alexander	Cahill	Evins
Andersen, Minn	Carey	Fallon
	Casey	Farbstein
Anderson, Ill.	Cederberg	Fascell
Andrews	Celler	Fenton
Arends	Chamberlain	Findley
Ashbrook	Chelf	Finnegan
Ashley	Chenoweth	Fino
Ashmore	Chiperfield	Fisher
Aspinall	Church	Flood
Auchincloss	Clancy	Flynt
Ayres	Clark	Fogarty
Baker	Coad	Ford
Baldwin	Collier	Forrester
Baring	Colmer	Fountain
Barrett	Conte	Frazier
Barry	Cooley	Frelinghuysen
Bass, Tenn.	Corbett	Fulton
Bates	Corman	Gallagher
Battin	Cunningham	Garland
Becker	Curtin	Garmatz
Beckworth	Curtis, Mass.	Gary
Beermann	Curtis, Mo.	Gathings
Belcher	Daddario	Gavin
Bell	Dague	Gilbert
Bennett, Fla.	Daniels	Goodell
Bennett, Mich.	Davis, James C.	Goodling
		Grant
Berry	Davis, John W.	Green, Pa.
Blatnik	Davis, Tenn.	Griffiths
Boland	Dawson	Gubser
Bolling	Dent	Hagan, Ga.
Bolton	Denton	Hagen, Calif.
Bonner	Derounian	Haley
Boykin	Devine	Halleck
Brademas	Diggs	Hansen
Bray	Dingell	Harding
Breeding	Dole	Hardy
Brewster	Dominick	Harris
Bromwell	Dooley	Harrison, Va.
Brooks, La.	Dorn	Harrison, Wyo.
Brooks, Tex.	Dowdy	Harsha
Broomfield	Downing	Harvey, Ind.
Brown	Doyle	Harvey, Mich.
Broyhill	Hays	Matthews
Hébert	May	Ryan
Hechler	Meader	St. George
Hemphill	Merrow	Saund
Henderson	Miller, Clem	Saylor
Herlong	Miller, George P.	Schadeberg
Hoeven		Schenck
Hoffman, Ill.	Miller, N.Y.	Scherer
Holifield	Milliken	Schneebeli
Holland	Mills	Schweiker
Holtzman	Minshall	Schwengel
Horan	Moeller	Scott
Huddleston	Monagan	Seely-Brown
Hull	Montoya	Selden
Ichord, Mo.	Moore	Sheppard
Ikard, Tex.	Moorehead, Ohio	Shipley
Inouye		Short
Jarman	Moorhead, Pa.	Shriver
Jensen	Morgan	Sikes
Joelson	Morris	Siler
Johansen	Morse	Sisk
Johnson, Calif.	Mosher	Slack
Johnson, Md.	Moss	Smith, Calif.
Johnson, Wis.	Multer	Smith, Iowa
Jonas	Murphy	Smith, Miss.
Jones, Ala.	Murray	Smith, Va.
Jones, Mo.	Natcher	Spence
Judd	Nelsen	Springer
Karsten	Nix	Stafford
Karth	Norblad	Steed
Kastenmeier	Norrell	Stephens
Kearns	Nygaard	Stratton
Keith	O'Brien, Ill.	Stubblefield
Kelly	O'Hara, Ill.	Sullivan
Kilday	O'Hara, Mich.	Taylor
Kilgore	O'Konski	Teague, Calif.
King, Calif.	Olsen	Teague, Tex.
King, N.Y.	Osmers	Thomas
King, Utah	Ostertag	Thompson, La.
Kirwan	Passman	Thompson, Tex.
Kitchin	Patman	Thomson, Wis.
Knox	Pelly	Thornberry
Kornegay	Perkins	Toll
Kowalski	Peterson	Tollefson
Kunkel	Pfost	Trimble
Kyl	Pike	Tuck
Laird	Pilcher	Tupper
Landrum	Pirnie	Udall
Lane	Poage	Ullman
Langen	Poff	Vanik
Latta	Powell	Van Pelt
Lennon	Price	Van Zandt
Lesinski	Pucinski	Vinson
Libonati	Quie	Wallhauser
Lindsay	Rabaut	Walter
Lipscomb	Rains	Watts
Loser	Randall	Weaver
McCormack	Reece	Westland
McCulloch	Reifel	Whalley
McDonough	Reuss	Wharton
McDowell	Rhodes, Ariz.	Whitener
McFall	Rhodes, Pa.	Whitten
McMillan	Riehlman	Wickersham
McSween	Riley	Widnall
MacGregor	Rivers, Alaska	Williams
Machrowicz	Robison	Wilson, Calif.
Mack	Rodino	Wilson, Ind.
Magnuson	Rogers, Colo.	Winstead
Mahon	Rogers, Fla.	Wright
Mailliard	Rogers, Tex.	Yates
Marshall	Roosevelt	Young
Martin, Mass.	Roush	Younger
Martin, Nebr.	Rousselot	Zablocki
Mathias	Rutherford	Zelenko

NAYS—12

Dulski	Hosmer	Ray
Gross	McVey	Scranton
Hiestand	Mason	Taber
Hoffman, Mich.	Pillion	Utt

NOT VOTING—58

Alford	Friedel	Michel
Alger	Giaimo	Morrison
Anfuso	Glenn	Moulder
Avery	Granahan	O'Brien, N.Y.
Bailey	Gray	O'Neill
Bass, N.H.	Green, Oreg.	Philbin
Betts	Griffin	Rivers, S.C.
Blitch	Hall	Roberts
Boggs	Halpern	Rooney
Bow	Healey	Rostenkowski
Buckley	Jennings	Roudebush
Cannon	Kee	St. Germain
Cohelan	Keogh	Santangelo
Cook	Kilburn	Shelley
Cramer	Kluczynski	Sibal
Delaney	Lankford	Staggers
Derwinski	McIntire	Thompson, N.J.
Donohue	Macdonald	Weis
Feighan	Madden	Willis

So (two-thirds having voted in favor thereof) the rules were suspended and the joint resolution was passed.

The Clerk announced the following pairs:

Mr. Cohelan with Mr. Derwinski.
Mr. Boggs with Mr. Cramer.
Mr. Willis with Mr. Alger.
Mr. Staggers with Mr. Bass of New Hampshire.
Mr. Jennings with Mr. Glenn.
Mr. Moulder with Mr. Michel.
Mr. Morrison with Mr. Roudebush.
Mr. Feighan with Mr. Avery.
Mrs. Granahan with Mr. Bow.
Mr. O'Neill with Mr. Sibal.
Mr. Rostenkowski with Mr. Betts.
Mr. Giaimo with Mr. Hall.
Mr. Friedel with Mr. Kilburn.
Mr. St. Germain with Mr. Griffin.
Mr. Anfuso with Mr. McIntire.
Mr. Delaney with Mr. Halpern.
Mr. Santangelo with Mrs. Weis.

The vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

ALLOTMENT OF PAY IN EMERGENCY EVACUATIONS

Mr. MURRAY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2555) to provide for allotment and advancement of pay with respect to civilian employees of the United States in cases of emergency evacuations in oversea areas, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of this Act, the term—

(1) "department" means—

(A) each executive department of the Government of the United States of America;

(B) each agency or independent establishment in the executive branch of such Government;

(C) each corporation wholly owned or controlled by such Government;

(D) the judicial branch of such Government;

(E) the General Accounting Office;

(F) the Library of Congress; and

(G) the municipal government of the District of Columbia.

(2) "head of each department" or "department head" means—

(A) the Director of the Administrative Office of the United States Courts with respect to the judicial branch of the Government; and

(B) the Board of Commissioners of the District of Columbia with respect to the municipal government of the District of Columbia.

(3) "United States", when used in a geographical sense, means the several States of the United States of America and the District of Columbia.

SEC. 2 (a) The head of each department is authorized to provide for the payment, in advance, of compensation, allowances, and differentials, or any of them, covering a period of not more than thirty days, to or for the account of each employee of such department (or, under emergency circumstances and on a reimbursable basis, an employee of any other department) whose evacuation (or that of his dependents or immediate family, as applicable) from a place within or outside the United States is ordered for military or other reasons which create imminent danger to the life or lives of such employee or of such dependents or immediate family.

(b) Subject to adjustment of the account of such employee in accordance with section 4 of this Act and other applicable law, such advance payment of compensation, allowances, and differentials shall be at rates then currently authorized with respect to such employee, on the date such advance payment is made, under procedures of such department governing advance payments under this subsection; but such rates so authorized shall not exceed the rates to which such employee was entitled immediately prior to the issuance of such order of evacuation.

(c) An advance of funds under subsection (a) of this section shall be recoverable by the Government of the United States or the municipal government of the District of Columbia, as the case may be, from such employee or his estate—

(1) by setoff against accrued compensation, amount of retirement credit, or other amount due such employee from the Government of the United States or the municipal government of the District of Columbia, and

(2) by such other method as may be provided by law.

(d) The head of the department concerned is authorized to waive in whole or in part any right of recovery of an advance of funds under subsection (a) of this section, if it is shown that such recovery would be against equity and good conscience or against the public interest.

SEC. 3. (a) The head of each department is authorized—

(1) to provide for the payment of monetary amounts, covering a period of not more than sixty days (except that the President may extend such period with respect to the executive branch for not more than one hundred and twenty additional days if he determines that the extension of such period is in the interest of the United States), to or for the account of each employee of such department (or, under emergency circumstances and on a reimbursable basis, an employee of any other department)—

(A) whose evacuation from a place within or outside the United States is ordered for military or other reasons which create imminent danger to the life of the employee, and

(B) who is prevented, by circumstances beyond his control and beyond the control of the Government of the United States or the municipal government of the District of Columbia, or both, as applicable, from performing the duties of the position which he held immediately prior to the issuance of such order of evacuation; and

(2) to provide for the termination of payment of such amounts.

(b) Subject to adjustment of the account of such employee in accordance with section 4 of this Act and other applicable law, each payment under this section shall be at rates of compensation, allowances, and differentials, or any of them, then currently authorized with respect to such employee, on the date such payment is made, under procedures of such department governing payments under this section. Such rates so authorized shall not exceed the rates to which such employee was entitled immediately prior to the issuance of the order of evacuation, except that any such employee in the executive branch may be granted such additional allowance payments as the President determines necessary to offset the direct added expenses incident to the evacuation.

(c) Each period for which payment of amounts may be made under this section to or for the account of an employee shall be held and considered, for all purposes with respect to such employee, as a period of active service (without break in service) rendered by such employee in the employment of the Government of the United States or the municipal government of the District of Columbia.

SEC. 4. The head of each department—

(1) shall provide for the review of the account of each employee of such department in receipt of payments in accordance with section 2 or 3, or both, as the case may be, of this Act, and

(2) shall provide for the adjustment of the amounts of such payments on the basis of (A) the rates of compensation, allowances, and differentials to which such employee would have been entitled, under applicable law other than this Act, for the respective periods covered by such payments, if he had rendered active service, in accordance with the terms of his appointment, during each such period in the position which he held immediately prior to the issuance of the applicable order of evacuation and (B) such additional amounts as such employee may be authorized to receive in accordance with a determination of the President under section 3(b) of this Act.

SEC. 5. The head of each department is authorized to establish procedures under which each employee of such department is permitted to make allotments and assignments of amounts out of his compensation for such purpose as such department head deems appropriate.

SEC. 6. (a) To the extent practicable in the public interest, the President shall coordinate the policies and procedures of the respective departments in the executive branch under this Act.

(b) The President, with respect to the executive branch, and the head of the department concerned, with respect to the appropriate department outside the executive branch, shall prescribe and issue, or provide for the formulation and issuance of, such regulations as are necessary and appropriate to carry out the provisions, accomplish the purposes, and govern the administration, of this Act. Such regulations shall be issued on or before the ninetieth day following the date of enactment of this Act and shall become effective on the ninetieth day following the date of issuance.

(c) The head of each department in the executive branch is authorized to prescribe and issue such regulations (not inconsistent with the regulations of the President issued under subsection (b) of this section) as are necessary and appropriate to carry out the functions of such department head under this Act.

SEC. 7. Notwithstanding any provision of this Act or the repeal or amendment thereby of any provision of law, and until such time as regulations prescribed by or under authority of the President are issued under section 6(b) of this Act and become effective, allotments and assignments of pay of employees in the executive branch may be made in accordance with such provisions of law so amended or repealed and the regulations issued thereunder; and such regulations may be amended or revoked in accordance with such provisions of law.

SEC. 8. Funds available to each department for payment of compensation, allowances, and differentials to or for the accounts of civilian officers and employees of such department also shall be available for payment of compensation, allowances, and differentials to or for the accounts of employees of any other department in accordance with this Act and on a reimbursable basis.

SEC. 9. (a) The following provisions of law are hereby repealed:

(1) The Joint Resolution entitled "Joint Resolution authorizing assignment of pay of teachers and other employees of the Bureau of Education in Alaska", approved March 21, 1906 (34 Stat. 824; 48 U.S.C. 171);

(2) The paragraph in the first section of the Act of June 30, 1906, under the heading

"Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "Scientific Assistants of the Geological Survey" (34 Stat. 727; 43 U.S.C. 35), which reads as follows:

"The Secretary of the Interior is hereby authorized to permit scientific and other employees of the United States Geological Survey, employed in the field, to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the United States Geological Survey. And the Secretary of the Interior is further authorized, in his discretion, under such regulations as he may prescribe, to reimburse the scientific and other employees for expenses incurred by them in the discharge of their duties in the field and paid from their personal funds.";

(3) That part of the first section of the Act of May 27, 1908, under the heading "Under the Department of the Interior", under the subheading "United States Geological Survey", and under the caption "For General Expenses of the Geological Survey" (35 Stat. 350; 43 U.S.C. 382), which reads as follows:

"The Secretary of the Interior is hereby authorized to permit the employees of the Reclamation Service, while employed in the field, to make assignments of their pay under such regulations as he may prescribe.";

(4) The second paragraph under the center heading "MISCELLANEOUS" and under the side heading "Paper Tests" in the Act entitled "An Act making appropriations for the Department of Agriculture for the fiscal year ending June thirtieth, nineteen hundred and ten", approved March 4, 1909 (35 Stat. 1057; 5 U.S.C. 529), which reads as follows:

"And hereafter the Secretary of Agriculture is authorized to permit employees of the Department of Agriculture to make assignments of their pay, under such regulations as he may prescribe, during such time as they may be in the employ of the said department.";

(5) The proviso contained in the second paragraph under the center heading "DEPARTMENT OF COMMERCE AND LABOR" and under the side heading "Office of the Secretary" in the Act entitled "An Act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, nineteen hundred and eleven, and for other purposes", approved June 17, 1910 (36 Stat. 524; 5 U.S.C. 595), which reads as follows: "*Provided*, That the Secretary of Commerce and Labor is hereby authorized, under such regulations as he may prescribe, to permit officers and employees of the several bureaus and divisions of the Department of Commerce and Labor to assign their salaries while absent from Washington, District of Columbia, and employed in the field"; and

(6) The Act entitled "An Act authorizing allotment of pay by civilian personnel stationed abroad", approved May 14, 1937 (50 Stat. 166; 5 U.S.C. 75c).

(b) That part of the first section of the Act of March 4, 1907, under the heading "Under the Department of Commerce and Labor" and under the subheading "Coast and Geodetic Survey", as amended by the first section of the Act of June 21, 1955 (69 Stat. 169; 33 U.S.C. 862), relating to assignments and allotments of pay of personnel of the United States Coast and Geodetic Survey, is amended to read as follows:

"Commissioned officers of the United States Coast and Geodetic Survey are authorized to make assignments or allotments of their pay under such regulations as the Secretary of Commerce may prescribe.".

(c) Section 3689(d) of title 10 of the United States Code is amended—

(1) by inserting the word "or" immediately following the semicolon at the end of clause (1);

(2) by striking out the word "or" immediately following the semicolon at the end of clause (2); and

(3) by striking out clause (3) which reads: "(3) permanent civilian employee of the Department of the Army on duty outside the United States;".

(d) Section 8689(d) of title 10 of the United States Code is amended—

(1) by inserting the word "or" immediately following the semicolon at the end of clause (1);

(2) by striking out the word "or" immediately following the semicolon at the end of clause (2); and

(3) by striking out clause (3) which reads: "(3) permanent civilian employee of the Department of the Air Force on duty outside the United States;".

The SPEAKER. Is a second demanded?

Mr. CORBETT. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the objective of H.R. 2555 is to provide for the establishment of an efficient, orderly, and equitable procedure for the payment of compensation and allowances of civilian employees of the Federal Government for use in the event an emergency requires the evacuation of employees or of their immediate families from their duty stations.

Permissive authority would be granted by this legislation to the executive and judicial branches of the Federal Government, the Library of Congress, the General Accounting Office, and the municipal government of the District of Columbia to establish procedures for the payment of compensation and allowances to Federal civilian personnel or their dependents in the event an emergency evacuation is ordered for military or other reasons which create imminent danger to the life of the employee, his dependents or immediate family. Payment of the compensation and allowances will be at the rates authorized for the employee immediately prior to evacuation, except as additional payments may be authorized by the President to reimburse actual direct expenses incurred by the employee which are over and above the expenses the employee would have incurred had there been no evacuation.

The legislation also consolidates the several existing laws relating to the allotment and assignment of compensation for Federal civilian employees, with their differing conditions and limitations, into one uniform and coordinated standard legislative provision which will govern procedures for such allotment and assignment of pay in the cases of all Federal civilian employees in or under the departments and agencies covered by the bill.

I would like to make the record clear that this legislation is not intended to provide any benefits for foreign nationals who are employed by the Government of the United States to work in their own countries.

The overall cost will not be substantial since any payments under the new procedure are required to be adjusted later to amounts not exceeding the amounts the employee would have been entitled to under other applicable law, plus the added amount which may be authorized by the President to compensate the employee for the direct expenses incurred due to emergency evacuation which would not have been incurred except for the evacuation. The executive branch was not able to furnish any specific cost estimates due to the absence of any information on which they could be based.

Mr. Speaker, this legislation will constitute standby authority to take timely action, in the national interest, in the event emergency evacuations are necessary due to sudden or unforeseen developments in the cold war. I believe it is necessary that this legislation be enacted so that the employees of all agencies can be assured of standard procedures being available for the payment of their compensation and allowances.

Mr. CORBETT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am pleased to join with Chairman TOM MURRAY in expressing my endorsement of H.R. 2555, a bill which was overwhelmingly approved by the House Post Office and Civil Service Committee to provide standby authority to take appropriate action for the payment of Federal employees or their dependents if emergency evacuations are necessary due to sudden or unforeseen developments in the cold war.

At the present time, there is no clear or positive legislative policy with respect to compensating and providing allowances for Federal civilian employees and their dependents who may be ordered evacuated from duty stations for military reasons or to safeguard them from imminent danger to their lives. H.R. 2555 which has been requested by the Defense Establishment through the Department of the Air Force is desirable legislation and would carry out the policy which we consider desirable of preparing for any contingency which may occur, particularly in foreign countries, during this period of international stress. We have no way of knowing at what time it might be necessary to utilize the provisions of this legislation, but in order to provide an efficient, orderly, and equitable procedure for the payment of compensation and allowances of the civilian employees in cases of emergency, it is desirable that this bill be approved.

May I emphasize the fact that this legislation is not intended to provide any benefits for foreign nationals who are employed by the Government of the United States to work in their own countries.

No specific cost estimates are available concerning this legislation because of absence of information on which such costs could be based and the cost will be largely determined by unforeseen conditions which may exist in the future when emergency evacuations of Federal

employees are necessary. However, the overall cost will not be substantial since payments authorized under this bill are required to be adjusted at rates not exceeding amounts due the employees affected which would have been due them under normal conditions plus added direct expenses incurred due solely to the emergency evacuation.

Mr. Speaker, I believe it is only reasonable that the Congress should enact legislation to prepare for the contingency, which we hope will never occur, but for which we must be prepared.

Mr. MURRAY. Mr. Speaker, I have no more requests for time.

Mr. CORBETT. Mr. Speaker, I yield 10 minutes to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Speaker, first of all I should like to comment on this use of suspension of the rules to consider legislation. I was under the impression, and it was so stated when the packing of the Rules Committee was voted, that we were going to get legislation in this session of Congress out of the Rules Committee under normal procedure. I do not think there has been a session since I have been a Member in which more resort has been made to suspension of the rules than in this Congress. I wonder what has happened to the revamping of the Rules Committee to provide a ready vehicle for the bringing of legislation to the floor of the House under procedures, whereby there would be the opportunity for ample debate and the offering of amendments, all of which is denied under suspension of the rules. Perhaps some of our leadership in the House can tell us why we are getting all these bills under suspension now. I would like to ask the gentleman, the chairman of the committee, a question or two concerning this bill. Why is it deemed necessary to take care of the District of Columbia employees to the exclusion of other municipal employees?

Mr. MURRAY. I will say to the gentleman, Mr. Speaker, that we had an official request that this amendment be included in this bill.

Mr. GROSS. It is just that simple—you had an official request. No reason; just a request. I want to ask the gentleman another question: Did the Department of State, which insisted on this bill, ever testify in behalf of it?

Mr. MURRAY. Mr. Speaker, I think the gentleman is in error, the State Department did not ask for this bill, the Department of Defense requested the legislation.

Mr. GROSS. Does the gentleman mean to say the State Department is not interested in this legislation?

Mr. MURRAY. I do not recall anybody from the State Department appearing on this legislation.

Mr. GROSS. You bet your life they did not appear on this legislation, and it is a strange thing because any number of these employees are in foreign countries and they will be benefited if this is a benefit, but I cannot understand why we should single out employees of the District of Columbia for these advance payments or allotments to their dependents in the event of an emergency. Why should municipal employees of the District of Columbia be singled out over and above municipal employees of Chicago, New York or any other city? Does anyone care to answer that—I would be glad to have an answer from anyone.

Mr. HOFFMAN of Michigan. If the gentleman will yield—the gentleman wants an answer. They are here where they can put on the heat better.

Mr. GROSS. I see, simply because they put on the heat.

Mr. HOFFMAN of Michigan. Yes, and they also entertain some folks, do you not know—that heps.

Mr. GROSS. As I understand it, in the payment of these advance payments or allotments, they can be made directly to the dependents. Is that the story—are we changing the law so that allotments can be made directly to dependents—and over what period of time? Do I understand this can be done for 120 days plus the original 30 days? What is the time limit or the time factor; does anybody know?

Mr. MURRAY. I will say to the gentleman, the advance payments are only authorized for 30 days.

Mr. GROSS. They are what?

Mr. MURRAY. They are only authorized for 30 days.

Mr. GROSS. I still cannot understand the answer of the gentleman. It is 30 days? If so, what is the meaning of the 120-day provision in this bill?

Mr. MURRAY. The advance payment is for 30 days.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman from Iowa is on the committee. Now if this information you are seeking is classified, why do you ask for it here?

Mr. GROSS. I did not realize until today that it was classified information.

Mr. HOFFMAN of Michigan. You seem to be unable so far to get it and knowing the long hours you spend through the night in looking over these reports and knowing your attendance at committee meetings, I wonder why you have to ask for it here and why did you not get it in the committee?

Mr. GROSS. I tried to get the same information at that time, and I then commented on the fact that the State Department, one of the chief beneficiaries, if there is any benefit to be derived from it, was not present and, apparently, was not to be called before the committee. I asked this question and could not get an answer.

Mr. HOFFMAN of Michigan. If my colleague will wait just a moment, with all due respect, should you not be careful in these times of great danger about disclosing secret information—you are asking about the State Department. What business have you to ask about the State Department?

Mr. GROSS. I will have to agree with the gentleman. The State Department, as I have said many times, has its long nose in everything around here, especially trying to run the entire Government, and maybe we should never question anything they want or do or say. Maybe we ought to just roll over and play dead. The time, apparently, is coming when all that Members of Congress will have to do is cash their pay checks.

I never could understand why, with the largest evacuation of American civilians in the history of this country in Korea in 1950, there was no clamor for this legislation. Approximately 11 years have gone by since Korea and now we suddenly have to rush this bill through under suspension of the rules. Why was this legislation not necessary during and after Korea? At no time in the history of this country were more Americans evacuated from a danger zone than in Korea, and yet 11 years have gone by before somebody suggested this legislation.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN of Michigan. The answer is easy, the New Frontier had not arrived.

Mr. GROSS. I guess that does it.

So here we are today asked to legalize advance payments to employees of the Federal Government or their dependents in the continental United States as well as abroad, without the slightest knowledge of costs and other pertinent information.

You can do this if you want to; I want no part of it without further and substantial proof that this sort of thing is necessary.

Mr. Speaker, I yield back the balance of my time.

Mr. DEVINE. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. JOHANSEN] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objections to the request of the gentleman from Ohio?

There was no objection.

Mr. JOHANSEN. Mr. Speaker, the bill under consideration, H.R. 2555, was the subject of extensive hearings before the House Post Office and Civil Service Committee and after the explanation of the need for this legislation, I am convinced it will serve a useful purpose by providing standby authority for the President and the heads of the departments and agencies of the executive branch which may be necessary to exercise in times of emergency.

The purpose of the bill is to provide permissive authority to executive departments and agencies to allow civilian employees at places outside the United States or at such other places as the President may designate, under specified emergency conditions, to make allotments from their pay for the support of their families or for other proper purposes, and to permit such employees up to 30 days' advance pay. The bill will also provide for the continuance of pay of such civilian employees if they are required to evacuate their oversea places of duty under the specified conditions.

During this period of international crisis, in my judgment, we should be prepared to take whatever action is necessary in the event of emergency conditions, particularly in foreign countries,

so that our civilian employees and their dependents are adequately protected. This authority which is proposed to be granted the executive branch, the judicial branch, General Accounting Office, Library of Congress, and the government of the District of Columbia would be exercised only in times of emergency to provide for the establishment of orderly, efficient, and fair procedures for the payment of compensation and allowances of Federal civilian employees.

Emergency evacuations have already occurred in certain instances. For example, in southeast Asia, where it has been demonstrated that the enactment of this legislation will be highly desirable.

I am satisfied that the cost of this legislation is not obtainable for the reason that we do not know where these emergency conditions will occur in the future and certainly we all trust they will not occur, but we must be prepared to maintain, particularly in foreign countries, a continuity of U.S. policies through the continued duties and activities of our civilian employees.

While I am prepared to support this legislation, with respect to Federal civilian employees, I wish to clarify the intent of our committee that it is not to be extended for the benefit of foreign nationals who are employed by our Government to work in their own countries.

Mr. Speaker, I join with my colleagues including our distinguished chairman in urging the approval of this bill.

Mr. CORBETT. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. BROYHILL].

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 8 minutes.

Mr. BROYHILL. Mr. Speaker, I rise in support of H.R. 2555.

First, it has been asked as to why this bill was brought up under a suspension of the rules rather than requesting a rule from the Rules Committee. It was hoped that this legislation would be noncontroversial. It is simple and clear legislation. We attempted to have it considered on the Consent Calendar but objection was raised or request was made that it be passed over without prejudice. That is the reason we are considering it under a suspension of the rules.

As has been explained, the purpose of this legislation is to provide clear and outstanding authority for the payment of compensation and allowances to Federal civilian employees who are required to evacuate an area for military reasons when there is a threat to their safety and security; and, also, as has been pointed out, it applies to all departments of the executive branch, the judicial branch, the General Accounting Office, the Library of Congress, as well as the District of Columbia. It applies to all Federal employees with the exception of employees of the legislative branch.

Some evacuations have been necessary in the past, and it is very likely that necessity for emergency evacuation will occur in the future, because we all know we are spread all over the world today; we have bases in practically every part of the world, with many civilian employees in those areas. For example, we had a group of employees in Vientiane back in 1960. They were required to evacuate that area and were moved over to Bangkok. Later when the situation eased there some of those employees were moved back to Laos; some remained in Bangkok to carry out various other assignments, and then some employees were reassigned.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Ohio.

Mr. BROWN. The only thing that worries me about the bill or gives me some concern, about the evacuation of employees overseas is employees of the Library of Congress.

How many representatives, members, or employees of the Library of Congress or the District of Columbia do we have overseas?

Mr. BROYHILL. The purpose of including the Library of Congress, as well as the District of Columbia and the General Accounting Office is in the event of an emergency situation occurring here.

Mr. BROWN. Of course they might have an emergency in my hometown and be evacuated. Does the gentleman think we ought to evacuate the civilian employees of the Federal Government in my hometown?

Mr. BROYHILL. Indeed, employees of the Federal Government, in the event of an emergency situation for military reasons or in case there is danger to their safety.

Mr. BROWN. Why should they not provide that any Federal employee shall be evacuated?

Mr. BROYHILL. It does.

Mr. BROWN. And the taxpayers who may not be on the Federal payroll.

Mr. BROYHILL. It does not provide for evacuation necessarily. It provides an advance payment of salaries, also a continuation of that salary for 60 days, while they are awaiting reassignment. It does not pay the expenses of evacuation but an advance in salaries. Reimbursement can be claimed later.

Now let me complete my statement. The purpose of this legislation is to clarify the authority which was exercised in this evacuation at Laos occurring last summer. In the event of an emergency evacuation, this legislation authorizes an advance payment of 30 days' salary, and only 30 days in advance at the same salaries the employees were receiving prior to the time of evacuation. Then it provides for 60-day salaries while that employee is awaiting reassignment. Without this authority, and in the case that occurred in Laos last year, if that occurred again, without this clear-cut authority, those employees would have to be disbanded and sent back home. Then, when the situation was eased, we would have to come back over here to the United States, rehire them, and go to the expense of shifting them over to Laos, as well as the expense of training new employees. This is in the best interest of the Government to have this clear-cut authority. As the chairman of the committee said, it does not provide for advance payment or payment for the 60-day period while awaiting reassignment in the case of foreign nationals. What this bill does is to clarify the situation as I have pointed it out. It gives the authority that is being exercised by some agencies of the Government, but it is a question whether they have the right to exercise that authority. This makes it clear, with no misunderstanding whatsoever. It provides for advance payment, a temporary payment, while employees are awaiting reassignment. It puts it all under one complete clear title.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from California.

Mr. YOUNGER. The gentleman says this should be allowed for evacuation of Federal employees wherever they exist. That is not provided, is it? We have more Federal employees in California than there are in the District of Columbia and San Francisco, Los Angeles and Vandenberg are as important and more likely to have an emergency than the District of Columbia.

Mr. BROYHILL. Let me reply to the gentleman by stating that in the event of an emergency evacuation in California for military reasons, or on account of any threat to the safety of the employees, this bill provides for 30 days' advance payment in order that they may be evacuated.

Mr. YOUNGER. Anywhere in the Nation?

Mr. BROYHILL. Anywhere in the Nation.

Mr. YOUNGER. Why did the gentleman say the District of Columbia, then?

Mr. BROYHILL. Because the employees of the District of Columbia are quasi-Federal employees. It has to be spelled out as a separate proposition.

I may point out that military personnel today in the event of an emergency evacuation, if orders are given, can receive advance payments. Their salaries can continue while they are awaiting reassignment elsewhere. So, we are not doing anything differently here for civilian employees than is already provided for the military service people.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Iowa.

Mr. GROSS. Well, now, why do you single out the municipal employees in the District of Columbia to the exclusion of the municipal employees anywhere else in the country?

Mr. BROYHILL. Because the District of Columbia is the Nation's Capital. I think the gentleman knows that.

Mr. GROSS. Of course I know that.

Mr. BROYHILL. And they are quasi-Federal employees that come under the jurisdiction of the Congress.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROYHILL. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. You say the gentleman from Iowa knows it is the capital. He is in some doubt since the gentleman from Virginia came here.

Mr. BROYHILL. I agree with the gentleman, there is some doubt.

Mr. GROSS. Mr. Speaker, if the gentleman will yield further, what about

our legislative employees? Why are they excluded?

The SPEAKER pro tempore. The time of the gentleman from Virginia has expired. All time has expired.

The question is on the motion of the gentleman from Tennessee, Mr. MURRAY, that the House suspend the rules and pass the bill H.R. 2555.

The question was taken; and the Speaker pro tempore announced that in his opinion two-thirds of the Members had voted in favor thereof.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 285, nays 87, not voting 64, as follows:

[Roll No. 113]

YEAS—285

Abbitt	Diggs	Johnson, Wis.
Abernethy	Dominick	Jones, Ala.
Adair	Dooley	Jones, Mo.
Addabbo	Dorn	Judd
Addonizio	Dowdy	Karsten
Albert	Downing	Karth
Alexander	Doyle	Kastenmeier
Andrews	Dulski	Keith
Ashley	Dwyer	Kelly
Ashmore	Edmondson	Kilday
Aspinall	Elliott	Kilgore
Avery	Everett	King, Calif.
Ayres	Evins	King, Utah
Baldwin	Fallon	Kirwan
Baring	Farbstein	Kitchin
Barrett	Fascell	Knox
Barry	Fenton	Kornegay
Bass, Tenn.	Finnegan	Kowalski
Bates	Fino	Kunkel
Beckworth	Fisher	Landrum
Belcher	Flood	Lane
Bennett, Fla.	Flynt	Lennon
Bennett, Mich.	Fogarty	Lesinski
Blatnik	Ford	Libonati
Boland	Forrester	Lindsay
Bolling	Fountain	Loser
Boykin	Frazier	McCormack
Brademas	Frelinghuysen	McDowell
Breeding	Friedel	McFall
Brewster	Gallagher	McMillan
Brooks, La.	Garland	McSween
Brooks, Tex.	Garmatz	Mack
Broomfield	Gary	Magnuson
Broyhill	Gathings	Mahon
Burke, Ky.	Gavin	Mailliard
Burke, Mass.	Gilbert	Marshall
Burleson	Goodell	Mathias
Byrne, Pa.	Grant	Matthews
Byrnes, Wis.	Green, Oreg.	May
Cahill	Green, Pa.	Meader
Carey	Griffiths	Merrow
Casey	Gubser	Miller, Clem
Cederberg	Hagan, Ga.	Miller, George P.
Celler	Hagen, Calif.	Milliken
Chamberlain	Halleck	Mills
Chelf	Hansen	Monagan
Chenoweth	Harding	Montoya
Chiperfield	Hardy	Moore
Church	Harris	Moorhead, Pa.
Clark	Harrison, Va.	Morgan
Coad	Harrison, Wyo.	Morris
Colmer	Harvey, Mich.	Morse
Conte	Hays	Mosher
Cooley	Hébert	Moss
Corbett	Henderson	Murphy
Corman	Holifield	Murray
Cunningham	Holland	Natcher
Curtin	Holtzman	Nix
Curtis, Mass.	Horan	Norrell
Daddario	Hosmer	Nygaard
Dague	Huddleston	O'Brien, Ill.
Daniels	Ichord, Mo.	O'Hara, Ill.
Davis James C.	Ikard, Tex.	O'Hara, Mich.
Davis, John W.	Inouye	Olsen
Davis, Tenn.	Jarman	Osmers
Dent	Joelsen	Passman
Denton	Johansen	Patman
Derounian	Johnson, Calif.	Pelly
Perkins	Johnson, Md.	Pepper
Peterson	Saund	Thornberry
Pfost	Schenck	Toll
Pike	Schweiker	Tollefson
Pilcher	Schwengel	Trimble
Poage	Scott	Tuck
Poff	Scranton	Tupper
Powell	Seely-Brown	Udall
Price	Selden	Ullman
Pucinski	Sheppard	Van Pelt
Quie	Shipley	Van Zandt
Rabaut	Sikes	Vinson
Rains	Siler	Wallhauser
Randall	Sisk	Walter
Reifel	Slack	Watts
Reuss	Smith, Iowa	Weaver
Rhodes, Pa.	Smith, Miss.	Whalley
Riley	Smith, Va.	Wharton
Rivers, Alaska	Spence	Whitten
Robison	Stafford	Wickersham
Rodino	Stephens	Wilson, Calif.
Rogers, Colo.	Stratton	Wilson, Ind.
Rogers, Tex.	Stubblefield	Wright
Roosevelt	Sullivan	Yates
Roush	Teague, Calif.	Young
Rutherford	Thompson, N.J.	Zablocki
Ryan	Thompson, Tex.	Zelenko
	Thomson, Wis.	

NAYS—87

Andersen, Minn.	Haley	Moeller
Anderson, Ill.	Harsha	Moorehead, Ohio
Arends	Harvey, Ind.	Nelsen
Ashbrook	Hechler	O'Konski
Auchincloss	Hemphill	Ostertag
Baker	Herlong	Pillion
Battin	Hiestand	Pirnie
Becker	Hoeven	Ray
Beermann	Hoffman, Ill.	Reece
Bell	Hoffman, Mich.	Rhodes, Ariz.
Berry	Hull	Riehlman
Bolton	Jensen	Rogers, Fla.
Bonner	Jonas	Rousselot
Bray	King, N.Y.	St. George
Bromwell	Kyl	Saylor
Brown	Laird	Schadeberg
Bruce	Langen	Scherer
Clancy	Latta	Schneebeli
Collier	Lipscomb	Short
Curtis, Mo.	McCulloch	Shriver
Devine	McDonough	Smith, Calif.
Dingell	McIntire	Taber
Dole	McVey	Taylor
Durno	MacGregor	Utt
Ellsworth	Martin, Mass.	Vanik
Findley	Martin, Nebr.	Westland
Fulton	Mason	Whitener
Goodling	Michel	Younger
Gross	Miller, N.Y.	
	Minshall	

NOT VOTING—64

Alford	Gray	Rivers, S.C.
Alger	Griffin	Roberts
Anfuso	Hall	Rooney
Bailey	Halpern	Rostenkowski
Bass, N.H.	Healey	Roudebush
Betts	Jennings	St. Germain
Blitch	Kearns	Santangelo
Boggs	Kee	Shelley
Bow	Keogh	Sibal
Buckley	Kilburn	Springer
Cannon	Kluczynski	Staggers
Cohelan	Lankford	Steed
Cook	Macdonald	Teague, Tex.
Cramer	Machrowicz	Thomas
Dawson	Madden	Thompson, La.
Delaney	Morrison	Weis
Derwinski	Moulder	Widnall
Donohue	Multer	Williams
Feighan	Norblad	Willis
Giaimo	O'Brien, N.Y.	Winstead
Glenn	O'Neill	
Granahan	Philbin	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Morrison and Mr. Cohelan for, with Mr. Bow against.

Mr. Feighan and Mr. St. Germain for, with Mr. Betts against.

Mr. Giaimo and Mr. O'Neill for, with Mr. Kilburn against.

Mr. Boggs and Mr. Multer for, with Mr. Alger against.

Until further notice:

Mr. Buckley with Mr. Bass of New Hampshire.

Mr. Keogh with Mr. Cramer.

Mr. Delaney with Mr. Widnall.

Mr. Rooney with Mrs. Weis.

Mr. Santangelo with Mr. Kearns.

Mr. Anfuso with Mr. Halpern.

Mr. Machrowicz with Mr. Derwinski.

Mr. Healey with Mr. Glenn.

Mr. Rostenkowski with Mr. Miller of New York.

Mr. O'Brien of New York with Mr. Roudebush.

Mr. Jennings with Mr. Springer.

Mr. Willis with Mr. Hall.

Mr. Williams with Mr. Sibal.

Mr. Winstead with Mr. Griffin.

Mr. Steed with Mr. Norblad.

Mr. CONTE changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The title of the bill was amended to read: "A bill to authorize pay with respect to civilian employees of the United States in cases of emergency evacuations, to consolidate the laws governing allotment and assignment of pay by such employees, and for other purposes."

A motion to reconsider was laid on the table.

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. GROSS. Mr. Speaker, are we to assume that other bills listed for consideration under the suspension of rules of the House this afternoon will not be called up?

The SPEAKER pro tempore. The Chair understands those bills will not be called up.

WHY DIDN'T THE AMERICAN BANKERS AND AUTO DEALERS TESTIFY?

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, many people have not been convinced that big corporations can influence the passage or defeat of legislation or influence people to act against their own interest or the public interest. Here is example A.

This case in point is in H.R. 71, introduced by the gentleman from New York [Mr. CELLER], to prohibit manufacturers of motor vehicles from engaging in financing and insuring installment sales of motor vehicles.

It is a bill to restrain monopolistic practices in the manufacture and sale of automobiles and permit survival of locally owned banks and other local financial institutions. A House Judiciary Subcommittee, headed by the gentleman from New York, has completed hearings on the bill, and I hope it soon will be brought to the floor for consideration.

WORST KIND OF MONOPOLY

It is the worst kind of monopoly, Mr. Speaker, when a huge firm like General Motors, which makes many millions of dollars every year from selling automobiles, also is permitted to multiply these

millions of dollars of profit by financing their sales through a nationwide branch-banking system innocently called General Motors Acceptance Corp. This is greed at its worst. The same thing can be said about the Ford Motor Co.

During the subcommittee hearings, I testified for the bill because the present practice is murderous to small independent financial institutions. And the longer it is permitted to continue, the worse it will be for our bankers and our small communities whose prosperity depends on healthy local business firms.

BANKERS SILENT AS DEATH

I will not go into that further at this time, but I had to give you this background to get to what is bothering me. Mr. Speaker, the thing that stood out most eloquently at those hearings was the dead silence from the American Bankers Association. Why did not the American Bankers Association testify in favor of the bill? This is a bill that would help their business and would be in the public interest. Mr. Speaker, banks are chartered and operated to make a profit, but that charter provides that they also must serve the public. The ABA is made up of big and little banks all over the country. This bill will help the little banks, particularly.

For what strange and unexplained reason did the banks not testify? Does a big corporation wield such powerful influence over our economy? Have the bankers abdicated to the tentacles of GMC's national money-lending system?

Could one huge corporation possibly cause unknown difficulties to another national business group if favorable testimony were given on a bill that would help the latter group as well as the country? Or, perhaps the bankers were just too tired to testify? No; I do not think so. But it would be interesting to know the reason.

NOTHING FROM DEALERS EITHER

Another group interests me, Mr. Speaker. Where was the testimony from the National Automobile Dealers Association? Here, again, was deathly cold silence. The automobile dealers I know are leading citizens in their communities, and I guess this is general everywhere. It seems incredible that this big organization would not appear before the committee. Since it directly affects the business of every dealer in the country, one would think NADA representatives would have been among the first on the firing line to testify one way or the other. They surely have to be for or against something that directly affects their daily lives. This is a situation where the automobile manufacturer often makes more from the financing and insuring than the dealer does from the sale of an automobile. Could they be influenced? Are the dealers afraid of losing their franchises? What is so attractive about refraining from testifying on legislation with which one is directly concerned? Why were the leaders silent as a tomb?

The automobile makers claim their moneylending operation is a benevolent gesture to help auto buyers purchase cars on time at modest interest rates. Now, if General Motors, Ford, and Chrysler are so public-spirited, if they are so benevolent, so full of the milk of human kindness, why do they not make loans at low interest rates to their dealers with a firm requirement that the dealer, in turn, keep the interest rate down in making installment sales. Then the dealer could handle the financing, and the profit he made on the sale and the financing would be kept in the local community and plowed back into the community's economy. If they want to help the dealers, this is the way to do it. Are the manufacturers so selfish they cannot be satisfied with the profit made on the sale of the product they make?

Mr. Speaker, I have asked these questions because I do not know the answers. I wish, sir, I did.

The Celler bill should be passed in the public interest to prevent a nationwide branch banking system.

FEDERAL LEADERSHIP AND DIRECTION FOR CIVIL DEFENSE

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, on May 25 the President addressed a joint session of Congress concerning urgent national needs. His words conveyed the serious conditions which confront our Nation and which threatened its peace and security. A whole section of the President's message was devoted to civil defense.

By his personal attention to this subject, the President has shown himself willing to face up to one of the most difficult and disagreeable problems of our times. The President has said in effect that the Nation should stop fooling itself about civil defense. It is a kind of national insurance which we must have, which we can afford, and which should no longer be postponed or merely talked about. The time of national danger is now and not in some remote future.

The civil defense program will cost money. The President suggested that even the beginnings of a new civil defense program will more than triple the pending budget request for civil defense. This means $300 million or more for a new start toward an effective civil defense program.

In this era of the cold war, we spend $40 billion a year or more for bombers, missiles, and other war machines. Civil defense costs, even at the stepped-up rate required, would be a very small part of the defense budget.

Mr. Speaker, the question of money should be the least of our worries when the very existence of our beloved country and the whole free world is at stake. Of course, as legislators who control the national policy, we want a full return for every dollar of defense investment. We want a civil defense program that will protect the people rather than one that simply provides jobs for political hacks and produces mountains of literature which nobody reads.

The President and his advisers now are giving serious and careful thought to the future shape of our civil defense program. We learn from his message of May 25 that the Office of Civil and Defense Mobilization will be reconstituted as an Office of Emergency Planning. This means that the large, helter-skelter semioperating agency, divided between Battle Creek and Washington, will be transformed into a compact planning agency, to remain in the Executive Office of the President.

We learn also from the President's message that the Department of Defense will be called upon to play a large and important role in civil defense. Apparently responsibilities for a civil defense shelter program will be assigned to the Secretary of Defense, and also, I understand, other civil defense functions related to a shelter program will go to the Department of Defense.

This announced assignment or allocation of functions has created concern in some quarters whether we are about to witness a military takeover in the civil defense field. Let me say immediately that we should not be carried away by slogans. I hope and trust that we shall not get into an argument about who will do the task of civil defense when we have not yet found firm agreement on what the tasks are, or the level of national effort required.

I am not interested in bureaucratic maneuvering and empire-building. I am interested in an effective civil defense for the people of the United States. As far as I am concerned, the Department of Defense has large resources to contribute to a civil defense program, and these resources should be employed to the fullest possible extent.

I have every confidence that the President will issue the necessary orders, that he will continue to exert strong, positive leadership for civil defense, and that this leadership will, in accord with our traditional outlook, be civilian in nature.

Most Americans know, although they do not like to think about it, that a nuclear attack would shatter the foundations of normal living. Heroic efforts and unaccustomed sacrifices would be demanded for the repair of the torn and battered fabric of our Nation. If we make no comprehensive plans, if we do not prepare ourselves for the blow—which we hope never comes—then we can be certain that the military will take complete command in an emergency. Bayonets will condition our responses, and the harsh disciplines of military organization will regulate our work and welfare.

Martial law in its more primitive sense—where civil institutions are unable or not permitted to function, and military sovereignty is supreme—is no longer an adequate concept for our times. We need to devise new forms of control in which all the resources of the Nation, all institutions—military and civil alike—are utilized for the common

overriding purposes of survival, recuperation, and recovery after a nuclear attack.

New in a sense, yet old in our constitutional structure and tradition, is this joining of military and civil authority at the apex of government. The President in his own constitutional person is both the civil head of Government and the Commander in Chief of the Armed Forces.

In time of emergency, in time of war, we look to the great moral and legal authority of the President to mobilize the Nation's resources and direct its people to those national tasks that war demands of all of us.

Nuclear war, involving weapons of enormous and unimaginable destructive power demands Federal leadership and direction of vastly enlarged scope and intensity. The President—if he should be spared—or his lawful successors in office, will take command. There will be tasks for the military to do. There will be tasks for the civil agencies of Government—Federal, State, and local.

All the Nation's remaining energies and resources must be pooled in a common effort to preserve the Nation. Continuity of civil government must be maintained wherever possible so that this effort is directed to the best national advantage and so that we do not subject ourselves to more military dictatorship than absolutely necessary.

If we plan wisely, I foresee a civilian type of martial law which would permit the exercise of full emergency authority by the President and would embrace all civilian as well as military resources of the Nation. Unlike martial law in the traditional sense, the system I envision, would utilize—rather than suspend—all civilian institutions surviving the enemies' attack, including the civil courts and elected officials of Government.

Under such a system, arrangements could be developed for resumption of full control and leadership at the State level by the duly constituted State authorities in the postattack period, when Federal direction was no longer required. Preemergency planning of this general form would safeguard our traditional Federal-State constitutional structure and insure that postattack recovery operations would proceed in a governmental environment compatible with our constitutional democratic society.

In a few weeks, the Military Operations Subcommittee of the Committee on Government Operations will hold hearings on civil defense to examine the new program, the pending reorganizations at the Federal level, the proposed assignments of functions and responsibilities, and other matters. We will also have outstanding students of civil defense to help us evaluate the national level of effort in this field, the research needs, and the civil defense planning implications of new technical studies.

As chairman of the Military Operations Subcommittee, and also as a member and now chairman of the Joint Committee on Atomic Energy, I have made civil defense one of my most important congressional studies. The Military Operations Subcommittee commenced its investigations and studies in this field in 1955. Our first basic report, still valid in every essential sense, was issued in 1956. We knew then, as we do now, that this is not a popular subject.

But we also know that it is an important subject, one of the most important of all, because it concerns the very survival of our people and our Nation and our Western civilization.

There is a great lag between the onrushing technology of war and the social and economic adjustments which are required. This is particularly the case in civil defense. It is difficult for our people and our leaders in Government to realize that this new kind of nuclear warfare demands a new kind of effort—an effort which this Nation must make if it wants to survive.

We should reexamine our stated position of retaliation after enemy attack. This does not mean that we should adopt the philosophy of preemptive war. It does mean that we must state clearly and firmly our intention to take any step at any time to protect our country. Our posture of complete incapability to absorb a surprise nuclear attack, with our inability to estimate the chaos in the postattack era, casts grave doubt over our ability to counterpunch effectively. Our incapability to absorb a surprise attack exists because we have refused as a Nation to face the new and revolutionary degrees of destruction which are inherent in multimegaton nuclear weapons and warheads. If we are to deal from strength at the diplomatic table whether it be in Berlin or with some future Soviet ultimatum we must have that strength. It must be a strength of military power capable of striking an effective blow without either technological or philosophic handicaps.

It must be a strength also which is based on the capacity to absorb an enemy strike. Today we have an offensive military capability if it is not crippled by self-imposed restrictions based on a lack of comprehension of the ruthlessness of the Communist purpose. Today we do not have the military capability to protect our Nation against nuclear attack. I regret that this is true, but I regret far more the blindness and stupidity of men in positions of leadership who have refused to face this grim fact and take those nonmilitary steps which could save millions of American lives, in the event of nuclear war. The time for the preparation of nonmilitary protection may be all too short. The hour of danger may be nearer than we think.

PEACE CORPS VOLUNTEERS FOR RURAL EDUCATION WORK IN CHILE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am happy and proud to announce to the House the selection of two fine young men from the district I have the honor to represent for Peace Corps volunteers for rural education work in Chile. Forty volunteers for this mission were selected nationwide and it is a source of great rejoicing among my constituents that 2 of the 40 came from the great Second Congressional District of Illinois.

The two young men are:

Daniel McCarty, 23, of 7149 South Crandon Avenue, Chicago, Ill., received his B.A. degree this year from Cornell University, where he specialized in Spanish, fine arts, and Latin American history. He is an outdoorsman and is handy with a variety of tools.

Martin T. Ronan, 22, of 1734 East 71st Place, Chicago, Ill., received his A.B. degree in communication arts and sociology this year from the University of Notre Dame. He was a campus leader, serving as president of the Notre Dame Society of Mary during his junior and senior years. He also participated in track.

Training of the 40 volunteers for the mission in Chile will begin on July 20 at Notre Dame University, South Bend, Ind., continuing for a period of 2 months.

The Chilean Institute of Rural Education, a nonsectarian private organization, widely recognized for its work in basic education and rural community development among the peasants and small farmers of rural Chile, will utilize the Peace Corps volunteers in its operating centers and selected villages. The volunteers will work with trained Chilean educators in family education, hygiene, organized recreation, home economics, and small farming methods and demonstrations. Volunteers will include both men and women.

The University of Notre Dame, acting as the agent of the Indiana Conference of Higher Education, representing 34 Indiana institutions, will offer intensive training courses in Chilean area studies, including Chilean culture, traditions, and history; refresher courses in U.S. history, government, culture, political and social life, et cetera; physical and medical training; and Spanish. Many of the volunteers have some degree of fluency in that language, and the others will be intensively coached to give them the requisite degree of proficiency for their work.

The 40 volunteers will be sent to Chile following the successful completion of the Indiana training program. A number slightly in excess of that have been invited to participate in the training so as to provide for a continuing selection process during the training period. Upon arrival in Chile, the volunteers will be given additional orientation, language and technical training in the Chilean Institute's training center.

UNITED ARAB REPUBLIC

Mr. RYAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, on July 5 it was announced that Israel had accomplished the remarkable feat of launching a rocket 50 miles into space. This space vehicle was manufactured in Israel and demonstrated the great technological development of this Middle Eastern democracy which is the first small nation in this field.

Two days after the firing of Shavit II the State Department announced that it had issued an export license to a west coast manufacturer for the export of rockets to the United Arab Republic. It is difficult to justify the issuance of this export license on the basis of our desire to have other countries engage in scientific exploration when the U.A.R. does not have a proper scientific program. The fact is that these rockets will be used in connection with the July 23 celebration of the revolution which brought Nasser to power. In approving the sale, the United States aids the propaganda campaign of the U.A.R.—a country which, according to Nasser's own declarations, is at war with the democracy of Israel.

As soon as I heard that the Department of State was considering approval of the rocket sale, I wired the Secretary of State the following telegram, dated July 7, 1961:

Urge you suspend export license issued to Zimmy Corp. of California permitting sale of rockets to U.A.R.

I am informed that U.A.R. does not have proper scientific program for use of these rockets.

In my opinion the rockets will be used in connection with July 23 celebration of Nasser's rise to power for propaganda purposes. It is possible by analyzing components and fuel for the U.A.R. to obtain military information.

United States should not aid U.A.R. in propaganda or military efforts.

As far as I know, the license has not been suspended. I suspect that the rockets already may be on the way to the U.A.R. I think this incident points up the need for reflection upon our Middle East policy. It should be concerned with reducing tensions in that area. This sale will have an opposite effect.

CAPTIVE NATIONS WEEK

Mr. FINO. 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 New York?

There was no objection.

Mr. FINO. Mr. Speaker, Captive Nations Week to me represents a time when we all ought to do a little serious thinking. Close to 100 million people are presently being suppressed behind a barbed-wire line stretching from the Baltic to the Adriatic. What does this mean to those of us sitting safely here today?

Beyond that frontier of falsehood known as the Iron Curtain dwell people who could tell us many things. If they could speak, they could tell us of block-long queues for bread and potatoes, bleak and state-supervised poverty in lands where the realization of socialism has ostensibly brought untold benefits to the masses. They could tell us that our way of life is infinitely better, but they would no doubt tell us as well that their Communist masters have every intent of beating us to the ground in order to render communism supreme. They would tell us that the drive of communism toward world supremacy is irrevocable, and that peaceful coexistence has as its ultimate intention only the jack-boot enforced quiescence of serfdom.

If the captive nations could speak, they would belie the appeasing utterances of those who would have us believe that communism has taken root in the minds and hearts of the people. To lie still with a bayonet at your throat is not to admit that might makes right.

Let us realize what the captive nations have to say—that we have a fight to the death on our hands. Perhaps our war will be one of economic attrition rather than nuclear—it is to be hoped that this is so—but a fight it will be nevertheless. Our duty is to win—which we cannot do with half-hearted determination.

Perhaps we have grown to complacement with luxury to fully commit our energies to the cause of freedom. If this be true, we do not deserve to carry the banner of freedom. There are others, starving in Eastern European ghettos or shivering in Siberian prison camps, who would wave that flag proudly if they could.

Let us remember the heroes who died in search of freedom lest we forget that our liberties are worth infinite sacrifice. Let us respond to the example of the captive nations with full courage so that we may do them full honor.

THE UN-AMERICANS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WALTER. Mr. Speaker, there was recently published a book titled "The Un-Americans," whose subtitle, describing it as the first fully documented account of the notorious House Committee on Un-American Activities—how their abuse of power is being met by a growing opposition, clearly suggests the scurrilous nature of this publication. It is published in a paperback edition, over 300 pages, priced at 60 cents, by Ballantine Books, Inc., of New York, and is obviously meant to reach as wide an audience as possible.

This publication does not come as a surprise to the House committee. Some months ago we were advised of the preparation made for the compilation of this venomous item, which strikes frantically like a cornered viper. In calling this mendacious volume to the attention of the House, I do so with a degree of reluctance, for I have no desire to swell the coffers of the Communist Party by stimulating its sale. But I must point out an outstanding forensic effort that will long remain unmatched in the left-wing catalog of criminal libel aimed to discredit the Committee on Un-American Activities of which I have the honor to be your chairman.

The release of this volume is reminiscent of similar efforts, still in progress, to discredit the Federal Bureau of Investigation and its famous Director—see "Efforts by Communist Conspiracy To Discredit the Federal Bureau of Investigation and Its Director," Senate Document No. 23, 86th Congress, 1st session, April 10, 1959, a series of articles documented by Edward J. Mowery, Pulitzer Prize journalist, from the Newark, N.J., Star-Ledger. The Communist program in that respect was likewise a carefully planned and concerted movement, led by the Communists under a front which they called the Emergency Civil Liberties Committee, a group which now masquerades under the front called the National Committee To Abolish the House Committee on Un-American Activities, for the purpose of harassing this committee. Receiving support from apparently diverse sources, the high point of the campaign against the FBI was reached on May 4, 1958, when the Canadian-born industrialist, Cyrus Eaton, in a telecast sponsored by the Ford Foundation's Fund for the Republic, delivered a scathing denunciation of the FBI on ABC–TV, which was followed on October 18 by the publication of a special edition of the weekly organ, the Nation, containing a 60-page massive attack on Hoover and the FBI. The purpose was to lay the groundwork to capture or render impotent the FBI when Hoover steps down, and to harass the FBI's investigation of subversion. The attack falsely minimized the Communist designs as a myth, and suggested that the FBI's efforts were incipient fascism, antilabor, and Gestapo.

The suggestions in "The Un-Americans" flow in an identical vein. Here again the Communist program of subversion within the United States is ridiculed as a myth, and the committee is pilloried as a hate group. There is an absurd attempt to link the committee to anti-Semitic, anti-Negro, anti-Catholic, and anti-immigrant prejudices. I need quote only one of many examples from the volume:

HUAC hates the subversive in much the same way that the anti-Semite hates the Jew, the racist hates the Negro, the fundamentalist hates the Catholic, the patrioteer hates the alien. But unlike its frequently frustrated nongovernmental counterparts, HUAC can do something about its hate. It can give direct expression to its hostility by punishing its objective. What tells us most clearly that HUAC is a hate group is the exposure system. Exposure speaks the language of the hate group; it is hate in action.

The personalities of many of HUAC's leaders and staff members are figures in a gallery of hate.

The volume also seeks to minimize the legislative purposes and function of the House committee. The Watkins case is constantly cited but no mention is made of the subsequent decision in the Barenblatt case, which jarred the conspiracy, wherein Mr. Justice Harlan, speaking for the Supreme Court, acknowledged the considerable contribution of this committee to legislation designed to curb subversive activities. Of course the

thrust of the volume, and the Communist purpose is, as in the case of the attack on the FBI, to render this committee impotent or to abolish it, to curb the investigation of subversion, to conceal the operation of the conspiracy, and to forestall the adoption of legislation designed to frustrate Communist subversion.

The author, Frank J. Donner, is discreetly described in the foreword by the publisher as a constitutional lawyer. Nothing more than that. And the reason for such descriptive brevity in this man's background will appear obvious. On February 16, 1959, the Committee on Un-American Activities issued a report titled "Communist Legal Subversion: The Role of the Communist Lawyer." At page 35 thereof, the following appears:

FRANK J. DONNER, NEW YORK

Frank Donner was identified by a number of witnesses before this committee as a member of a Communist cell comprised of lawyers employed by the National Labor Relations Board in Washington, D.C.

Herbert Fuchs, a former Communist who had helped to organize this cell in 1937 and actively participated in it until his transfer from Washington in 1942, testified on December 13, 1955, that Frank Donner was one of the NLRB lawyers who joined his conspiratorial Communist group.

On December 14, 1955, Mortimer Riemer, another former member of the Communist cell in the NLRB, confirmed Fuchs' testimony regarding Frank Donner. Donner was again identified by ex-Communist Harry Cooper on March 1, 1956.

Frank Donner, on June 28, 1956, appeared as a witness before this committee. Although admitting he was employed by the NLRB from 1940 until 1945 in the Litigation Section, he invoked the first and fifth amendments when he was questioned concerning Communist Party membership and affiliations. Mr. Donner was confronted with a U.S. Civil Service Commission questionnaire he had signed on June 2, 1943, while employed by the NLRB. On this official form, he had replied "No" to a question as to whether or not he held membership in a Communist organization. Conceding that the signature was his, Mr. Donner nevertheless invoked the fifth amendment when asked by the committee if he had been truthful in his statement to the U.S. Government.

Frank Donner was recently named general counsel for the United Electrical, Radio and Machine Workers of America. This Communist-controlled union, which was ousted by the CIO in 1950, is a recognized bargaining agent in many of our vital defense industries. The UE in a recent pamphlet described its new counsel as being recognized as one of the foremost authorities on NLRB law. It failed to mention that Donner was publicly identified as being a member of a conspiratorial Communist cell while employed as an attorney at the NLRB in the 1940's.

Frank Donner was one of the principal speakers at the Ninth Annual Convention of the National Lawyers Guild held in February 1949. In 1953 he was elected a voting member of the board of directors at the annual meeting, and chairman of the conference working group of the national conference of the guild to be held in October at the Barbizon Plaza. He was again elected to the board of directors in 1954.

At a dinner sponsored by the American Committee for Protection of Foreign Born on October 11, 1956, one of the lawyers saluted for their work aiding this Communist-controlled organization was Frank Donner.

Donner has on different occasions been engaged as a speaker for the Emergency Civil Liberties Committee, an organization cited as Communist controlled by the Internal Security Subcommittee of the Senate Judiciary Committee. Speaking on such topics as "Informers as a Means of Suppression," and "Informers as Tools," Donner has excoriated all individuals who have been of assistance to congressional committees.

After the above report was printed, Donner was recalled as a witness before this committee on March 11, 1959, in hearings held at Pittsburgh in connection with an investigation of "Problems of Security in Industrial Establishments Holding Defense Contracts." At pages 456–459 of the record the following appears:

Mr. ARENS. Are you now a member of the Communist Party?

Mr. DONNER. No.

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. DONNER. I will answer that question since the last time I testified, and the an-answer is "No." Now, 2 weeks ago you circulated a smear about me that I was a member of a national Communist elite. How dare you come here now and ask me whether I am a member of the Communist Party? Why didn't you think of it then?

Mr. ARENS. Have you ever been a member of the Communist Party?

Mr. DONNER. I incorporate the answer I gave before this committee.

Mr. SCHERER. I ask you to direct the witness to answer the question to get the record straight.

Mr. WILLIS. You are directed to answer the question.

Mr. DONNER. I decline to answer the question prior to the time I answered before, as to the time I answered before in 1956.

I incorporate that answer by reference and my answer now and since then, I deny that I have been a Communist. Now, make the most of it.

* * * * *

Mr. ARENS. Have you ever resigned technical membership in the Communist Party?

Mr. DONNER. You see, that question, as you know, suggests something which is not in evidence so I can't answer it.

Mr. ARENS. I respectfully suggest, Mr. Chairman, the witness be ordered and directed to answer the question or invoke his constitutional privileges.

Mr. DONNER. I can't answer that. I don't invoke my constitutional privileges.

Mr. ARENS. Then I respectfully suggest he be directed to answer that question.

Mr. DONNER. I never resigned and you have no evidence I joined, so there you are.

Mr. SCHERER. We have no evidence that you joined?

Mr. DONNER. Well, oh——

Mr. WILLIS. We have no evidence that——

Mr. DONNER. Let's—you want me to say whether I resigned from the Communist Party. That is like asking me when I stopped beating my wife.

Mr. ARENS. Were Herbert Ruchs and Mortimer Riemer in error when, under oath before this committee, they swore that while they were in the Communist Party they knew you, sir, as a member of that conspiratorial apparatus?

Mr. DONNER. Why don't you say about what time they swore?

Mr. ARENS. Mr. Chairman, I respectfully suggest the witness now be ordered and directed to answer that question.

Mr. DONNER. I incorporate in response to that question the same answer I gave when I testified in Washington about those questions.

Donner acknowledges that he received, in the preparation of the volume, assistance from various sources, most of which are of extremely dubious validity and upon which I will not take time to comment. But I should like to note two sources, namely, the Easton Express, and particularly Bertram Edises to whom the author expresses himself as being under a heavy obligation. Beginning at page 36 of the aforementioned committee report, the following appears:

BERTRAM EDISES, CALIFORNIA

This committee made an investigation of Communist activities in the San Francisco, Calif., area in 1953. At the hearings held on December 3, Bertram Edises was identified as a member of the political affairs committee of the Communist Party by Charles D. Blodgett, a former Communist and former reporter for the Daily People's World. He was again identified on June 19, 1957, by Dr. Jack Patten, another former Communist who recognized the ideological fallacies of the Communist Party line.

Edises has served as a member of the legal staff of the East Bay Civil Rights Congress since its inception. As a matter of fact, it was brought out in sworn testimony that Edises was assigned by the Communist Party to work with the Civil Rights Congress in the East Bay area. In 1947 he was chairman of the organization, and he has also held the positions of general counsel and chief counsel of this Communist-front organization. The CRC retained Edises to represent certain defendants in both State and Federal courts.

The activities of Bertram Edises on behalf of the Communist Party have not been confined to the Civil Rights Congress. In 1944 he was elected as an alternate member of the State committee of the Communist Political Association. In 1950 he was a candidate of the Independent Progressive Party for district attorney of Alameda County.

Edises was one of the bay area lawyers who, in a 1949 statement, protested the action of Judge Medina when the judge sentenced a group of defense lawyers for contempt as a result of their conduct in the Smith Act trial of top Communist Party leaders in New York.

An article by Bertram Edises appeared in the summer 1958 edition of the National Lawyers Guild publication, the Lawyers Guild Review, in which Edises again attacked the contempt sentences against the lawyers in the New York Smith Act trial. Entitled "Contempt of Court and the Lawyer: The Unequal Combat," the article classified legal proceedings involving Communist leaders as political trials in which the courts are used for the State's attempted suppression of unpopular opinion. Declaring that such trials have been productive of bad law and bad tempers, Edises asserted that "It is therefore no accident that among the least defensible decisions in contempt cases have been those arising directly or indirectly out of the anti-Communist hysteria."

Some of the other Communist-front organizations supported by Edises are the Washington Committee for Democratic Action, an organization whose alleged purpose was defending civil liberties in general but actually intended to protect Communist subversion from any penalties under the law, and the American League for Peace and Democracy, an organization which was nothing more nor less than a bold advocate of treason. The California Labor School had Edises' services as a teacher. He also supported the Committee for Peaceful Alternatives to the Atlantic Pact, a Communist front which sought to paralyze America's will to resist Communist aggression by idealizing Russia's aims and methods. The Daily People's World, a Communist propaganda organ which, according to the sworn testimony of one of its former reporters, was used for directing the Communist movement and giving

instruction to the fringe of the Communist movement, has had the support and praise of Bertram Edises for many years.

Mr. Speaker, it is not necessary to detain the House to note, or specifically to refute, the countless falsehoods, perversions, and distortions embraced within the pages of Donner's volume. They are found in every page. There would not be time enough remaining in this session to comment upon the author's sins of commission and omission. I simply call your attention to a volume which most perfectly embraces and epitomizes the Communist line and technique in the present energetic program of the Communist Party to discredit a necessary and useful committee of the Congress, a committee however which stands as a formidable obstacle to the forward movement of the Communist conspiracy within our borders. That line: Destroy that which obstructs the course of the conspiracy. The technique: Bury the truth, agitate. The end justifies the means.

For the instruction and guidance of his odious and criminal band, Lenin long ago laid down the doctrine and precepts for Communist propaganda, aimed to destroy—not to enlighten. He said:

> The wording [of our press campaign against our political foe] is calculated to provoke in the reader hatred, disgust, contempt. * * * This wording must really be of such a kind as to provoke the worst notions, the worst suspicions about the adversary; it must sow discord in the ranks * * * and be the opposite of phrasing which would convince and correct.

These precepts have since been slavishly followed by his adherents. Frank J. Donner in his volume most clearly demonstrates the application of these vicious and degraded precepts of Lenin, to which all Communists are bound by the discipline of the party.

I have often stated that the success of the House Committee on Un-American Activities, and the importance of its work and efforts, can be measured in direct ratio to the intensity of the Communist effort to destroy it. This year we may expect to witness the high point of that Communist effort, of which we have been warned both in the resolutions of the last national convention of the Communist Party, and in the program prepared by a serf of that party, Frank Wilkinson, for the Communist front—the National Committee To Abolish the Un-American Activities Committee—which he spearheaded prior to his recent incarceration, and which was organized August 1960. This program was published in the CONGRESSIONAL RECORD for May 3, 1961, page 7239, at the instance of my distinguished colleague, Mr. BRUCE, of Indiana.

The drive to discredit this committee coincides with the present massive peace effort of the world Communist conspiracy, which is designed to weaken American security, to disarm and to destroy us. For we are at a critical stage of world history, with Berlin and Germany at stake and world power at balance. Which way will the scales tip? At a most conservative estimate, the Communist Party within our borders will be expending this year not thousands, but millions of dollars, in its propaganda efforts, in the creation of fronts, paid advertising, and the dissemination of its tainted literature. This estimate may be judged in relation to the last official estimate I have seen of the total amount expended by the Soviet Union and its satellites for propaganda aimed at the non-Communist world. George V. Allen, then Director of the U.S. Information Agency, told the Overseas Press Club on September 23, 1958, that a conservative estimate of the amount expended by the Communists for the year 1957 was between $500 million to $750 million. And we have every indication that the amount for such purposes in subsequent years has steadily increased.

Mr. Speaker, this is modern war—the battle of words, as well as of weapons. Perhaps the issue will be decided in part by the pen and not entirely by the sword. But in this battle, this committee, this Congress, and all true Americans shall use the weapon of truth. The faithless, the evil, the false, the betrayers of our people and of all mankind—the Frank J. Donners, and those in complicity—will, in the end, I am sure, perish in the face of truth and decency.

BUREAU OF LAND MANAGEMENT OBSERVES ANNIVERSARY

Mr. ASPINALL. 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 Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, we, as a people, use anniversaries or birthday occasions as a means of greeting our friends and taking stock of activities.

It is, therefore, with great pleasure that on this day I send best wishes to the Director of the Bureau of Land Management and all my other friends in the Bureau and, at the same time, call to the attention of the House the anniversary of the establishment of the Bureau of Land Management within the Department of the Interior. The Bureau was 15 years old yesterday and, I submit, has taken its place as one of the most important agencies in our Government.

The Committee on Interior and Insular Affairs and its members on both sides of the aisle have had a mutually cooperative working relationship with the Bureau during this 15-year period. This cooperative relationship continues and, Mr. Speaker, as chairman of the committee, I know will continue.

Historically, we should remember that the Bureau of Land Management was created by Reorganization Plan No. 3 of 1946 (60 Stat. 1097, 1100) transmitted to Congress by President Truman on May 16, 1946, with its provisions effective July 16, 1946. The reorganization plan consolidated the General Land Office, which had been established in 1812, with the Grazing Service, created in 1934, in order to center into the new Bureau of Land Management exclusive responsibility under the Secretary of the Interior to administer the vast public domain of the United States.

The five major operations of the Bureau of Land Management indicate the scope of its activities and the wide impact on the economy of our Nation: range management, mineral development—including oil and gas and covering the Outer Continental Shelf as well as dry land areas—surveying, through its cadastral engineering unit, the vast unsurveyed public lands, timber management on the public domain generally as well as the revested Oregon and California Railroad and the reconveyed Coos Bay Wagon Road grant lands, and last, but by no means least, the general management, conservation, and disposition of public lands.

It is therefore with friendship and good wishes that I join in marking this significant date. The Bureau has grown in its first 15 years and has therefore had many growing pains. I am sure that under the supervision of our former colleague, Secretary of the Interior Stewart L. Udall, and the directorship of the former staff consultant to your Committee on Interior and Insular Affairs, Mr. Karl S. Landstrom, the Bureau of Land Management will in the years ahead expand its service to the country through a program of enlightened management of the important natural resources under its jurisdiction.

WATER RESOURCES PLANNING ACT OF 1961

Mr. ASPINALL. 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 Colorado?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I am today introducing legislation which has been designated as the Water Resources Planning Act of 1961. President Kennedy transmitted this legislation to the Congress last Thursday and recommended its enactment. The legislation was developed through the cooperative efforts of the executive and legislative branches of Government and incorporates principles and procedures already included in a number of bills pending in the Congress. The legislation implements the recommendations of the President in his message to the Congress on natural resources.

Mr. Speaker, one of the most important matters facing our Nation in the years ahead is conservation, development, and wise use of our limited water resources. Maximum beneficial use of water rests upon the comprehensive and coordinated planning by both Federal agencies and States. This legislation will encourage and make possible such planning.

Briefly, the legislation provides for establishing a Water Resources Council and river basin commissions and authorizes financial assistance to States for water resources planning. The Water Resources Council would be an interdepartmental group in the executive branch for coordinating river basin plans and for maintaining a continuing study of water supply requirements and management. The first major task of

the Council would be to establish standards for formulating and evaluating water resources projects. The Council would be composed of the Secretary of the Interior, the Secretary of Agriculture, the Secretary of the Army, and the Secretary of Health, Education, and Welfare. Representatives of other departments and agencies would participate in the work of the Council when appropriate. The Chairman of the Council would be designated by the President, and President Kennedy has advised the Congress that he would designate the Secretary of the Interior as the first Chairman.

The regional or river basin commissions authorized by the legislation would prepare and keep up to date comprehensive, integrated, joint plans for Federal, State, and local development of water and related land resources. Existing laws would not be modified or superseded and the construction and operation of works and improvements would continue to be the responsibility of appropriate Federal agencies, States, or local groups.

The authorization of financial assistance to the States would enable them to play a more effective role in planning for the development and conservation of water and related land resources.

Mr. Speaker, I recognize that several other committees, in addition to the Committee on Interior and Insular Affairs, have jurisdiction in the field of planning and developing our water resources, particularly the Committee on Public Works and the Committee on Agriculture. I want to assure these committees that in the consideration of this legislation the Interior and Insular Affairs Committee will cooperate with them to the fullest extent. I will keep these committees advised of our plans for considering the legislation. The Interior and Insular Affairs Committee will welcome their participation and will give full consideration to their views and recommendations.

FIRM STAND, BUT NO PANIC, ON BERLIN

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a newspaper editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, under leave to extend my remarks in the RECORD, I herewith include an editorial which appeared in the July 16, 1961, issue of the East St. Louis, Ill., Sunday Journal. The editorial entitled "Firm Stand, but No Panic, on Berlin," follows:

FIRM STAND, BUT NO PANIC, ON BERLIN

Somewhere between Berlin and Washington the United States and its European allies seem to be getting their wires crossed.

Here at home, the Kennedy administration has ordered yet another review of the $42.7 billion defense appropriation which has just cleared Congress. A callup of our Reserve or National Guard divisions also is being considered. The Air Force is openly seeking more funds for big bombers as a result of the impressive airshow staged recently by the Soviets.

Presumably, President Kennedy is seeking to impress the seriousness of the Berlin crisis upon the American people and also to discourage Soviet Premier Khrushchev from any ideas of forcing a showdown over the divided former German capital.

It may well be that the American people will be aroused to a state of alarm if nothing else. Only a Rip Van Winkle among us can have failed to appreciate the importance of Berlin. That Americans have learned to live with Berlin crises does not mean that they should ignore the latest one, or are unworried about it. But they know that the Russians have provoked crises before, only to back down in one of their periodic gestures for the easing of world tension.

But a partial mobilization of Reserves cannot possibly be of any use in the immediate defense of Berlin and may strike our allies as a move born of panic. There is not yet any panic in Western Europe. Senator HUBERT HUMPHREY, Democrat, of Minnesota, has just returned with the report that Khrushchev, faced with staggering food shortages, "is not ready to go to war over Berlin." Conditions are far from quiet in the Communist East German vassal state, and the latest flareup has merely stepped up the mortal outflow of refugees.

And if anybody should be worried, it is West German Chancellor Konrad Adenauer. But he has just returned from a morale-boosting trip to the beleaguered city to report that panic was gripping East Germany, not West Berlin. He foresees solutions to the problems that look so difficult now, and expects negotiations without surrender of basic Allied rights of access and occupation.

Is this really the time for dramatic military gestures on the part of our Government, or for hasty major reviews of defense policies just after the Pentagon's appropriation has gone through a long congressional review?

If changes are needed, they can and should be ordered, but there is no need, for example, to put the B–70 bomber program on a crash basis just because of the impending Berlin crisis. It wouldn't be ready for a couple of years anyway.

The country is prepared to meet a Berlin showdown, which few responsible officials foresee in any event. By being prepared, a crisis can be forestalled. Pushing the panic button does not reassure the country or our allies. Doing so makes it appear as if the administration doesn't trust the American people to respond to a genuine alarm. And who could blame them, if they are subjected first to a series of false alarms when nobody has seen even a wisp of smoke as yet.

HERE'S HELP FOR SMALLER COMMUNITIES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] 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. PATMAN. Mr. Speaker, I believe it goes without saying that most Members of the House have small towns in their districts. With that in mind, I know they are particularly interested in the Housing Act's community facilities provisions, which were designed especially to help improve the economic structures of our smaller communities.

The law increased the public facility loan fund from $150 million to $500 million. It provides for loans to communities up to 50,000 population with special priority for those of less than 10,000. Interest rates were reduced from 4 to 3½ percent under a formula which reflects the cost of money to the Government.

For 20 years or more, construction of public facilities in our smaller communities has not kept pace with growth. The problem has been worsened by gradual deterioration. It is true that these smaller communities lacked funds resulting from inadequate tax bases and/or the inability to form an adequate tax structure to provide necessary facilities.

This has been particularly true of water and sewer systems. While many types of community facilities are urgently needed, water and sewage are first on the problem list of smaller communities. Many communities now face dangerous levels of water pollution and periodic water shortages.

STREETS AND PARKS, TOO

Now 40-year loans are available to help remedy these problems. In addition to water and sewer systems, these low interest-bearing loans are available for such community facilities as streets, street paving, street lighting, parks—everything except schools. And the loans preclude the necessity for floating a bond issue—probably at higher rates—for desirable and urgent community improvements.

This is a big step forward to help improve the community life of our smaller cities and towns. It also will help provide employment where that is a problem, and the loans are available to cities up to 150,000, if such a city has been designated as a depressed area under the Area Redevelopment Act.

Finally, undertaking community improvement through improved community facilities will help attract new industry to the area. Industries will no longer move into areas which do not provide adequate community facilities and services. An adequate supply of water with a modern water system is one of the top criteria, but industries take into consideration all other community facilities, too.

This section of the law is vital to smaller communities struggling to bolster their economies. I hope all Members who have smaller towns in their districts will bring it to the attention of the public officials in those localities.

THE ELECTRON MICROSCOPE: A SYMBOL OF MODERN SCIENCE

Mr. CAHILL. Mr. Speaker, I have taken the floor of the House today to bring to the attention of the Members of the House of Representatives and of the American people the true facts concerning the passage of H.R. 3385.

This bill, which was passed in this House on June 19, 1961, would permit the duty-free importation of electron microscopes for use by nonprofit educational or scientific organizations. Those of us who were on the floor or read the CONGRESSIONAL RECORD for that day will

recall the colloquy between the gentleman from Iowa [Mr. GROSS] and the gentleman from Texas [Mr. IKARD] which, in my judgment, was responsible for the passage of this bill. Through this discussion it was made apparent to every Member of this House that no American manufacturer could produce an electron microscope suitable for proper cancer and other important health research.

I am now reliably informed that the fact is that the Radio Corp. of America has been and is now producing an electron microscope at least equal if not superior to any such microscope made in any part of the world. I would therefore call to the attention of this Congress that the elimination of the only American manufacturer of this instrument which would be the effect of this bill, would make the United States wholly dependent upon foreign sources of supply for an instrument which is critically important to national health and security. During World War II electron microscopes were designated as a strategic item for security. Today they are in wide use in numerous fields which are essential to America's defense program. Chief among these uses are those for solid-state devices, metals, and refractories in connection with the space program and in the study of radiation damage in connection with the nuclear research program. In addition RCA maintains laboratories, scientists, and instructors, for training purposes in this field. It is presently training approximately 150 outside scientists a year in its laboratories for work as microscopists in defense, biological, and medical research. Further, top research scientists from defense and research centers throughout the United States are constantly calling on RCA for assistance and advice. The RCA laboratories and the RCA organization constitute the only source of such facilities and know-how in the United States. A very clear and enlightening exposition of the development and research which RCA has performed in this field together with a description of the microscope and some of its many uses is contained in an article entitled "The Electron Microscope: A Symbol of Modern Science," which was published in Scientific Instruments News for February 1961. A copy of this article is hereby submitted and a request made to insert the entire article in the CONGRESSIONAL RECORD.

In the health field, the electron microscope is being widely used in research in the fields of cancer and virus diseases.

RCA has been supplying the needs of science in America for electron microscopes since 1939. Among the prominent institutions and laboratories presently utilizing RCA's electron microscopes in medical, biological, and defense research are Massachusetts Institute of Technology, National Institutes of Health, Argonne National Laboratories, Oak Ridge National Laboratories, and Harvard University. The elimination of RCA as a source of supply would mean that American users would be entirely dependent upon foreign manufacturers. It is not believed that the foreign manufacturers of electron microscopes are presently able to supply the world requirements for this instrument.

On the floor of the House it was stated that "the electron microscopes manufactured in the United States do not have a sufficiently large specimen chamber to permit the performance of certain experiments which are essential in the cancer or research and educational program."

RCA's electron microscope has a specimen chamber which is at least twice as large as the specimen chamber in the electron microscopes of any other manufacturer in the world. RCA's electron microscopes are used extensively in the field of cancer research. They have had a greater acceptance in this field than any other electron microscope.

It was also stated with reference to electron microscopes of foreign manufacturers "that foreign microscopes such as these have a double condenser lens which is still in the developmental and experimental stage in the United States."

RCA developed the first double condenser lens in the world, and its instruments are presently being supplied with double condenser lenses. RCA's present double condenser lens is the most advanced and reliable in the world.

Other statements made in support of the bill implied that there are certain important functions which can be performed by electron microscopes of foreign manufacturers which cannot be performed by those of American manufacture and that, therefore, scientists in the United States should be free to choose such of these performance features as they require. A wide variety of functions together with the optional features offered with the RCA electron microscope will permit the performance of any type of microscopic research with complete freedom. Dr. C. E. Hall has recently stated:

> Microscopes of American manufacture are being produced which are the scientific equivalent of any electron microscopes manufactured abroad.

Dr. Hall, who is an associate professor of biophysics at Massachusetts Institute of Technology, has been active in the electron microscope field for over 24 years, has published numerous papers on every aspect of the subject, and is recognized as one of the foremost authorities in this field in the world.

RCA is presently conducting research aimed at still further improvement of electron microscopes, which should result in more advanced and more useful instruments. It should also be emphasized that RCA's research program constitutes the major means by which the United States can keep abreast of advancing technology in this field.

On the floor of the House a statement was made to the effect that only about 25 or 30 electron microscopes of foreign manufacturers will be brought into this country if H.R. 3385 becomes law. It should be pointed out that at least 50 such microscopes were imported into the United States during 1960, subject to existing tariffs with only a few exceptions. This fact clearly indicates that the electron microscopes of foreign manufacturers are not precluded from the U.S. market under the present tariff laws and, consequently, that such microscopes are presently available to anyone in this country who might wish to purchase one.

In summary, the above review demonstrates that the subject bill was passed on the basis of a lack of complete information. It further demonstrates that if this bill becomes law and RCA is compelled to discontinue its broad program in the electron microscope field, the United States will be deprived of a domestic source of supply for instruments which are presently being utilized in many important research projects involving this country's health, progress, and national defense.

THE ELECTRON MICROSCOPE: A SYMBOL OF MODERN SCIENCE

(By Dr. J. H. Reisner, scientific instruments engineering, industrial controls engineering, IEP, Camden, N.J., Radio Corp. of America)

(NOTE.—The electron microscope is one of modern science's most important tools. This revolutionary scientific instrument characterizes technical advances in which fundamental science and specialized technologies are crystallized into a specific new system in a relatively short time. This, the 20th anniversary of the delivery of the first commercial electron microscope by RCA, affords an opportunity to review its development and growth.)

Typical of the wide usefulness of the physical instruments developed through the medium of electronics, the electron microscope has become an invaluable aid in modern chemistry, has revolutionized biology, and is opening up new areas in metallurgy. Every branch of science has felt its influence.

To RCA it represents leadership in the art of reducing difficult and complex scientific advances to commercial practice; for in the electron microscope, a room full of complex optical apparatus, high-voltage supplies, electronic regulators, photographic apparatus, and vacuum systems is integrated into a conveniently small unit that can be operated reliably with no knowledge of its circuitry and components.

HISTORICAL EVOLUTION

It is only 35 years since it was realized that the mechanical analog of the simple physical light lens is a charged particle moving near the axis of a solenoidal magnetic field. Consequently, electron-optical instruments were soon built analogous to light optical-lens instruments. The first electron-optical microscope was completed in Germany in 1931 by Knoll and Ruska. During the next decade, electron-optical theory was extensively developed in all areas, although work on electron-microscope instrumentation was largely limited to Germany, where 1938 saw the first announced model.

Late in the thirties, active interest in the electron microscope developed in North America. At the RCA laboratories, then located in Camden, N.J., Dr. V. K. Zworykin created sufficient interest in the electron microscope that a research group was set up to carry out the development under his leadership. During the same period, the department of physics at the University of Toronto, under the leadership of the late Professor Burton, was engaged in developing the first successful electron microscope on the American Continent. Among the members of the Toronto group was Dr. James Hillier, who was invited to work on the RCA program, which he joined in January 1940. In remarkably short time this group, of which Arthur Vance was an important member, produced the revolutionary type EMB microscope, and on December 20, 1940, the first

commercial model went to American Cyanamid.

Since then, well over 100 man-years of research and engineering time have been invested to extend the use of the electron microscope, while constantly improving it, until today almost 1,000 instruments have been produced in 7 basic models. The family tree of RCA microscopes shows the evolution of engineering thought, which was hastened by the rapid development of the field of electronics and of structural materials—plastics and ceramics, particularly—which continually placed new creative opportunities in the hands of the microscope engineers. Design and production of complex instrumentation such as the electron microscope is particularly suited to an industrial organization like RCA where very wide experience is actively available. Much of the success of the venture, therefore, must be attributed to the nature of the organization in which it grew.

It was recognized from the very beginning that it would not be sufficient to create an excellent new scientific instrument with great potentialities; it was also necessary to gain its acceptance by scientists at a sufficiently rapid rate that it could be produced in relatively large numbers and be sold at an attractively low price. In view of the radical innovation represented by the electron microscope, this task was not easy. An important step to gain the desired end was the creation of an RCA Research Fellowship of the National Research Council for the specific purpose of developing techniques of applying the electron microscope in research problems in the biological field. Dr. Thomas F. Anderson, as the first RCA research fellow, cooperating with other scientists, visiting the Camden laboratory, did much to demonstrate the worth of the instrument in many different areas of research. The policy of close cooperation with research scientists was continued and extended when the research activities were transferred to Princeton and has been emphasized ever since.

A second step, which served the same objective, was the publication in 1945 of a book, "Electron Optics and the Electron Microscope," giving a detailed account of the principles of the instrument, of techniques of operation, and specimen preparation, and of results which had been obtained with it. A group effort of Zworykin, Morton, Ramberg, Hillier, and Vance, the book became the first comprehensive introduction to the new possibilities created by the electron microscope to many potential users, here and abroad.

BASIC THEORY

Two unique properties of the electron make the high magnification of the microscope useful. The best known property is that of the short effective wavelength of the high-energy electron (0.05 angstroms at 50 kilovolts). The second attribute is the very great brightness of high-energy electron sources. (The electron energy from a hot tungsten filament at 10 kilovolts is 10^5 times more intense than sunlight.) Thus, there is enough energy to produce useful images at 200,000 times magnification with resolving power to require such magnifications. The theoretical resolving power of the microscope is limited to about 2 to 3 angstroms by the necessity of using very low numerical aperture objective lenses to limit spherical aberration. That is to say, if the aperture is too large, resolution is lost because of spherical aberration; and, if too small, diffraction effects in the aperture act as a limit. A practical resolution limit of about 5 to 7 angstroms is applied by the lack of specimen detail of sufficient mass to provide the necessary electron scattering to introduce contrast in the electronic image.

The electron microscope apparatus involves three distinct systems, vacuum, electrical, and optical.

VACUUM SYSTEM

As recently as the late thirties, vacuum systems were limited to the laboratory, and chemists and physicists prided themselves on their mastery of vacuum techniques, using their secret formulas of beeswax and rosin, and apparatus of blown glass. Transforming a room full of temperamental vacuum equipment into a small reliable system with simple operating controls was a major accomplishment in the type EMB.

The electron microscope is evacuated in two steps by two very different types of pumps. The initial step is carried out by a mechanical pump, which compresses the air remaining in the vacuum enclosure until it reaches atmospheric pressure where it can be released into the atmosphere. Such pumps evacuate at speeds of 1 to 2 liters/sec. and operate down to pressures of about 10^{-3} mm. Hg. Since operating pressures of 10^{-4} to 10^{-5} mm. Hg are required, a gaseous diffusion pump is then utilized which not only operates at much lower pressures, but also at much greater speeds—hundreds of liters per second. This diffusion pump operates by trapping gas molecules which enter its throat at random. These wandering molecules are trapped in a circulating mass of oil vapor that is vaporized at the bottom of the pump, and moves to the throat where jets direct it outward and downward. At the walls, the oil vapor is condensed, and the trapped molecules are pumped out of the bottom by the mechanical pump.

Such a phenomenon can proceed only against very low pressures (e.g., 10^{-1} mm. Hg). Therefore, the diffusion pump never works alone, but in conjunction with a mechanical pump. Thus, to evacuate a microscope, it is necessary first to use a mechanical pump alone and then a diffusion pump and a mechanical pump in series. RCA engineering made a real contribution to vacuum technology when it developed a reliable system of high-flow valves that could switch the two types of pumps around at will. A single-crank mechanical control system, replacing the several valve wheels of the EMB, first appeared on the EMU–1 microscope in 1944 and gave way to solenoid-actuated valves in 1947. With the EMU–3 (1954), sequencing of valves in the pump cycle was made automatic and under the control of pressure gages. This series of microscopes is pumped to 5×10^{-2} mm. Hg by the mechanical pump in 70 seconds, at which pressure the valves automatically connect to the diffusion pump. Pressure then drops by two orders to 5×10^{-4} mm. Hg in 20 seconds—a total of 90 seconds from atmospheric to operating pressure.

In addition to advancement in valve systems, techniques of manufacturing vacuum enclosures, sliding seals, rotating seals, flexible couplings, and rapidly demountable vacuum-tight joints have also had revolutionary effects. While the first commercial microscopes were tested for leaks with the ether atomizer and vacuum gage, the present-day production tests for vacuum tightness are made with a helium mass-spectrometer leak locator. The heavy flanges and hexhead bolts, characteristic of early laboratory vacuum equipment have disappeared as gaskets became more accurate and reliable. Now, O-rings with accurate dimensions, controllable durometer, and excellent smoothness, as well as gasket grooves of carefully determined and accurately held depth and smoothness, have eliminated most joint problems.

While reliable vacuum technique made routine use of the microscope feasible, mechanized, and automatic valving systems removed the necessity for any knowledge of vacuum techniques by the operator. The outstanding success of the vacuum system of the electron microscopes was one of the important influences in the rapid growth of the now large and flourishing vacuum industry. Well-known suppliers of vacuum equipment still sell gages and vacuum fittings which are close copies of those used on earlier RCA models.

THE ELECTRICAL SYSTEM

A large percentage of the engineering effort on the electron microscope since the first EMB has been expended on the unglamorous job of pushing back the decimal points. The routine attainment of voltage stabilities of 1 volt in 100,000 volts and current stabilities of 0.0005 percent are perhaps the best examples.

The focal length of a magnetic-electron lens varies directly as the electron accelerating voltage and inversely as the square of the lens-coil current. Thus, focal-length stability, on which resolving power depends, is influenced by voltage and current stability.

Much of the success of the commercial RCA microscopes can be laid to the early refusal to compromise on voltage and current stability. The difficulty of the problem of stabilizing high voltages led other pioneer workers to use electrostatic lenses, which are voltage-independent; however, this solution presents other more-fundamental problems—arc-over and insulation difficulties and, invariably, problems of focal length—which doomed the electrostatic instruments. Time has vindicated the decision of staying with the magnetic lens and solving the difficult problem of voltage stability.

From the first commercial microscope model, the high voltage has been generated by resonating a lins-coil circuit and rectifying the high resonance voltage generated through a doubler or tripler. The output voltage, negative high, is regulated by referencing it through a resistive divider to a standard voltage, and amplifying the error signal so as to have it control the output of the oscillator which excites the lins-coil circuit. For example, a rise in voltage output will initiate a decrease in oscillator power, correcting for the original rise.

No part of the electrical system has been the source of so much engineering entertainment or technical challenge as the high-voltage unit. The principles of operation have not changed over the past 20 years, yet components have modified design philosophy.

The first design reduced the size of the high-voltage section by enclosing it in a tank of dielectric oil. To avoid the problem of a long gun-to-supply cable connection, the supply was mounted in back of the gun. Because truly compact, reliable high-voltage rectifiers did not exist, frequent failures presented serious service problems whose solutions were so elusive and amazing that the early users look back at those "pioneering" times with the nostalgia of early airplane barnstormers. The early users were not unduly dismayed for they were well aware that a minor miracle had been achieved by putting in so small a container the 60-kilovolt supply which only a few years before constituted a room full of equipment. Difficulties with the doubler oil supply led to the design of the tripler in air, which reduced some of the strain on the rectifiers and made the supply immediately accessible for service. A real step forward, this power supply was used in over 400 commercial microscopes. Operating at atmospheric pressure, it would not work reliably at altitudes over 4,500 feet, and even when working at sea level it accumulated enough dust or humidity to cause arc-over without warning; the resounding report that followed was enough to unnerve any operator.

With the appearance of more reliable rectifiers and capacitors, and with the requirements for 100-kilovolt operation, the supply again became a doubler and was returned to an oil tank. This time, however, it was mounted on the floor and connected to the gun through reliable high-voltage cables and connectors. Very few of the components

or materials used in the 1960 EMU-3 high-voltage supply were available when the first EMB proved to be successful.

OPTICAL SYSTEM

The long cylindrical-structure characteristic of every electron microscope is called the column. It houses the electron gun, lenses, specimen, fluorescent screen, and photographic plate, which make up the optical system. It has the important function of providing the vacuum enclosure for the electron beam as it proceeds through the optical elements. The lenses are really the interaction of a solenoidal magnetic field with electrons moving close to the axis of symmetry of the field. In order to make these lenses strong, e.g., to have a 2- to 5-millimeter focal length, the solenoidal field is concentrated by annular magnetic pole pieces so that fields of several thousand gauss are attained.

Magnetic electron lenses present the designer with several interesting properties not directly available in conventional light optical lenses. Focal length is continuously variable merely by the change of lens-energizing current. Electrostatic and magnetic electron lenses may be superimposed, since the lenses are not materials but fields. For the same reason, apertures and specimens may be positioned anywhere in the lenses. Rotation of the electron beam by a magnetic lens provides interesting properties for improving alinement of optical elements, but also provides a form of image distortion. Negative magnetic lenses are impossible, since the field term occurs as a square.

Focusing of images is easily accomplished with a potentiometer to change accelerating voltage or lense current, while the so-called Zoomar lens has been available for many years in the electron microscope to change magnification over wide ranges.

The ability to superimpose electron lenses is utilized to correct the astigmatism inherent in practical microscope objectives. This very important development in instrumentation is one of the milestones of electron microscope progress and resulted from the work of Dr. Hillier and Dr. Edward Ramberg in 1947. The anisotropy in the iron from which pole pieces are machined and the limits of mechanical precision in fabricating the pieces often cause simple magnetic lenses to very astigmatic.

The resolving power of early instruments was severely limited by asymmetric astigmatism, so that it was unwise to guarantee better than 100-angstrom resolving power. An asymetric lens can be considered as the superposition of a cylindrical component on a spherical lens. Hillier and Ramberg superimposed another cylindrical lens of equal strength, but at right angles to the unwanted component. The net result was a corrected lens, in the same manner as an ophthalmological correction. The first correctors were radial iron shim-screws adjusted by a succession of trials. Currently, electrostatic elements are utilized to provide the correcting cylindrical lens, a correction which can be applied while observing the image—thus avoiding the tedious series of trials of earlier days. Actually, the feature of easy adjustability was not the reason for employing the electrostatic correction as much as was the ability to apply automatically the right correction voltages when the instrument was changed from one accelerating voltage setting to another. With the electrostatic cylindrical lens, this became a simple matter of electrical switching.

The optical system, like the vacuum and electrical systems, has undergone simplification of design, but progress has still proceeded in the direction of a net complication of function. In the early instruments, alinement of optical elements was a serious problem, so that auxiliary fluorescent screens were provided at several points along the optical path to facilitate instrumental alinement; when illumination was lost at the final viewing screen, it could be located on the screens closer to the source and returned to the viewing screen. Auxiliary screens are no longer necessary because of better techniques in the design of optics and more accurate control of mechanical tolerances. At the same time, the objective iron pole piece has been greatly complicated. The three pieces which comprised the actual objective pole pieces of the EMB have given way to 68 pieces in the current EMU-3. The twentyfold increase in numbers provides magnetic shims and electrodes for correction of astigmatism, as well as a complex system of inserting, or removing and centering an aperture to improve image contrast.

MICROSCOPY

The art of microscopy has changed far more than the instrument, although art and instrument have reacted strongly with one another. Most of this art is involved in specimen preparation.

Just as the specimen in the light microscope is supported on a microscope slide, so too must the specimen be supported in electron microscopy. But here, the support is an extremely thin film spread across the openings of a 200-mesh screen. The specimen screens are ⅛-inch-diameter disks punched out of electro-deposited copper mesh. The extremely thin film (at most several hundred angstroms thick) is placed on the specimen screen for physical support. The specimen is placed on the thin film and is effectively held suspended in the electron beam; the beam strikes the specimen only in the area of the screen openings.

When high-speed electrons strike matter, they interact with the coulomb field around the individual atoms. As a result of the encounter, they are scattered over a wide range of angles. In thin films, up to 1,000 angstroms thick, they make only one encounter on the average and are said to be singly scattered. Few electrons are actually stopped. In the light microscope, the illumination is absorbed differently over the area of a specimen to cause the corresponding differences in brightness which make up the image. In the electron microscope, the electrons are scattered differently over the area of a specimen. Those electrons scattered out of the optical system never return to their corresponding image points; this gives rise to brightness differences which make up the image. Unfortunately, some of the scattered electrons are scattered only enough so that they cannot return to their image points, but not enough to escape the image area, so that they produce a general background illumination that lowers contrast. Therefore, specimen support membranes are made as thin as possible and apertures put in objective lenses to remove unwanted illumination.

As an example of the effect of specimen techniques on instruments, one can take the limited success of the EMC console microscope introduced in 1945. This instrument utilized a 30-kilovolt beam and had a rather short distance from the gun to the specimen. As a result, specimens were highly heated, and unless they were extremely thin, the 30-kilovolt beam was too scattered and not adequately penetrating. Consequently, such stringent requirements were imposed on specimen preparation that the usefulness of the instrument was limited, and the EMC was discontinued in favor of the higher voltage EMT microscope. Yet, had the modern techniques of producing evaporated-carbon specimen support films and cutting ultrathin specimen sections been known 10 years earlier, the instrument might have been in much greater demand.

The early microscopists and designers were so preoccupied with the highly useful magnification of the electron microscope that the earliest instruments were limited in the low-range magnification. It was not until 1946 that the EMU microscope had its range extended downward from a minimum of 12,000 to 1,200. The preoccupation with high magnification had the unfortunate effect of alienating many biologists and metallurgists for whom the precipitous jump of 10 to 100 times in magnification was a complete separation from all the familiar shapes of cells and crystals which they need for perspective.

Almost simultaneous with the extension of the range of the electron microscope downward to overlap light microscopy was the development of means for producing plastic-film replicas of metallurgical surfaces and, shortly thereafter, means for producing exceedingly thin sections by microtomy.

Requirements for microscopy are continually guiding the development of the instrument. Biologists soon found that the small specimen area of 0.7-millimeter diameter scanned in the early instruments was much smaller than that of a good microtome section; thus, the stage mechanisms (specimen transport) were redesigned to provide a 2-millimeter range. From the sheer complexity of their data biologists need many micrographs, and higher speed of operation became necessary. Film cameras taking up to 40 pictures at a loading were designed, and the time for evacuation of the microscope was made very short.

In metallurgy, the study of thin single crystals shows faults in crystal planes, the occurrence of faults under thermal stress the patterns of growth of one crystal on another, and many other challenging phenomena. These techniques have made it necessary to extend the useful range of direct microscopic magnification upward to 200,000 times. At the same time, a double-condenser system between the gun and specimen has made it possible to reduce the source of electrons illuminating the specimen to less than 2 microns, permitting optical and thermal properties valuable for the new area of research. The rapid development of the microscope has not been solely due to the demands of microscopists or the creativity of the engineers, but an effective effort of both.

THE HUMAN ELEMENT

The evolution of the microscope during the past 20 years has seen scientists employing more and more complex instrumentation, with less and less knowledge of circuit details.

The relationship of the human element to the inanimate components is now a necessary and explicit concern of all mature engineering. It is now obvious that what we call human engineering today was an implicit purpose and a real achievement in the first commercial microscopes. Today, one worries about fatigue and mental attitude of the human operator; in early microscopes, easy accessibility of the controls to a seated operator was the design goal to attain. Considerable success has been achieved by eliminating routine functions and controls and providing automation so that the operator has become efficient and nonfatiguing.

The electron microscope is inherently an instrument requiring considerable maintenance. Contaminants are introduced in the optical and vacuum systems by hot filaments, by sublimation of specimen materials, by evolution of organic vapors from photographic materials and pumping gases, by vacuum greases, and by gaskets. The vacuum system removes lubricants from mechanical systems in the pump. Pumping fluids decompose. Many of the best electrical components must still be classed as not completely reliable. Just as the equipment had to be designed to be run effectively, it had to be designed to be serviced efficiently. Actually, a voltmeter and a small oscilloscope will solve the vast majority of service problems. Built-in vacuum gages are used in vacuum maintenance. The microscope

itself can be used in many ways to test itself: for example, in the measurement of 100-kilovolt and 50-kilovolt high voltages, an electron diffraction pattern from a known crystal such as magnesium oxide can be used to measure voltage to 0.1 percent.

It must be emphasized that the ready availability of intelligent service personnel is one of the conditions which has made the universal use of the electron microscope possible, and an important part of the success of the microscope venture must be credited to the RCA Service Co.

IN SUMMARY

There is more than idealism behind the oft-stated thought that the engineer must interpret his work for the layman. The engineers had to come out of the laboratory and counsel the practicing microscopists. Not a few of the specimen techniques were developed by the engineers themselves. In fact, Dr. Hillier became well known as a microscopist as well as an instrument scientist. RCA engineers continue to be frequent visitors in many of the important laboratories in this country and abroad and to publish original work in journals. The microscope laboratories in Princeton and Camden have played host to hundreds of leading scientists and have trained hundreds of others in microscope techniques.

These outside activities cannot be written off as sheer promotion, although they were that at its best. An example of the personal commitment brought to science is the popular election of four RCA engineers to presidency of the Electron Microscope Society of America.

In short, the RCA electron microscope exemplifies the application of many technical disciplines and a broad range of auxiliary services and individual professional activities—an application fruitful to RCA, to the individuals whose work made it successful, and to the scientific community.

(Dr. J. H. Reisner received his B.S. in mathematics from Davidson College in 1939 and a Ph. D. in physics in 1943 from the University of Virginia. He joined the crystal engineering department of RCA, Camden, upon graduation, doing work in X-ray orientation techniques, instrumentation, and crystal resonators. In 1945, he transferred to the electron microscope group, where he was promoted to leader in 1950. He is currently leader of the Scientific Instruments Engineering Group, which is responsible for electron microscopes, and electron and X-ray diffraction equipment. Dr. Reisner has been actively engaged in all phases of electron-microscope work, from research through design. While his main effort has been in electron optics, he has made significant contributions in vacuum technique, mechanical and electrical design, and magnetics. He is best known for his successful development of permanent magnetic lenses. He has been a frequent contributor of scientific papers and articles and a lecturer for both scientific and lay groups. He is a member of Phi Beta Kappa, Sigma Pi Sigma, Sigma Xi, and the American Physical Society, and is a fellow of the AAAS. He was president of the Electron Microscope Society of America in 1959, and previous to that, a director. He is past president of the Philadelphia Electron Microscope Society, a member of the New York Society of Electron Microscopists, and associate chairman of the International Congress of Electron Microscopy for 1962. A member of the Franklin Institute since 1946, Dr. Reisner now serves on its committee on science and the arts.)

REAFFIRMATION OF THE AMERICAN POSITION ON BERLIN

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Indiana [Mr. ROUSH] is recognized for 10 minutes.

Mr. ROUSH. Mr. Speaker, a few moments ago we heard our distinguished majority leader discuss the captive nations resolution. We were mindful of the fact that although there are many peoples of the world living behind the Iron Curtain, there are also peoples in this world who are living without the Iron Curtain and who are in imminent danger of being included behind the Iron Curtain. I am particularly referring to the people of Berlin.

Mr. Speaker, this Nation's position in Berlin is again being challenged. Our President returned from his meeting with the Soviet leader in Vienna to warn us that we can expect a crisis in Berlin before the end of the year. The statements and actions of the Communists since that time have only underscored the latent danger which he described.

The historic position of the Western Powers concerning Berlin and Germany is quite clear and quite simple. The freedom-loving people and governments of the West seek only to carry out the post-World War II agreements which were designed to reunify the German state, based on her 1937 territorial boundaries and to provide a means for her people to determine their own political destiny.

In those sectors occupied by the three Western Powers, a model of democracy and freedom has been established. In that sector designated for Soviet occupation, a puppet, totalitarian regime has been created, providing neither freedom nor self-determination for the people of this zone.

The German people have clearly demonstrated their desire for freedom. Those in the West have shown by the conduct of their political affairs and by their consistent verbal declarations their obsession for free government. Those in the eastern sector have shown by their continued defection to the West—voting as it were with their feet—their desire for liberty and freedom.

In the face of the clearly demonstrated desire of the Germans for freedom, the Soviet powers have consistently pushed for further domination in Berlin. They continue to present a menace to the security and freedom of West Germany and the whole of the free world by their policies in Berlin.

Their most recent move, announcing their intent to establish a separate peace treaty with their puppet government in the eastern sector, is clearly an abrogation of the freely entered treaty agreements. They seek to take over the whole of Berlin. That is clearly their aim, and the various means they use are merely indirect thrusts toward their final goal.

It is important to the freedom of the world that our Nation demonstrate clearly its determination to uphold its obligations in the international agreements and that it will expect every other nation to honor its own commitments.

President Kennedy has explained our position and reiterated our firm support for the principles of freedom in Berlin, in Germany, and throughout the world. His actions to reunify and reinforce the Western alliance for the crisis which is expected have laid the groundwork upon which he is now preparing to build our moral, diplomatic and military defenses of Berlin.

In this massive effort, the President has called for the support of the American people. In our responsibilities here in the Congress, I believe it is important that we reaffirm our own support of the American position in Berlin and that we reacknowledge our support of the Chief Executive in his administration of that policy.

In that regard, I introduce a resolution putting the Congress on record in support of the historical policy of the Nation in regard to Berlin and in support of the President's actions to carry out those policies.

I include the full text of this resolution at this point in the RECORD.

Whereas the victorious Allied Powers did freely enter into agreements at the end of World War II, the purpose of which was to establish a free and democratic Germany; and

Whereas the reunification of the German nation with the right of self-determined government has been the goal and hope of the freedom-loving nations of the world and of the German people themselves; and

Whereas the people of West Germany and of West Berlin have enjoyed the exercise of democratic rights and free political life and have by their actions and their voice reaffirmed their intention to remain a part of the free world; and

Whereas the rights and freedom of the German people, the unification of the German nation and the right of access and communication by the Western World with their assigned sectors has been threatened by the Soviet Union by the creation of a puppet regime in the sector assigned for her occupation, and by the further threat to sign a separate treaty with East Germany: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

1. The United States reaffirm its belief that all men have certain basic freedoms and that among these is the right to determine who shall govern them and the manner by which they shall be governed and that the United States advocates and will defend the right of all the people of Germany to seek a united Germany through self-determination.

2. The United States shall not accept a unilateral abrogation by the Soviet Union of post-World War II agreements and further that the United States shall stand firmly behind said post-World War II agreements and shall honor and defend such agreements and all of the provisions thereof and shall take whatever measures necessary to assure the guarantees of said agreements.

The need for a greater understanding of the Berlin problem, its background, and its many facets is quite evident as the crisis develops. The Washington Post and Times Herald recently presented a series of articles which provides an accurate analysis of the Berlin situation. I include the articles under the general title of "Berlin, Beleaguered Bastion," which appeared in the Washington Post over the period of June 25 through July 4, at this point in the RECORD.

[From the Washington Post, June 25, 1961]

BELEAGUERED BASTION, NO. 1: THREAT OF WAR IS AGAIN IN THE AIR AS NEW EAST-WEST CRISIS DEVELOPS

(By Chalmers M. Roberts)

"Somber indeed," said Winston Churchill toward the close of World War II, "would be the fortunes of mankind if some awful situation arose between the Western democracies and the Soviet Union."

In the more than 16 years since the end of that war the often uneasy Allies who defeated Hitler's Germany—the Western democracies and the Soviet Union—on numerous occasions have exchanged angry words and military threats. Often war has seemed possible and once, in Korea, the United States was directly involved in war though the Soviet Union fought only through its proxies.

Now once again the threat of war is in the air; once again the focus of conflict is Berlin.

All the world, or at least those in it who pay attention, knows today that a new East-West crisis is developing even as one knows when the leaves begin to fall that the snows cannot be far behind.

Whether this will, indeed, be the most serious crisis since World War II is an unanswerable question today. That would encompass a great deal—not only the Korean war but the long conflict over Indochina of which the current problem in Laos is a latter-day ramification, the close-to-but-not-quite warfare over Quemoy and Matsu, the crises of Suez and Hungary, of course, the years of conflict over Berlin itself including the Soviet blockade of 1948–49.

HISTORY FALSIFIED

A favorite Soviet tactic, indulged in only this past week by Soviet Premier Nikita S. Khrushchev, is the falsification of history. Khrushchev himself in his Thanksgiving Day, 1958, note, which created the last Berlin crisis, blamed the origin of the cold war on the Western democracies.

The signal to begin the worldwide post-war struggle against the Soviet Union, Khrushchev contended, "was given to the United States and to other Western countries by W. Churchill in his notorious Fulton (Mo.) speech in March 1946," the speech in which the British statesman declared that "from Stettin, in the Baltic, to Trieste, in the Adriatic, an Iron Curtain has descended across the Continent" of Europe.

It is the American contention, as put forward in reply to Khrushchev in 1958, that the cold war was first declared by Stalin in a speech on February 9, 1946, in which, in effect, he said the wartime alliance had been a matter of expediency which could no longer continue.

PUBLIC APATHETIC

Because of this long history of East-West conflict, of so many cries of "wolf" after each Soviet demand, millions of Americans, and Europeans as well, now find it difficult to take the new crisis more seriously than all its forerunners. This is especially so as thoughts here and in Western Europe now turn to vacations under the hot summer sun.

After all, hasn't Khurshchev himself talked of signing a peace treaty with Communist East Germany, the apparent take-off point for the critical period of crisis, "at the end of 1961," still many months away?

There is a feeling in the highest levels of the American Government that the public here and in Western Europe today is far too unaware of the new storm clouds. The tone in the Kennedy administration itself is, indeed, somber, but it has not yet been reflected in action in Washington or in alarm around the Nation.

PRESIDENT CONCERNED

President Kennedy is unquestionably deeply concerned. He was quoted last week in Newsweek magazine as saying that "Berlin is no Laos—there isn't much to play with there. Berlin is everything. It could become the worst international crisis since 1945."

Secretary of State Dean Rusk at his last press conference avoided the superlatives to describe the crisis. Others among the new administration's old pros, men who have lived through years of turmoil with the Soviets, tend to accept the Rusk statement that the 1961 Berlin crisis is a continuation of the 1958–59 crisis.

Yet among many of these men one can readily detect a new sense of urgency, a feeling that this one could be it, that this time it may be harder than ever to avoid a conflict of arms over Berlin.

SOVIET IS COCKY

The reasons are not at all obscure. Soviet power, Soviet prestige, Soviet cockiness all have been increasing, relative to American power and prestige. The Cuban fiasco and the American acquiescence in a defeat in Laos both seem to have increased Khrushchev's belief that now is the time to pressure the new American President, to push the world to the brink of war and to see whether the Western democracies can be driven, short of war, to surrender all or part of free West Berlin.

The Soviet tactic always is to begin any new crisis with an uncompromising stand, to demand the whole house and only at the last minute, as a great gesture of concession, to agree to settle for the living and dining rooms and the well-stocked refrigerator.

Khrushchev began his game at Vienna. This summer and fall will surely see more pressures and threats from Moscow as he probes for Western, above all for American, weak points.

No one in the American Government believes Khrushchev actually wants a war. But there is a widespread feeling that he may misjudge the inevitable clamor in the Western World for a negotiated settlement as an invitation to press to the brink, to create a situation in which each side would find itself faced with only the alternatives of war or surrender.

The problem, then, as the Kennedy administration sees it and as Rusk put it last week, is: "Khrushchev must be given every opportunity, and he will be, to avoid a miscalculation." It is not going to be easy and before the day of denouement arrives the decibel count for this latest round in the cold war will surely reach resounding proportions.

[From the Washington Post, June 26, 1961]

BELEAGUERED BASTION, NO. 2: GERMAN ZONES FIXED BY 1944 AGREEMENT

(By Chalmers M. Roberts)

"Germany, within her frontiers as they were on December 31, 1937, will, for the purpose of occupation, be divided into three zones, one of which will be allotted to each of the three powers, and a special Berlin area, which will be under joint occupation by the three powers."

These words in a document signed in wartime London on September 12, 1944, by representatives of the United States, Britain, and the Soviet Union form the rock on which is based Western policy toward the problem of Berlin.

This agreement spelled out the geographic divisions of both Germany itself and of the city of Berlin, which would be occupied by the United States, Britain, and the U.S.S.R. Subsequently a French area was agreed upon in both Germany and in Berlin.

The rights of occupation by the victor over the vanquished are well recognized in history and international law. They end when a peace treaty is agreed upon between victor and vanquished. Today, more than 16 years since the Nazi capitulation, there is no peace treaty between the wartime allies—the Western democracies and the Soviet Union—and Germany. Long ago such treaties were signed with Italy, with the minor European satellites of Hitler and with Japan.

It is on this absence of a peace treaty that Soviet Premier Nikita S. Khrushchev is now waging his Berlin campaign.

The fact is that the zones into which Germany itself was divided by that 1944 agreement have long ago been turned into two rival German states, the free Federal Republic of Germany led by Chancellor Konrad Adenauer, a nation of some 55 million, and the German Democratic Republic, the Soviet puppet state of some 17 million led by Communist robot Walter Ulbricht.

Khrushchev is saying, as he has been saying for some time, that a peace treaty is long overdue, that both the Western democracies and the Soviet Union should sign a peace treaty with both Germanys or, if the West refuses, as it has so long, to do any business with the Ulbricht regime, the U.S.S.R. will sign a peace treaty with East Germany alone and do so by the end of 1961.

It is Khrushchev's contention, as he put it in the memorandum given President Kennedy at the conclusion of their Vienna talks, that "the occupation rights, of course, would discontinue with the conclusion of a German peace treaty, no matter whether it is signed with both German states or only with the German Democratic Republic inside whose territory West Berlin lies."

The Western contention is that any peace treaty is valid only when signed by all the four occupying powers (the United States, Britain, France, and the Soviet Union) and hence any treaty between only the Soviet Union and Communist East Germany cannot affect the Western occupation rights either in regard to West Germany or Berlin.

Furthermore, the West contends, the city of Berlin is not, as Khrushchev claims on or inside the territory of Communist East Germany. It is a thing apart, as proved by the 1944 agreement which created the various sectors of Berlin separately from the creation of the occupation zones of Germany itself.

The argument here is critical because on it depend the rights the West so stoutly defends for its access from free West Germany to free West Berlin. It must never be forgotten that Berlin lies 110 miles inside Communist East Germany, far behind the Iron Curtain, and a mere 30 miles or so from Communist Poland.

Khrushchev is saying that he will sign a treaty with East Germany, that this will end Western occupation rights in West Berlin, that these rights then can only be secured by the West through an agreement with East Germany, which means some form of recognition of that regime. And if the West refuses? Then, says Khrushchev, look out.

At this point Ulbricht takes over the threatening. In a speech last week the East German boss said all Western lines of communication into West Berlin "will be subject to our control" once there is a Soviet-East German treaty.

Ulbricht elaborated with hints that he would demand as his price an end to the use of West Berlin as an escape hatch for thousands of East Germans who each year flee to the West, to the use of West Berlin as a Western intelligence and propaganda center and to the free use of Tempelhof Airfield, which was so vital to the airlift during the blockade and which now is the takeoff point for the refugees.

This situation leaves open almost endless possibilities for the Communists—various forms of harassment designed to wear down and frustrate the West but not quite enough to constitute a casus belli. West Berlin's Mayor Willy Brandt calls this salami tactics.

Some of these tactics have been tried before; some new ones doubtless can be tried this time if the crisis gets hot enough. The point is that Khrushchev seems determined to make the democracies fire the first gun, a tactic designed to place the blame on the West if it should mean war or more likely to so terrify the West on the possibility of war that it will yield to his demands.

[From the Washington Post, June 27, 1961]

BELEAGUERED BASTION, NO. 3: RED THREAT AT BERLIN INDICATES SENSITIVITY TO FREE CITY IRRITANTS

(By Chalmers M. Roberts)

The history of great-power relationships is one of challenge and response. This is true today of the crisis over Berlin.

The problem in any such situation is to find out the other fellow's true objectives as distinguished from his public demands and to discern one's own vital interests as distinguished from those assets, or seeming assets, which can be traded off.

No one in the West can say exactly what Soviet Premier Nikita S. Khrushchev is really after in his current attack on free West Berlin. Of course, he would like to have the city, lock, stock and barrel, but it is hard to believe that he is not realist enough to know that to try for it by overt force would mean world war III, a war he himself has said would bring vast destruction to both sides.

For Berlin today is two things: It is the home of nearly 2½ million free men and women, a population equal or greater than that of perhaps a quarter of all the countries which now belong to the United Nations; Berlin also is the symbol of Western, above all of American, prestige.

In his attack on West Berlin, then, Khrushchev is striking not only at Berlin, the Western showcase deep inside the Iron Curtain, the "bone in my throat," as the Soviet boss has put it. He also is striking at the prestige of the United States and of its new leader, President Kennedy.

A reading of Khrushchev's recent speeches and of his memorandum given President Kennedy at Vienna reveals a sensitiveness on a number of points. The recent speech of his East German puppet leader, Walter Ulbricht, shows others.

To take the latter first, there is a Communist sensitiveness on the use of West Berlin as a refugee escape hatch, as the site of Rias (radio in the American sector) as a Western propaganda medium, as a center of Western intelligence and sabotage.

There long has been a Western theory that Ulbricht has been pushing Khrushchev to force the West out of West Berlin to eliminate these irritants. East Germany in the past 16 years has lost more than 3 million of its inhabitants in flight to West Germany. It probably never can be a viable state politically, even to the extent of the other East European satellites, as long as West Berlin remains truly free.

Khrushchev's problem, simply stated, is to make the East Germans accept their Communist prison as have their neighbors, the Poles and the Czechs, in varying degrees. He has not forgotten the 1953 East Berlin uprising when citizens of his paradise hurled paving blocks at Soviet tanks.

On the theory involved here the West in 1959 proposed at a foreign ministers' conference to enter into an interim agreement under which it would exchange a new guarantee of free access for a cut in the Western military force in West Berlin and a restraint on the intelligence and propaganda activities there. But Khrushchev would not buy this offer.

In his latest remarks Khrushchev seems to stress two other points: Western recognition of East Germany's existence as a nation and Western acceptance for all times, by treaty, of the Oder-Neisse line which is today's boundary between East Germany and Poland.

WESTERN POSITION

The Western position is that the democracies cannot be a party to any formal recognition of division of Germany because that denies the basic right of free choice—and to recognize East Germany's existence as a nation would be to put a Western stamp of approval on the division of Germany. On top of this, of course, is the political fact that to do so would raise a storm in West Germany where the leaders of both political parties are solemnly pledged to the aim of German reunification.

As far as West Berlin itself is concerned, the view here is that the first line of defense of that city is the courage and morale of its people. The presence of allied troops is an earnest which cannot be removed. A substitution of United Nations personnel would not be such an earnest, especially in light of Khrushchev's demand that the U.N. from now on must be subject in all of its executive acts to a Soviet veto.

Faith, the faith of the West Berliners in the West as their protector is hard to measure. They were magnificent during the blockade months. But once on a slippery slope, created by too many concessions or the fear of them, they could begin to flee. One must face the fact that Berlin could become a shell without the Communists striking a blow.

The border question, perhaps, is something else again. Walter Lippmann has reported that Khrushchev told him earlier this year he wanted a peace treaty in order to nail down Germany's frontiers before West Germany obtains nuclear weapons of its own.

Western policy on the Oder-Neisse line has been that this frontier, provisionally set by Mr. Truman, Attlee, and Stalin at Potsdam, is subject to change at a German peace conference, when and if there is such a conference.

PROBLEM FOR WEST

The fact, however, is that the Oder-Neisse line is probably here to stay as much as anything in this unstable world. The West has no intentions of going to war over it, French President Charles de Gaulle has publicly accepted it and the West Germans, though they refuse to accept it publicly, more and more have come to accept it privately.

The problem for the West is to determine which of all these possible objectives is the real one for Khrushchev and then to determine whether he is willing to pay for anything with a meaningful guarantee of free access to West Berlin.

Involved, too, is a problem of tactics, of how to play it, of when to offer to negotiate and of what to offer in exchange for what. It is this problem which currently is under detailed discussion by the United States, Britain, France, West Germany and their associates in the North Atlantic Treaty Organization.

There is also another way of looking at the Berlin problem, one which is given a good deal of credence by some Western diplomats.

Khrushchev, they argue, is out on a limb in his demands for West Berlin and, as one of them recently put it, "we've got to help him get off." But this theory, too, leads to a search for negotiable points for it is evident that no democratic nation, certainly no alliance of democracies, can take a sit-tight, we-won't-negotiate posture before the world over such a crisis issue as Berlin.

[From the Washington Post, June 28, 1961]

BELEAGUERED BASTION, NO. 4: VEILED BID FOR BERLIN SEEN IN K. MEMO

(By Flora Lewis)

BONN.—Nikita Khrushchev has been speaking loudly on Berlin, and he has been waving a big stick—the threat of war. At first look, he has nothing to offer the West in any negotiations on Berlin and Germany but the starkest test of wills.

But a more careful study of the memorandum he gave President Kennedy in Vienna and of his television speech on his return to Moscow reveals a surprising, half-hidden gleam of an offer. It may be fool's gold, or it may be a serious desire to negotiate out of a dangerous situation that for quite different reasons is as distressing to Moscow as it is to the West. Certainly, a closer look is worth while.

In both the memorandum and the speech, Khrushchev said Moscow considered it necessary to consolidate the immutability of the existing German frontiers.

In the speech, he went a little further, saying "there can be no question of any new changes of borders. We proceed from the premise that the peace treaty with Germany will put a seal on what has already been established by the Potsdam agreement."

After a specific reference to the Oder-Neisse line in this connection, he declares that "there are in general no special Allied commitments with regard to West Berlin. The Allied obligations applied to the entire territory of Germany."

The West, and particularly the West German Government, has taken Khrushchev's references to frontiers to mean the Elbe River border dividing East and West Germany as well as the Oder-Neisse border between Germany and Poland. Certainly, Khrushchev's separate peace treaty plan is aimed at ratifying both lines. But he does not actually say that Russia attaches equal importance to both.

It is just as possible to read his words on immutable frontiers as a reference to the Oder-Neisse line alone, and therefore a veiled hint that Russia might be prepared to back down on its Berlin demands or at least some of them in return for Western endorsement of the Polish border.

Such a question has not even been put officially among the Western allies. But there is evidence of responsible, if minority, groups of official opinion even in West Germany that would consider it a satisfactory solution for Berlin pending the distant day when some progress might be made on German reunification. Such an accord would preserve Berlin in the meantime without prejudicing the ultimate German hope for unity.

The normal Western reflex reaction to any such idea is that the Russians would not conceivably agree because, in physical fact, they have the upper hand in the Berlin situation. But the reflex is based on how advantageous the Soviet position in Berlin looks to us. Viewed from Moscow in a necessarily different context, it may look quite different.

Three times in 31 months Khrushchev has proclaimed that he cannot possibly wait more than 6 months to get the Berlin issue settled his way. He has waggled his finger fiercely in warning, but he has not once moved it for even a limited first action. It would seem to indicate that he has painted himself in a corner and is finding it hard to get out without admitting defeat.

There are some strange formulations in his Vienna memorandum that can be brushed off as empty words of diplomacy, but they do seem to be addressed to the United States rather than to that vague audience—the uncommitted world—for whom sheer propaganda is prepared.

"The Soviet Government does not aim at prejudicing the interests of the United

States or other powers in Europe." And, at another point, "At present, the Soviet Government sees no better solution of the problem of West Berlin than its conversion into a demilitarized free city."

These formulations are taken out of context. Nonetheless, they are in themselves out of the ordinary. And it is a commonplace of Communist communications to slip vital messages into a camouflaging, even sometimes contradictory, context. Every regular reader of Pravda knows the trick.

If, in fact, Khrushchev has sought under cover of bluster to make a first tentative try for a way out of the Berlin duel without open surrender, what might be his motives?

We cannot know, but there are factual grounds for speculation. Communist sources state flatly that Khrushchev's major preoccupation now is the preparation of the October Congress of the Soviet Communist Party. That is to say, he is preoccupied with the most effective and most successful possible presentation of his brand of leadership to the Communist bloc.

He has taken his stand within the bloc on a policy of negotiation with the West—that in the long run, the world historical aims of communism have more to gain by accommodation with the West now where that is the alternative to conflict than by pressing every local and temporary advantage at the cost of stiffening Western resistance and stimulating Western reaction.

Is it conceivable, then, that he could give up the pressure on Berlin, provided he had something to show for it that he could advertise as a successful negotiation? Is it conceivable that a settlement on the basis of the Potsdam Agreement, which promises eventual German unity and assigns the area east of the Oder-Neisse to Poland pending a peace treaty, would be enough of a success to warrant his abandoning all threats to West Berlin?

There is evidence, though never fully confirmed, of a precedent for such a Soviet policy. According to this evidence, Moscow was trying to get started on a German settlement immediately after Stalin's death and was considering pulling out of East Germany as a means of achieving an East-West relaxation needed for inner political purposes. The attempt foundered before it was really launched because the East German uprising of June 17, 1953, made it obvious that withdrawal would everywhere be registered as defeat.

In 1955, however, the Russians did withdraw from Austria for similar reasons.

There seems no hope now of the Russians pulling out of East Germany—any opportunity that may have existed for that has been missed. But if Khrushchev should be looking for a way out of his self-imposed Berlin impasse, the opportunity for delicately investigating that possibility should not be missed.

[From the Washington Post, June 30, 1961]

BELEAGUERED BASTION, NO. 5: PARIS SHIFTS CONCERN FROM AFRICA TO BERLIN

(By Waverley Root)

PARIS, June 29.—Alarmed by the menacing nature of the Berlin crisis, President Charles de Gaulle has decided that Berlin, not Algeria, must now be considered the dominant element in determining French policy.

That is why he is ready to resort to the desperate expedient of partition in Algeria, which he has said is not desirable and which he has indicated can only be a temporary solution pending, presumably, the complete withdrawal of France from this territory.

He feels it is essential to free France from involvement in north Africa to enable her to turn toward the most dangerous present threat, in Europe itself.

De Gaulle believes the future of France will be at stake before the end of the year, it is said here, not in Algeria, but in Berlin.

There is no elucidation of the reasons for which De Gaulle, who has weathered previous Berlin crises with equanimity, has decided that this one is crucial. But the theory that this is his present motivation was born out by the 20 speeches he made today in 34 stops in his tour of the northeast.

Typical of them was the address at Barle-Duc, where he remarked that the Algerian war was virtually ended, and then went on to say: "France wants above all to recover control of her means, to stop sinking in a hopeless task her efforts, her manpower, and her money."

She wants to recover them from north Africa to use them in Europe.

OTHER MOVES EXPECTED

The withdrawal of manpower from Algeria was officially announced yesterday, when the cabinet approved shifting military units from Algeria to France, one of the explanations given being the necessity for France to fulfill her obligations to NATO—from which she had previously withdrawn a large portion of her pledged contribution to reinforce her army in Algeria.

The 8th Air Squadron in Algeria has received orders to move from Oran to Nancy, in Lorraine, where De Gaulle speaks on Friday. The 5th Armored Division, also in the Oran region, is expected to be moved to France shortly. A second division is likely to follow shortly.

Simultaneously, it seems probable that the airfields of Toul, Etain, and Chaumont will be reopened to the American planes which were withdrawn 2 years ago when De Gaulle subordinated their use by American aviation to French control over nuclear bombs carried by U.S. aircraft.

This possibility was first announced in the United States by Newsweek and though it is not yet officially confirmed here, it seems that the report is accurate.

In a radio interview tonight, Minister of the Interior Roger Frey denied that these troop movements to France were being made because of internal divisions—meaning either to get them out from under the command of possibly dissident army officers in Algeria or to provide extra police force to relieve the overtaxed companies of republican security which are shuttling about the country to repress peasant revolts.

NO TRIUMPH SEEN

This concession to the United States can hardly be considered as a triumph for President Kennedy, resulting from his recent talks with De Gaulle, if one credits an article published today in the well-informed but hardly impartial leftist Weekly Express.

"In spite of the excellent human contact he established with President Kennedy," the Express writes, "General de Gaulle remains extremely skeptical about his chances for making his views prevail concerning the military and political organization of the West. He believes that the Kennedy Administration, for historical reasons, will be a weak administration and that America risks not being able to fulfill her commitments in Europe in case of a crisis. That is why he is more decided than ever to establish a national striking force quickly. Military experts insist that a country like France cannot become an atomic power unless it has the use of a vast, sparsely peopled territory, not too far from the national territory but separate from it. This indispensable area is the Sahara. That is why, for military reasons more than for political reasons, the Evian negotiators have been instructed to be uncompromising about the Sahara."

One clue to the French reasoning which considers this Berlin crisis more alarming than its predecessors might be found in a theory expressed today that the Chinese Communists are backing the East Germans in a tougher policy than the Soviet Union alone would follow, obliging Soviet Premier Nikita S. Khrushchev to outbid Peiping.

[From the Washington Post, July 1, 1961]

BELEAGUERED BASTION, No. 6: EAST GERMAN AIR DECREE IS SEEN AS STAGE 1 OF PRESSURE BUILDUP

(By Murrey Marder)

The knife-sharpening preparations for future "salami tactics" to be used against the allies in West Berlin have begun.

Communist East Germany's formal declaration on Wednesday of its intention to impose restrictions on foreign aircraft, beginning August 1, is more than a footnote to history.

It is regarded here as part of stage 1 of the psychological warfare campaign to put pressure on the West in a calculated advance to a Berlin crisis showdown.

The West, as expected, has countered that the proposed East German air safety regulations cannot affect Western rights to use air corridors to Berlin, which are operated by agreement among the United States, Britain, France, and the Soviet Union.

East Germany did not specifically contend that the new regulations do, or do not, affect planes flying in the three special air corridors, each 20 miles wide. The omission was no oversight. This is part of the grim game.

The Communist squeeze on this corridor traffic will come later, when the time is ripe. It may be the major slice of what West Berlin's Mayor Willy Brandt long ago labeled the "salami tactics"—a slice at a time—which he warned the Communists would use against the West.

The time presumably will be ripe at the end of this year. Soviet Premier Nikita S. Khrushchev has said he will then carry out his threat to sign a separate peace treaty with East Germany, transferring to it the Soviet control over the access rights to West Berlin, which lies 110 miles inside East Germany. While the West has refused to acknowledge any such "unilateral" transfer of the Soviet share of war-won rights in Germany, Khrushchev has said he will do so anyhow.

This East German move against the air traffic was directly telegraphed in advance 2 weeks ago, by East Germany's Communist boss, Walter Ulbricht.

Its purpose is to accomplish two aims, simultaneously:

1. Cut a main Western avenue to West Berlin—the air route that allowed the city to survive during the 1948-49 blockade—by indirect action claimed to be for "air safety" reasons.

2. Cut the heavy flow of refugees from East Berlin and East Germany to West Berlin and West Germany, at the rate of about 4,000 persons a week. The refugees are a punishing drain on East Germany's economy and its world reputation.

This dual stroke has been an obvious potential move since Khrushchev originally launched the second West Berlin crisis in November 1958. It sounds neat and clever—if the Communists get away with it without starting a war—nuclear or any other kind.

The Communists obviously hope they will not have to cut off this slice of salami in a crisis atmosphere, with the risks it entails. This is, initially, pressure on the West to force it to negotiate on Communist terms.

AIR SQUEEZE APPLICATION

As pieced together from what Ulbricht himself has indicated, what the new decree says, and what Communist and Western sources anticipate, this is how the air squeeze would be applied:

The new East German regulations require foreign aircraft, after August 1, to register with an East German air safety center upon entering or leaving national territory. In

addition, all radio-equipped aircraft must obtain permission to over-fly East Germany.

At present, the main surviving element of four-power occupation of Berlin is the air safety center in which the Soviet Union, Britain, France, and the United States are represented. The main airport in West Berlin is Tempelhof. The air route is the only way out for refugees from communism; otherwise they would be seized at ground or water checkpoints by Soviet or East German guards.

If Khrushchev carries out his threat, transferring Soviet access rights to East Germany, the Soviet representative would be pulled out of the four power air safety center. This and other occupation rights would be called void by the Communist bloc.

FRANCE URGES AIRLIFT

East Germany would then try to impose its newly announced air regulations on traffic through the special corridors. The Western Powers, which do not recognize East Germany as a bona fide sovereign nation, presumably would reject this claim. The Allies might then try another military airlift.

France has been urging an airlift as the best means of responding to any threat to the access routes, on the ground that if an Allied plane is shot down by the Communists, it could furnish a clear-cut basis for military retaliation.

It is unlikely, however, that the Communists would oblige by providing anything so clear cut. Many American officials maintain East Germany might choose to let the military planes go through, but concentrate its pressure on the commercial airlines, which handle the bulk of current traffic. At present, there are about 100 West Berlin flights a day in both directions.

Commercial lines would be far less willing to run the risk of making the tricky takeoffs and landings at Templehof—surrounded by residences and other buildings—if the Communists jam radio communications.

"We have no interest in interrupting air traffic," Ulbricht drily told a news conference on June 15. "Why should it be interrupted?

"CITES NOISE, DANGER

"Now suppose, for example, I want to fly to New York; I need the approval of the U.S. Government, don't I? Well, there you are. And in the same way, we want the United States to make an arrangement with us if it wants its aircraft in GDR (German Democratic Republic) territory * * *.

"Think of the West Berliners. Today they are constantly disturbed by the noise of aircraft and they are exposed to the danger—as happened in Munich (West Germany)—of an aircraft crashing into buildings. Can you imagine that it would be possible to maintain air traffic without an orderly air safety service?"

As for "refugees," Ulbricht had his answer to that. "Fugitives" would be treated as fugitives. The "so-called refugee camps in West Berlin must be closed down"; "lawful" citizens could obtain exit permits—if they complied with the regulations.

There are, of course, possible Western countermeasures to the impending air traffic squeeze, if a showdown comes. For one thing, military planes might take over all necessary Western air traffic. But the war of nerves and planning on both sides, East and West, will go on, inexorably, unless meaningful negotiations intervene.

[From the Washington Post, July 2, 1961]

BELEAGUERED BASTION, NO. 7: K. SEEKS TO MAKE A LEGALISM OF BERLIN ISSUE

(By Hans J. Morgenthau)

Premier Khrushchev did not raise the issue of Berlin in November 1958, and again in June 1961, for purposes of propaganda or to meet demands from China or from within the Kremlin. He raised it as a means to the ends of Soviet policy.

As concerns Germany, the Soviet Union pursues three ends: the removal of Berlin as a provocative reminder of Communist weakness, the separation of West Germany from the Western camp, and the stabilization of the territorial status quo.

The main objective of Soviet foreign policy in Europe since World War II has been the stabilization of the western frontiers of the Soviet empire. Stalin conceived of the postwar world as two gigantic spheres of influence controlled by the Soviet Union and the United States, respectively. He viewed the 1945 line of military demarcation which divides Germany as the definitive boundary line between the two spheres.

Stalin made numerous proposals to that effect, both directly and through neutral and satellite diplomats. The United States has consistently refused even to consider such proposals. It has always maintained the provisional character both of the line of military demarcation between East and West and of the eastern boundary of Germany in the form of the Oder-Neisse line. It has been committed to the unification of Germany, which, if achieved on Western terms, would necessarily move the western frontiers of the Soviet empire farther east, at least to the Oder-Neisse line if not beyond.

BERLIN THE SYMBOL

Paradoxical, as it may seem, Khrushchev has called into question the status quo of Berlin because he seeks the stabilization of the territorial status quo of Europe, and the United States is committed to the defense of the status quo of Berlin because it refuses to acknowledge the territorial status quo of Europe as definitive.

The German issue finds its symbolic manifestation in the issue of Berlin, and by raising the latter, Khrushchev has, by implication, raised the former. The Western presence in Berlin—the former capital of a once-united Germany and the potential capital of a reunited Germany—symbolizes the provisional character of the division of Germany. The abandonment of Berlin by the West would symbolize the definitive character of that division.

By raising the issue of Berlin in an acute and threatening form, Khrushchev tries to force the West to recognize what it has refused to recognize for 16 years, i.e., the definitive character of the division of Europe. The issue Khrushchev has raised is, then, the fundamental issue of who shall rule what and whether what is ruled by the Soviet Union now shall be ruled by it in perpetuity, its rule being recognized as legitimate by the West.

This is the issue from which the cold war arose, and which has divided the United States and the Soviet Union ever since. It is the stuff of which hot wars are made as well.

THE RECOGNITION ROUTE

It is in accord with his long-term purpose of stabilizing the territorial status quo that Khrushchev has not raised the Berlin issue directly but, as it were, as a byproduct of recognition of the East German government. It is true that he has told the Western powers, as Stalin did in the form of the Berlin blockade, "Get out." But how does he propose to get them out?

He plans to do it by replacing the occupation statute upon which the Western presence in Berlin rests with a peace treaty with the East German Government. Thus he can tell the Western Powers, "Whatever rights you are going to have in Berlin you must negotiate with the East German Government, to which we are transferring our control over the access to Berlin."

Khrushchev is a much more subtle and ingenious adversary than Stalin was. He tries to make it appear that what is at stake is not the freedom of West Berlin and the freedom of Western access to it, but only a change in the legal title which would leave the substance of the present rights intact. In truth, of course, the freedom of West Berlin—an island in a Red sea—and of the Western access to it derives not from a legal document but from the Western military presence in West Berlin.

West Berlin has remained free because an attack upon its freedom would be tantamount to an attack upon the Western military establishment in West Berlin, and the Western Powers have been able to supply their troops in West Berlin because interference with these supplies would in the long run be impossible without a direct military confrontation. The Soviet Union has been anxious to avoid such a direct military confrontation in Germany and elsewhere and has sought its objectives rather by indirection, especially through the interposition of proxies. The attempt to interpose the East German Government between the Soviet Union and the West is a typical example of that technique.

HIS ACHILLES HEEL

Yet the application of that technique to Germany tends to jeopardize the main goal of Soviet policy: The stabilization of the territorial status quo, especially in the face of West German rearmament. For it raises an issue of the utmost gravity for all concerned: The possibility of a German civil war. Here is, indeed, the Achilles heel of Khrushchev's German policy.

Khrushchev appears to be genuinely afraid of a West German Army, equipped with nuclear weapons, as the instrument of a West German policy which would recognize neither the existence of the East German Government nor the legitimacy of the Oder-Neisse line. For this reason, he wants to bring the issue of the territorial status quo in Europe to a head before the West German Army is equipped with nuclear weapons.

On the other hand, when it comes to the preservation of peace, he trusts the East Germans no more than he does the West Germans, and while he may feel for Chancellor Adenauer a grudging admiration, he can hardly feel for his hapless East German stooges anything else but that contempt to which Stalin used to give vent in unguarded moments.

He cannot but loathe the idea of seeing two German Governments, each ineffectually controlled by its respective allies, oppose each other over undefined frontiers. It is this specter which has made him hesitate to bring the Berlin issue to a head ever since he raised it first in a seemingly preemptory form in November 1958.

Khrushchev, then, is faced with a dilemma: He seeks the stabilization of the territorial status quo in Europe, for he fears the threat to peace stemming from instability in the heart of Europe. Yet the means he has chosen to achieve his end threaten to create an instability much greater and less controllable than the one he tries to remove. This dilemma provides the Western Powers with an opportunity for constructive statesmanship. However, they are handicapped by a dilemma of their own.

AN UNNEGOTIABLE RIGHT

The Western position must rest upon a threefold foundation: The Western right to be in Berlin is not subject to negotiations; the territorial status quo in Europe is not subject to change for the foreseeable future; a shift of West German allegiance from the West to the East is not compatible with Western security.

The Western right to be in Berlin cannot be subject to negotiations because the very willingness to negotiate about it implies a denial of that right. If your neighbor tells you to get out of your house and you reply, "Let's negotiate about it," your very willingness to negotiate implies that you are not

quite sure that you have a right to be where you are. You cannot insist upon your right and make it the subject of debate at the same time.

Yet while the substance of the Western right to be in Berlin is not negotiable, the modalities of that presence indeed are. Since the Western presence in Berlin has been primarily symbolic to begin with, it is susceptible to manipulation as long as its symbolic character remains intact.

That the territorial status quo in Europe cannot be changed in the foreseeable future, that for the time being Germany will remain divided and the Oder-Neisse line will remain its eastern frontier is admitted by all concerned in the privacy of their offices and is loudly proclaimed by Khrushchev. "We proceed from the premise," he said in his June 15 television speech, "that the peace treaty with Germany will put a seal on what has already been established by the Potsdam agreement. Indeed, the Governments of the Western Powers obviously understand, too, how senseless it would be to raise now the question of revising Germany's boundaries. Their representatives have often told us about this during our conversations. A simple operation, it seems—to put a seal on what already exists."

It is at this point that the Western dilemma comes into play.

Khrushchev can afford to say bluntly what the statesmen of the West, those of Germany included, can only whisper among themselves, because, with regard to the German question, the Soviet Union holds an enormous advantage over the West. The Soviet Union has it in its power to unify Germany and move the frontiers of Germany eastward whenever it wishes. It only needs to withdraw its support from the East German government and divide Poland again with Germany for the fifth time in two centuries.

What the Soviet Union would ask of a united and restored Germany in return would not necessarily be its communization, but as a minimum the transfer of its support from the West to the East.

West Germany has joined the Western camp because it mistrusts the ultimate objectives of the Soviet Union and has confidence in the aims and power of the West. If the West were to speak of the frontiers of Germany as Khrushchev has spoken, West Germany would have nothing to choose between East and West in terms of verbal commitments, and in terms of the ability to give West Germany what it wants, the advantage would remain with the Soviet Union.

West Germany would then be tempted to strike a bargain with the Soviet Union and Khrushchev has indeed voiced the expectation that sooner or later this will happen. Thus it is for the sake of the very same prize—the allegiance of West Germany—that Khrushchev wants the West to recognize the territorial status quo in Europe and that the West cannot accede to that demand.

What, then, can the West do? It can do essentially three things.

First, it can try to negotiate over the modalities of its presence in West Berlin with whoever effectively controls the lines of communications. Its aim must be the preservation of the symbolic significance of that presence while not insisting upon its more provocative aspects.

Second, it can try to exploit Khrushchev's dilemma. Mindful of the fact that President de Gaulle has come out in favor of the recognition of the Oder-Neisse line as the permanent eastern frontier of Germany, it can try to contribute to the stabilization to the territorial status quo in Europe without increasing the danger of a German civil war.

Finally, in doing this, the West must try to avoid being caught in its own dilemma. Whatever it contributes to the stabilization of the territorial status quo must be compatible with its verbal commitment to the unification of Germany. It must somehow manage to bridge the gap between what it has so often declared it will do in Germany and what it can do.

It is obvious that these tasks are enormously difficult to achieve and require for their achievement qualities of statesmanship, both daring and wise, which are harder to come by and less certain of popularity in the short run than that verbal bravery which the crowd is ever ready to applaud. However, if those qualities are not forthcoming, the West will be faced with two equally unacceptable choices: retreat, or fight a war on behalf of the freedom of West Berlin which will destroy West Berlin and its freedom as well.

[From the Washington Post, July 3, 1961]

BELEAGURED BASTION, No. 8: MOSCOW PLAYS "SAD SACK" GAME IN BERLIN IN MOVE TO INFLICT DEGRADING BLOW ON WEST

(By Murrey Marder)

During World War II there was a famous cartoon sequence which today symbolizes succinctly the current Soviet posture on negotiating a solution to the Berlin crisis.

In the cartoon strip, a Sad Sack version of an American GI, stooped and flaccid, stumbled around his camp area, eyes fixed on the ground. Periodically, he would bend down, pick up a scrap of paper, then throw it away, saying dejectedly, "That's not it."

This seemingly inane picking up and discarding of pieces of paper continued until the medics grabbed the infantryman, hauled him away, and handed him a medical discharge. Leaping up exuberantly, eyes sparkling, the onetime Sad Sack cried out joyously as he waved the discharge paper: "This is it!"

Something similar is now going on as world politicians, diplomats, and experts (official and nonofficial) try to think out solutions to Soviet demands on West Berlin.

This is undoubtedly what the Soviet Union wants.

It has the West picking up pieces of paper, in effect, and offering them up as possible solutions to satisfy the Soviet demands: de facto recognition by the West of Communist East Germany, which the West maintains is only a Soviet puppet regime; recognition by the West that the present Oder-Neisse border between East Germany and Poland is in fact, a permanent border; new assurance that nuclear weapons will never be supplied to West Germany, and so on.

Unlike the Sad Sack, however, Soviet Premier Nikita S. Khrushchev doesn't throw away any of these pieces of paper. In effect, he pockets them, and to make more offers forthcoming, he says, or implies by silence as each new compromise is suggested, "That's not it."

To expedite the supply of compromises by the West, the Soviet bloc does an effective job of fertilization. This process is underway now.

Various hints are dropped in world capitals, implying that if a certain compromise were to be offered by the Western Powers, it might be just the solution to avoid a showdown by force.

Once smoked out and widely discussed publicly, the possible compromises—even though they do not carry official stamps of approval as formal Western offers—tend to be regarded as available. By the time the Western Powers actually reach the negotiating table, what the West has to offer in give and take bargaining, usually has been, in effect already pocketed by the Soviet Union. As the offers are put on the table, the Soviet Union says, in substance, "That's not it."

It is this kind of squeeze that the United States, Britain, France and West Germany—the four powers most directly concerned—are now trying to avoid. Whether the pattern of the past can be broken however, remains to be seen.

In the 1959 Geneva conference on West Berlin, the Western Powers surrendered a major concession the day before the conference actually began.

The Soviet Union threatened to keep the conference from starting unless the East Germans were brought to the conference table. The West caved in. The East Germans, whom the Western Powers do not recognize, and the West Germans, were put at an adjoining table, "six pencil widths" away from the main table.

This seemingly silly shuffle over tables and chairs was an important psychological victory for the Communist bloc: it provided a slice of recognition for East Germany as a sovereign nation.

WESTERN POWERS YIELD

As the conference proceeded throughout the summer of 1959, the Western Powers put a series of compromises on the table.

They agreed to reduce the number of American, British and French troops in West Berlin; they agreed to limit the weapons supplied to them; they agreed to reduce activities in West Berlin to which the Communists objected. All this was to be in return for a guarantee of Western access to West Berlin, and assurance the rights of the people of West Berlin, as part of an interim arrangement.

The interim was to be 18 months, during which a mixed committee of East and West Germans would try to agree on a solution to the problems of divided Germany. What would happen at the end of 18 months? The Soviet diplomats refused to answer that.

ALLIED HUNCH RIGHT

The Western diplomats suspected what the answer was, and all but the British diplomats privately acknowledged it:

At the end of 18 months, if there was no agreement on the German problem, the Soviet Union would maintain that the war-won rights of the Allies in West Berlin were null and void, and the West would have to negotiate from scratch. Soviet Foreign Minister Andrei Gromyko refused to admit that, however. It was only recently that Soviet Premier Nikita S. Khrushchev acknowledged to Columnist Walter Lippmann that the Western suspicion of where Allied occupation rights to West Berlin would have stood at the end of the 18 months was justified: they would have been nonexistent, in Soviet eyes.

"WHAT IS IT?"

The Communist bloc in other words, went through that entire conference saying to the West: "This is not it." It was only when Khrushchev suddenly got one thing he wanted deeply, the invitation by President Eisenhower to visit the United States, that the sudden reaction came: "This is it!" The Berlin crisis was shelved—for the time being.

Just what is "it" this time around?

Khrushchev has not disclosed that; nor is he likely to do so in the near future.

The Soviet demands are back where they were in November 1958 when Khrushchev initiated the Berlin crisis: conversion of West Berlin into a demilitarized "free city," or unilateral Soviet action declaring the allies World War II rights in the city at an end, by the Soviet signing a separate peace treaty with East Germany. The immediate object is to force the West to negotiate over West Berlin with East Germany.

YOU CAN'T BLAME * * *

The real object, as American officials see it, is a multiple one: to inflict as degrading a blow as possible on Western prestige in the world; to convince the peoples of Communist Eastern Europe that the West recognizes that they are indefinitely tied to the Communist bloc; to bolster the stature of

East Germany; to eliminate the status of West Berlin as a vigorous Western outpost 110 miles inside East Germany; to shake credibility in the 15-nation North Atlantic Alliance as an effective military force, and perhaps to do other damage to the West.

It is extremely unlikely that Khrushchev can pick up enough pieces of paper to satisfy all these ambitions. But if he were posing as a guileless Soviet sad sack, he probably would say, "You can't blame a fellow for trying."

[From the Washington Post, July 4, 1961]

BELEAGUERED BASTION NO. 9: BRITISH RESENT CHARGE OF "SOFTNESS" ON BERLIN

(By Robert E. Baker)

LONDON.—Charges that the British Government is soft in the face of the Berlin crisis would seem to be unfair at this time. Certainly, they are premature.

One Government spokesman contended that the British Government can hardly be fairly accused of being softer or of having differences with the United States over Berlin policy when the United States itself hasn't formulated its own policy.

"We're all in step on Berlin," an authority said, "except we don't know where we're stepping."

He was reflecting the dominant factor of Western political life today—that only President Kennedy can make the final decision on Western strategy against the threats and avowals of Soviet Premier Nikita S. Khrushchev.

In the meantime, the Government here is seriously concerned and harassed over continuing reports, mostly in the American press, alleging British weakness.

Authorities here cry that they are angry, despairing, disillusioned, hurt, astounded, amazed, and aghast at such reports. One official even talks about "sinister influences" which must be at work in Washington, Communists seeking to split Western unity on Berlin.

Dismayed as the Government may be, it nevertheless cannot escape blame for appearing soft on Berlin. For example, on the same day that Secretary of State Dean Rusk was promising allied unity and firmness on Berlin, Chancellor of the Exchequer Selwyn Lloyd was talking about cutting British commitments in Germany because of their high cost.

PUBLIC NOT PREPARED

The Government has done little to prepare public opinion for a Berlin crisis. Recently newspapers here were filled with stories on Berlin. The general theme was to ask the question whether Berlin was worth a war: The general answer was a "No."

Then Prime Minister Harold Macmillan finally made his carefully worded statement on Berlin to the House of Commons, intended as a firm stand, but only a few London papers gave it any prominence and only one, the Communist Daily Worker, considered it page 1 material.

The international editions of the New York Times and the New York Herald Tribune gave Macmillan's statement the lead space. The Times headline reported: "Macmillan Hints at Negotiations on Berlin Issue." The Herald Tribune reported: "Firm U.K. Stand in Berlin Vowed by Macmillan."

This difference in interpretation of Macmillan's speech by top reporters of great newspapers shows how vague the Prime Minister's speech was. Some circles have been unkind enough to refer to him as "Macmillan, M.A.," for master of ambiguity.

Macmillan said the allies will not abandon their obligations in Berlin and Russia must be made to realize that the West cannot countenance proposals inconsistent with the West's obligations.

PREPARED FOR TALKS

Having vowed that, he then said: "If, however, they wish to discuss the issue with us, we are prepared to do so."

Thus the Prime Minister was firm on one hand but still managed to open himself to the traditional critical view of Britain's willingness to compromise, a reputation which, the London Times acknowledged, "has to be lived with."

There is a dispute among Government advisers here over whether the West should offer to negotiate or make no move toward negotiation till the crisis is at hand. A majority of the advisers here appear to support an offer of negotiation.

These advisers believe such an offer important because the West could better choose its own ground now than under duress of a crisis. In addition, the West could show neutral opinion its rightful stand and Russian belligerency in such negotiations.

The British insist that such negotiation would not mean, and must not mean, surrendering the freedom of West Berlin. As one Government spokesman said, somewhat exasperated at American criticism of British propensity to negotiate: "All right, we're willing to die for Berlin but let's negotiate first like civilized human beings."

DIFFERENCE SHOWS UP

One difference in American and British thinking shows up in the problem of the division of Germany. While the United States sticks to a policy of unification of West Germany and East Germany, most British authorities, privately, feel that a divided Germany is not only a fact of life but a rather desirable fact.

Fear of a unified Germany's dominance of Europe is one factor in this thinking. But another is the thought that under no conditions can Russia allow a free unified Germany to border on Poland, for example, where agitation to break from the Communist camp might then grow rampant.

There is also the British feeling, reportedly shared by Macmillan himself, that the forces of history in decades to come will cause the two Germanys to unite. Therefore, the British ask, why cause a ruckus over them now.

Vagueness and ambiguity, which often facilitate charges of British softness, sometimes result from differing points of view expressed by different government spokesmen in Whitehall, from the seeming British love of complexity, and from the psychological effects of Britain's declining power in today's world.

Very often, Britain is pictured here as the civilized and sensible oldtimer trying to bring together those two young muscled hotheads, Russia and the United States.

Indeed, the Communists play on this thinking and just recently satellite representatives here have hinted to Britain that the way still is open for her to make a move to negotiate an end to the Berlin crisis. Such a gesture must sometimes be tempting, to those British feeling their old age, like the grand old dame of the theater who makes those final, farewell appearances.

Mr. ROUSH. 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 Indiana?

There was no objection.

NEWARK'S LIBRARY

Mrs. NORRELL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

Mr. RODINO. Mr. Speaker, at a time when our Nation's library services are being extended at a record pace to citizens throughout our land, the American Library Association demands vigorous, enlightened leadership. Members of the association, recognizing that need, have voted in as their president a man whose talents for leadership and planning are well known to the people of Newark, Mr. James E. Bryan. In an editorial appearing in last Tuesday's paper, the Newark Evening News took notice of this election with appropriate commendatory remarks about our library and its librarian:

Election of James E. Bryan, director of the Newark Public Library, as vice president and president-elect of the American Library Association honors both an outstanding librarian and a great institution.

Newark is proud of its library and of the men and women who have served it. When Mr. Bryan followed John B. Kaiser as director in 1958, he became the fifth in a distinguished line. The late Frank P. Hill, John Cotton Dana, and Beatrice Winser were pioneers in bringing library service to the people. They built the Newark institution to a position of preeminence in the library world and their successors have kept it there.

Newarkers who know their library and use it don't need to be told how fortunate they are. To others who don't this latest national recognition should be a reminder of what they have been missing.

SAVING THE NATION'S CAPITAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Wisconsin [Mr. REUSS], is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, 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. REUSS. Mr. Speaker, Members love our Nation's Capital as a second home. We share with our constituents and with the people of the city of Washington the Capital's genius—magnificent open spaces set in the valleys and forests of the Potomac watershed, where the Nation's governmental business can be carried on in efficiency and beauty.

It is high time that we realize that this noble plan for our Nation's Capital, which has endured for 160 years, is being threatened by the unchecked and unplanned expansion of the Washington area's population.

FIVE MILLION BY THE YEAR 2000

Today the area has a population of 2 million, up from less than 1 million in 1940 and about 1.5 million in 1950. The population experts predict an increase in population to 5 million by the year 2000 if nature is allowed to take its course. All our planning seems to be based on this assumption.

Already we see the signs of what can happen to our Capital if nature is al-

lowed to take its course—if too many people are placed on the terrain which Washington and Jefferson and L'Enfant selected and endowed.

WATER

Our water supply, according to the Corps of Engineers, is about to run dry. There will soon be millions more people here, and each one will have more lawns to sprinkle, more air to condition, more pools to swim in. Therefore, say the engineers, we must build a $100 million water-supply high dam across the Potomac at River Bend, just above Washington. The dam, of course, will flood out the river and its tributaries for 35 miles upstream, bringing backwater and mudflats to the glorious area where Washington and his heirs have enjoyed the river and the canal and the woods and the wildlife.

SEWAGE

Our sanitary systems have broken down. The Potomac has become one large cesspool, clogged with sewage and with the silt from haphazard upstream bulldozing. Subdivisions like Livingston Heights in Virginia live on a sea of raw sewage which keeps bubbling to the surface through its thin seal of soil.

TRAFFIC

Our traffic threatens to strangle us. As every Member knows, much of our day is spent in the bumper-to-bumper horrors of overcrowded highways. And the highway builders are eyeing covetously for destruction the very green spaces which make the city—the banks and islands of the Potomac, Glover Archbold Park, Rock Creek Park.

PLANNING

Our metropolitan planning, despite the valiant efforts of dedicated local planners, is fast losing sight of the reason why we have a Nation's Capital in the first place. A Capital should be a place where the Nation's business can be expeditiously transacted. But what happens to this concept when the Atomic Energy Commission sets itself down 26 miles out at Germantown, the CIA 8 miles out at Langley, the Bureau of Standards 20 miles out at Gaithersburg, and the NSA/NASA 23 miles out at Fort Meade?

A Capital should be a place where citizens may enjoy its history and culture. But what happens to this concept when the water supply runs dry, sewage pollutes the rivers, traffic strangles itself, and the open spaces of the region are lost in suburban sprawl?

If Washington's growth can be slowed, we can solve our problems of water, of sewage, of transportation, of metropolitan planning, without ruining the Nation's Capital. If the metropolitan area's rate of growth in the next 40 years can be slowed to rates which prevailed at earlier periods, before the population explosion of the last two decades, our population in the year 2000 can be closer to 3 million than to 5 million—and the problems of water and sewage and transport and planning will prove manageable.

THE SIX PROPOSITIONS

Here is the thesis which I want to expound:

First. Only by holding down the population growth of metropolitan Washington closer to 3 million than to 5 million by 2000 can we save our heritage of efficient government, natural beauty and good living.

Second. Since the key factor in Washington's future growth is Government, and since the Government can control its own future location, we are uniquely capable of limiting our growth.

Third. We can limit our growth by relocating, now and in the future, to a hundred-odd different locations around the country those nonpolicy making clusters of governmental activity which can as well, or better, be carried on in the hinterland.

Fourth. Relocating relatively high-income Federal employees to these 100-odd cities will help them both economically and culturally—by providing new sources of revenue, and new supporters of art, music, the theater, and the rest of the good things of life.

Fifth. No one now is doing much of anything about such relocating. The various Washington planning agencies are concerned with what goes on in Washington, not with what goes on in the rest of the country. The General Services Administration builds buildings pretty much where each individual Government agency wants them built, and no questions asked. Neither in the White House nor the Congress is there a focal point for the kind of nationwide planning I am talking about.

Sixth. We must stop drifting and start acting. When I have made my case, I shall propose some governmental machinery to get on with the job.

Now let me spell out the six propositions.

1. POPULATION GROWTH, IF UNCHECKED, CAN DESTROY WASHINGTON

What I have said about the future of water, sanitation, traffic, and planning if Washington's population expands indefinitely, should give us pause. If nothing is done, the Washington of the future can become just another formless, sprawling monstrosity, overcrowded, congested, and denuded of green and open spaces.

If Washington lets this happen to itself, the fault will be not in our stars, but in ourselves. As we shall see, it is perfectly possible to limit the future population to a figure closer to 3 million than to 5 million.

If we can control our future population growth, the city and regional planners in organizations like the National Capital Planning Commission, the National Capital Regional Planning Council, and the new National Capital Transportation Agency will have some chance of successfully coping with their problems.

With the task thus made manageable, what can be accomplished?

WITH GROWTH LIMITED, WASHINGTON CAN LIVE

We can develop an adequate water supply without ruining the Potomac—by upstream small dams, by a clear-water pool, or by other means.

We can clean up our pollution, because we will have limited not only the wastes that need to be discharged, but the danger of byproduct algae pollution that can come from the superfilth which our rivers are approaching.

We can solve our traffic problem, by improving freeways, express buses, rail transit, and added parking, without destroying our parks and green spaces and trees in the process.

We can find room in the Government complex of Washington for all needed governmental agencies, without repeating the just-close-enough-to-be-inaccessible folly of a CIA at Langley, an AEC at Germantown, a Bureau of Standards at Gaithersburg, and an NSA–NASA at Fort Meade.

So, you can let Washington sprawl, and ruin it. Or you can control its population growth, and save it. You pay your money, and you take your choice.

2. WASHINGTON IS IN THE FORTUNATE POSITION OF BEING ABLE TO LIMIT ITS GROWTH

Other great cities of the world—London, Tokyo, New York, Chicago, Houston, Los Angeles—also face staggering problems because of their size. But their growth depends largely on the growth of industry and commerce. Short of totalitarian controls, their governing bodies can do little to limit their size.

Washington, on the other hand, directly controls the basic element in its population growth—the Government. How large the Government bulks in the metropolitan area total can be seen from this table:

Estimated employment in Washington metropolitan area, May 1961

Federal Government:	
Military	58,700
Civilian	239,100
Local government	56,800
Manufacturing	35,400
Construction	50,000
Transportation and communication	44,400
Wholesale and retail trade	145,300
Finance, insurance and real estate	41,400
Services (not including household domestics)	137,400
All others (including self-employed persons, household domestic workers, and unpaid family workers)	96,400
Estimated total employment	904,900

As can be seen, governmental employment is what makes Washington go. Direct Federal employment is almost one-third of the total. And governmental employees generate the need for the construction, the transportation, the communication, the trade, the finance, the insurance, the real estate and the other services which make up the bulk of nongovernmental employment in the Washington area.

The tourist industry, the thousand national organizations which have Washington headquarters, the diplomatic and international organizations which cluster here, add to the employment which is caused in the first instance by Washington's being the seat of the Government.

Even manufacturing, which employs 35,400 persons, is quite closely Government-related. The largest manufacturing industry is printing—surely a bureaucratic necessity. And I suspect that many of the 144-odd manufacturing establishments in the electronic and scientific fields are here because they want to be near the source of their orders, usually the Pentagon, and near a lush concentration of scientific employees ripe for raiding.

Thus, Government is plainly the determining factor in both governmental and nongovernmental employment and population in metropolitan Washington. If you thin out Government in the future by relocating some of the increase elsewhere, you will achieve a corresponding limitation in nongovernmental activities.

There are those who point out that Washington area population has continued to grow since 1952 even though Federal employment has slightly declined. These people imply that Federal location policy does not make any difference.

I point out that Federal civilian employment has grown steadily in the last decade to its present total of about 239,000, except for a temporary bulge in the Korean war years of 1951 and 1952. Moreover, this growth is understated because of contract policies initiated by the previous administration. The practice of hiring out scientific research and development work to private firms is in large part responsible for the presence here of some 144 research and manufacturing firms, which have added thousands to private payrolls.

Perhaps most important, the growth in service employment of all kinds is due in part to the fact that Washington has had a relatively low proportion of service industries compared to its basic Government activities. Today, Washington still has a ratio of one service person to one person employed in a basic occupation. In other areas the ratio is as high as two to one. This means that employment in the service industries could multiply even in Federal employment is held relatively stable. I believe this has happened in the recent past, and that it makes a sensible decentralization policy even more important.

3. RELOCATION WOULD MAKE GOVERNMENT MORE EFFICIENT

To save the Capital, therefore, requires some limitation on its future growth. Since Washington is a one-industry town—Government—relocating part of the increase in Government can check population.

But I do not advocate, Mr. Speaker, relocation simply to save Washington. In fact, sensible relocation can add greatly to the economy and efficiency of the Federal Government.

Of course, the headquarters and policymaking portions of the executive branch, as well as all the legislative and central judicial branch, must remain in Washington. I take the floor not to liquidate Washington, but to keep it from strangling itself.

Equally obvious, Washington is now cluttered up, and will be increasingly cluttered up in the years to come, with acres and acres of governmental desks and swivel chairs which could as well, or better, be located elsewhere.

THE HOOVER REPORT

The Commission on Organization of the Executive Branch of the Government, the first Hoover Commission, in its report of May 20, 1949, pointed out that, while economy in administration can often be achieved through centralization, it is also possible to overcentralize, with the result of increasing costs and decreasing efficiency. The Commission (p. 37) stated that its task forces had found "overcentralized operations which are resulting in inefficient and expensive management." The report went on:

> Our task forces also found many instances where headquarters officials in Washington still cling to the power to make decisions even in matters of minor importance. This, too, has resulted in interminable delays in getting things done, has stultified initiative in the field services, and has resulted in decisions being made which have not taken due account of variations in local conditions.

The Commission concluded that further decentralization was needed.

LOCATION NEARER THE JOB

Many agencies would operate more efficiently if the great bulk of their operations—less a Washington headquarters to maintain liaison with the other branches of the Executive and with Congress—were located closer to the area which they are primarily responsible for serving. I think of the Fish and Wildlife Service of the Department of the Interior, pinned down in Washington although most of its activities are located along the Central Flyway; of the Forest Service, on Independence Avenue rather than somewhere near the geographical center of our national forests; of the Soil Conservation Service, under the shadow of the Washington Monument rather than closer to the soil.

The Tennessee Valley Authority operates efficiently with 14,853 employees, 14,848 in the Tennessee Valley and 5 in Washington.

There are hundreds of locations around the Nation with adequate office space, or land on which to build office space, homes, transportation, schools, utilities—whatever is needed to accommodate relocated Washington agencies. In many cases, the cost of living is lower than in Washington, and relocation would produce savings both for Federal employees and for the Government itself.

MODERN COMMUNICATIONS WILL HELP

Moreover, modern methods of communications make a decentralized operation vastly easier than at any time in our national history. Teletypewriters that can transmit messages at speeds up to 120 words a minute, facsimile transmission of pictures and documents, the long distance telephone—all can bring Washington and any section of the Nation as close as Washington and some of the "dispersed" installations such as the National Security Agency at Fort Meade and the Atomic Energy Commission at Germantown.

The General Services Administration has been able to effect substantial economies in the last decade by the bulk leasing of equipment for all three systems. For example, in 1960 GSA, by leasing 95 long distance lines, saved a total of $550,000 over the amount which would have had to be paid by 22 individual agencies.

New developments in communications techniques will make operating at a distance even more efficient. For example, the TVA has its principal offices in Chattanooga, Knoxville, Muscle Shoals, and Washington, D.C. It uses the ordinary kinds of communications facilities, namely, the telephone, the teletypewriter, the telegraph, and facsimile transmission. But in addition, the TVA has installed a shortwave radio system between its principal offices, which permits conferences and consultations so that travel among these points is minimized.

The Douglas Aircraft Corp. has a communications system between Charlotte, N.C., and Santa Monica, Calif., based on the use of telephone lines, which sends and receives coded information on complicated matters such as missile design and specifications. Information, including charts and diagrams, can be coded on punchcards or on magnetic tape, fed into a computer, transmitted directly by telephone, received by a computer and decoded at the other end. This illustrates the possibility of maintaining communications between widely separated locations if the communications are mainly on matters, however complex, which can be coded, transmitted, and decoded.

THE WORLD WAR II EXPERIENCE

We have had some experience with relocation of governmental agencies during World War II. By January 1943, 40 Federal agencies, with 42,000 employees, had been moved out of Washington to 23 different cities throughout the country. For example, the Agricultural Adjustment Administration moved to Columbus; the Agricultural Marketing Administration to Dallas and New Orleans; the Farm Credit Administration to Kansas City, Mo.; the Farm Security Administration to Cincinnati; the Rural Electrification Administration to St. Louis; the Patent Office to Richmond; the Fish and Wildlife Service, National Park Service, and Office of Indian Affairs to Chicago; the Immigration and Naturalization Service to Philadelphia; the Wage and Hour Division to New York; the Navy Bureau of Supplies and Accounts to Cleveland; the Bureau of Internal Revenue to Greensboro, N.C., New York, and Baltimore; the Army Adjutant General's Office to Charlotte and High Point, N.C.; the Army Airways Communications System to Asheville; Finance Office to Atlanta and Los Angeles; Ordnance to Philadelphia; Transportation to Cincinnati; Dependency Benefits to Newark; the Alien Property Custodian to Chicago; the Federal Deposit Insurance Corporation to Chicago; the Bureau of Old Age and Survivors Insurance to San Francisco; the Railroad Retirement Board to Chicago; the Securities and Exchange Commission to Philadelphia; the Veterans' Administration to New York.

The purpose, of course, was to make room for more war-oriented activities in Washington, rather than to check long-term population growth in Washington.

But the experience with relocation was generally favorable. Operations went smoothly, there was space for offices and homes, and living costs were lower than in Washington.

I submit that we would all be better off if the relocation of World War II had been allowed to persist. Deputy Commissioner of Public Buildings R. C. Jennings testified in February 1946 that the agencies operated as efficiently away from the District of Columbia as in it, that the lower cost of living of these decentralized locations was beneficial to the individual employee, and that Washington lacked both office space and housing.

It turned out that many of the agencies simply trickled back to Washington. When the House Committee on Appropriations heard testimony on the Second Deficiency Appropriation Act on February 28, 1946, it was informed, to its surprise, that the Patent Office had smuggled about half of its 907 employees in Richmond back to Washington, and that the Rural Electrification Administration had returned almost all its 835 St. Louis employees to Washington—hearings, pages 69–71.

Congressman TABER of New York asked Deputy Commissioner Jennings—hearings, page 76:

Mr. TABER. Why do we need to bring these people back here now? Washington is so crowded that we don't know what to do. They have to put in new traffic regulations every day to get rid of certain bottlenecks. What sense can there be in dragging more people into Washington? It just does not make sense to me.

And Congressman Ludlow of Indiana—hearings, page 78:

Mr. LUDLOW. What would be your answer if I were to ask you why these activities should not stay where they are? What impelling reason is there that they should come back to Washington?

Mr. JENNINGS. I think, sir, no one could come to you and say it would be advisable to move all of the decentralized activities back but I believe that certain of them—a very limited number—would have to return, either from an administrative standpoint in their own agency, or for some reason that the Congress wanted them in Washington. As to all of those moved away, I am sure it will be a long time before anyone could say that all of them should be returned to Washington.

Mr. LUDLOW. Is there any reason why these activities should be brought here and integrated in with the Central Government? I am speaking now from the administrative standpoint. Is it advantageous to have them here? Does distance hamper efficient administration?

Mr. JENNINGS. Most of the departments that have these activities claim there is a material disadvantage in having them outside of Washington. I know there has been a considerable amount of discussion in connection with moving the Interior Department activities back from Chicago. There has been the space question and we have not had the funds, so we have not been in a position to go further into the matter.

Mr. WIGGLESWORTH. I would think if any of them were to stay out, the Rural Electrification Administration and the Farm Credit Administration are examples of agencies that could well stay out.

Mr. JENNINGS. We do not make any determination as to which agenices are to be returned. As I testified previously these activities were submitted to us as having been approved for return. We did not make the choice. As a matter of fact when we submitted this estimate we were not particularly concerned about individual agencies. It was a matter of so many people returning to Washington from certain locations. It was immaterial with us what agency was concerned.

History is full of examples of great events which come about by accident or inadvertence. The postwar strangulation of Washington seems to be one of them.

4. RELOCATION WOULD HELP AMERICA'S CITIES

Getting a large part of the next generation of Federal employees out of Washington and into 40 or 80 or 100 American cities can help not only Washington, but help the cities.

Economically, the addition of new Federal governmental jobs to a city will mean the same increment in service and allied jobs that it means in Washington. For many communities, this could be a means of evening out economic ups and downs, since Federal employment is far more stable than either manufacturing or construction. New higher-than-average-income taxpayers in a community will help increase its revenues, too.

Culturally, the infusion of several hundred new people of higher-than-average income and education is just what the doctor ordered for cities struggling to support a bookstore, a symphony, a repertory theater, an art gallery, or one of the other cultural aspirations of the modern American city.

Socially, there is much to be said for enabling a larger share of the Federal executive establishment to live next door to the rest of America, rather than in a Washington enclave.

5. THE FEDERAL GOVERNMENT LACKS A POLICY ON RELOCATION

A year ago I asked the Legislative Reference Service of the Library of Congress to determine whether the Government had any decentralization policy. The Legislative Reference Service concluded that—

The Eisenhower administration has not declared, adopted, or acted upon any form of overall policy for or against administrative decentralization (CONGRESSIONAL RECORD, vol. 106, pt. 14, p. 19160).

I have recently updated the survey, and concluded that the present administration, likewise, has no decentralization policy.

There is no one within the executive branch who is at present charged with the responsibility of developing a program of decentralization of Federal agencies. The National Capital Planning Commission has the duty to "prepare, adopt, and amend a comprehensive plan for the National Capital, and make related recommendations to the appropriate developmental agencies." But this confines their planning to the Washington metropolitan area, and regional planning is not enough since the problem is one of slowing down growth in the region. The General Services Administration is charged with the responsibility for purchasing or renting space or land for the executive agencies, and although it is not confined to the Washington area for such space or land acquisition, it does not consider itself responsible for decentralization. It conceives its duty as that of a real estate agent—according to an official in their Office of Planning—and it assumes that each agency is the best judge of its needs and will choose the best location for its offices.

6. WE MUST ACT NOW

Mr. Speaker, I believe that we must act now to do what we can in preparing and putting through a program of decentralization of agencies now located in Washington. Our present problems arising from too rapid growth, and the prospect of even greater problems in the the years to come, cry out for immediate reversal of present attitudes and for planned decentralization. I shall shortly propose a course of action to make sure that our Capital City can be as beautiful and useful in the year 2000 as it is today.

Mr. VANIK. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Speaker, I want to commend the gentleman from Wisconsin on his presentation here. It is a very serious and comprehensive study of the whole problem.

I certainly agree with the gentleman that we should decentralize the work of the Federal Government. It seems to me that the continued concentration of Federal employees in the greater Washington area is ludicrous. Buildings for Federal employees are popping up like mushrooms. The once attractive Virginia and Maryland countryside is giving way to apartments which seem to be built and filled overnight. The main traffic arteries of the greater Washington area are choked to a standstill almost 6 hours every day while employees inch their way to and from their jobs.

As a matter of fact, the overriding fact in the daily life of every Federal employee is whether he can get to or from his home before or after the rush. The average Washington resident who works for the Federal Government spends almost as much time in travel to and from his daily work as he does on the job.

The Federal Government which hires and pays these Federal employees receives such work and energy as is left after the employee overcomes the almost insurmountable handicaps and highway dangers going to and from his job.

There are almost as many people working in the Pentagon, and the payroll is almost as great as the total payroll of the city of Akron, Ohio. Just imagine the impact of this kind of payroll in the several States, and perhaps not as large a payroll involved as some with 10,000 or 15,000 or 20,000 employees. It would change the complexion of almost any State in the Union from one of dull depression to one of relative prosperity.

With the development of adequate air transportation, there is no reason why a great many of the functions of the Government cannot be scattered and distributed around the country. I think these departments would be more efficient. Naturally, their employees would do a better job. I certainly believe that the Federal employee would be more efficient if he did not have to labor under the congestion of the traffic of this Washington area.

More importantly, I want to commend the gentleman for making his point 4, in his analysis. There is a critical economic need for distributing the impact of the Federal payroll to other parts of the country. The Federal taxpayers throughout the length and breadth of the land would contribute to the economic stability of the great America that must live outside of Washington.

In my community of Cleveland, as well as in Detroit nearby, we live by the economic fortunes of the automobile industry, the steel industry, and the machine tool industry. We have our period of employment and we have our great periods of dull unemployment or reduced production in which great bodies of our employees draw unemployment compensation and wait until they are called back to the job.

The presence of a constant, steady payroll of a Federal Government agency would provide a hard core of constant employment which would strengthen the entire economic fabric of such communities as would be the beneficiaries of this decentralization of Federal functions.

The redistribution of Federal employees and their payroll would be a welcome boom to every community. The Federal employees would render better service, and they would live in communities in which they are more welcome.

I certainly want to commend the gentleman for his very thorough and complete study of this matter. I know he has prepared this over a long period of time, and I certainly think it is time this Congress and this administration paid very, very serious attention to the great need for redistributing the Federal employment throughout the country, as was suggested by the gentleman in his major presentation. Again I congratulate the gentleman.

Mr. REUSS. I thank the gentleman from Ohio. He makes with particular potency the point that his city of Cleveland, which he represents with such distinction, like many other American cities, is to a considerable extent oriented toward capital goods, and in the nature of things, it produces cyclical swings in employment which, at the down part of the swing, brings great hardship for his people. This is true of scores and scores of cities around the country. Federal employment is a more regular and less cyclical type of employment than capital goods employment. The gentleman from Ohio speaks very well indeed when he points out that the ups and downs of the employment graph in his city could be markedly ameliorated by a long-term, planned relocation and decentralization of the nonpolicy sector of the Federal establishment.

Mr. VANIK. I would also like to point out there is the matter of civilian defense that comes up. The great concentration of Federal employees in the Washington area is not conducive to facing up to the problem of civil defense. It seems to me that the Government would be more secure if those functions of the Government that could properly be distributed around the country were distributed so that in the event of grave international danger the function of the Government in other fields may be carried on without disturbance. I certainly think this is another factor that ought to be considered in respect to the decentralization of the great Federal bureaucracy.

Mr. REUSS. I am glad the gentleman from Ohio raised the civil defense point. I have not mentioned it in my remarks because I felt that the proposal for relocation and decentralization could stand on its own feet, independently of civil defense. Also, in candor, I did not propose any relocation of the policymaking, strategic functions of the Government. They must, indeed, stay in the Nation's Capital.

It would be true, as the gentleman from Ohio correctly points out, that the decentralization of much of the nonpolicymaking portion of the executive branch would have an important civil defense byproduct effect. In this connection, I would point out that the so-called dispersion which shows the CIA at Langley, the Atomic Energy Commission 26 miles out at Germantown, the Bureau of Standards at Gaithersburg, and the National Security Agency 23 miles out at Fort Meade, is really irrelevant, and a rather sour joke, as far as civil defense is concerned. The unhappy fact is, if Washington, God forbid, is to be a target area for enemy nuclear attack, the dispersed areas will suffer with the central core, according to what we know now, in about equal proportion. So as a dispersion measure, it seems valueless to put Federal agencies 5, 10, 15, or 20 miles out. You make them inaccessible, but equally vulnerable.

Mr. VANIK. As a practical matter, as the gentleman said, these agencies might for all practical purposes be located on Independence or Constitution Avenues as far as civil defense dispersion is concerned.

Mr. REUSS. Yes, and more than that, because we do have close-in agencies occupying valuable office space which might as well, or better, be in San Francisco or Houston or Columbus or Cleveland or Denver or Minneapolis or Milwaukee, or half a hundred other places around the country, we crowd out from Washington agencies which are of strategic importance and probably ought to be nearer the control center.

I make one additional point. Nothing that I have said here this afternoon should in any way be constructed as a criticism of the many fine planners who are now hard at work at the National Capital Planning Commission, the National Capital Regional Planning Council, the new National Transportation Agency, and many of the planning agencies of nearby Maryland and Virginia. They are doing an excellent job against almost insuperable obstacles. I merely suggest that, in order to give them a concept around which to plan for the future, in connection with water, waste disposal, traffic, and green spaces 5 or 10 or 20 or 40 years from now, it behooves the Congress and the executive branch to figure out what it is going to do about the future course of the Federal establishment, and then let the planners know these decisions, so that they can make their plans within that kind of framework.

AUTOMOBILE FINANCING

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. MEADER] is recognized for 30 minutes.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MEADER. Mr. Speaker, the gentleman from Texas [Mr. PATMAN], in a speech on the floor this afternoon, asked, "Why didn't the American bankers and auto dealers testify," concluding his remarks as follows:

> Mr. Speaker, I have asked these questions because I do not know the answers. I wish, sir, I did.

Mr. Speaker, I propose to give the gentleman from Texas the answers to his questions. The gentleman from Texas was referring to the hearings of the Antitrust Subcommittee of the House Committee on the Judiciary on H.R. 71, introduced by the chairman of the committee, the gentleman from New York [Mr. CELLER], the effect of which would be to prevent automobile manufacturers from maintaining finance affiliates. The primary targets appear to be General Motors and General Motors Acceptance Corp.

The gentleman from Texas [Mr. PATMAN] questioned why bankers and why automobile dealers were silent on H.R. 71.

I quote from page 2 of the gentleman's speech under the heading "Nothing From Dealers Either":

> Another group interests me, Mr. Speaker. Where was the testimony from the National Automobile Dealers Association? Here, again, was deathly cold silence. The automobile dealers I know are leading citizens in their communities, and I guess this is general everywhere. It seems incredible that this big organization would not appear before the committee. Since it directly affects the business of every dealer in the country, one would think NADA representatives would have been among the first on the firing line to testify one way or the other. They surely have to be for or against something that directly affects their daily lives. This is a situation where the automobile manufacturer often makes more from the financing and insuring than the dealer does from the sale of an automobile. Could they be influenced? Are the dealers afraid of losing their franchises? What is so attractive about refraining from testifying on legislation with which one is directly concerned? Why were the dealers silent as a tomb?

Mr. Speaker, I am amazed that the gentleman from Texas knew so little about his subject matter. I have in my hand a statement of the National Automobile Dealers Association, presented to the House Committee on the Judiciary on June 30, 1961, in opposition to H.R. 71.

At this point I insert the entire text of that statement in the RECORD.

(The matter referred to follows:)

STATEMENT SUBMITTED BY THE NATIONAL AUTOMOBILE DEALERS ASSOCIATION, TO THE COMMITTEE ON THE JUDICIARY OF THE U.S. HOUSE OF REPRESENTATIVES, IN OPPOSITION TO H.R. 71, JUNE 30, 1961

The National Automobile Dealers Association is comprised of approximately 20,000 retail dealers engaged in selling and servicing new cars and trucks of all makes, domestic and imported. This membership extends into every State of the United States and represents approximately 59 percent of the total number of franchised new car and truck dealers in the country.

Pursuant to action taken by our board of directors at a meeting held this month, the National Automobile Dealers Association wishes to express its opposition to H.R. 71 which, if enacted, would prohibit manufacturers of motor vehicles from (a) financing the sale of their products at wholesale or retail, and (b) issuing insurance of any kind in connection with their products.

From all the testimony submitted, it would seem reasonable to conclude that the supporters of this legislation have as their primary target the divestment of General Motors Acceptance Corp. from the General Motors Corp. According to its supporters, this legislation is badly needed because independent finance companies and banks suffer serious competitive disadvantages as the result of General Motors' ownership of GMAC. It is alleged that independent finance companies and banks are foreclosed from doing business with General Motors dealers since GM dealers are a captive market for their manufacturer's finance company because:

"The GM dealer receives five incomes controlled by GM and its subsidiaries, an exclusive General Motors privilege. They are (1) the markup on the new car, (2) the normal reserve for losses on time sales set up on the books of GMAC, (3) the overage or pack charged to time buyers when the charges reach or approach the maximum set by law, and such overage is then credited to or paid to the dealer by GMAC, (4) the commission paid auto dealers on insurance included and paid for in the time sale contract, (5) the income, so long as the dealer remains a GM dealer, from the repairs and parts replacements under losses under such policies.

"Under the GM mobility of subsidy plan, all these incomes are under GM control and passed on to the dealer from GM or its subsidiaries. With an understanding of this, it becomes clear why GMAC with all its freak advantages of leverage, low money costs, and practically no acquisition cost, permit high charges to the public."

To begin with, the five sources of income referred to above are not "an exclusive General Motors privilege," nor are they "exclusive" with Ford Motor Co. as a result of its reentering the financing business.

Every dealer, regardless of make handled, receives a discount from his particular manufacturer's suggested retail price. Furthermore, no manufacturer controls his dealers' income from the sale of the vehicle. All dealers, regardless of make handled, are completely free to sell their vehicles for a price above, equal to or below their manufacturer's suggested list price. A dealer's income from the sale of his vehicles is controlled solely by what a purchaser might be willing to pay at any given time in a particular market for a particular model.

For the most part, every dealer, and again, regardless of make handled, who sells his retail paper to a bank or finance company (whether independent or factory owned), on a recourse or repurchase basis, has credited to his account by the bank or the finance company a so-called dealer's reserve which is equal to the differential between the dealer's finance charge to the dealer's customer and the finance charge the dealer pays the bank or finance company. The so-called dealer's reserve merely represents the dealer's potential income for services rendered his customer and for acting as a guarantor of his retail customer's contract. The so-called overage or pack payments to dealers referred to by the supporters of this legislation is in fact this differential between the dealer's retail finance charge and the finance charge made to him by his bank or finance company. It should be emphasized that this potential income of the dealer is not a "pack" and there is nothing sinister or illegal about this practice. Overage and dealer reserve is merely potential income to the dealer as a result of a legitimate sale at retail of a commodity obtained by the dealer at wholesale.

The business of business is profit. A retail automobile dealer is entitled to a reasonable profit not only on the sale of the product but also on all the numerous other services rendered customers.

Any dealer who acts as a licensed agent for an insurance company will earn a commission on all the insurance he sells and this is not limited to only General Motors and Ford dealers but applies across the board to all dealer-agents of all insurance companies.

With respect to repairs covered by insurance, the General Motors or Ford dealer is not guaranteed any income from repairs to vehicles covered by insurance issued on such vehicles by GMAC's Motors Insurance Corp. or FMCC's affiliate, the American Road Insurance Co. Owners of vehicles covered by MIC and TARIC insurance are completely free to have their repair work done by any franchised dealer, regardless of make handled, or an independent garage of their choice. In fact, it is not unusual for vehicle owners to obtain settlement of their insurance claims based on bids from franchised dealers, and then they take their vehicles to an independent garage or repairman who, because of low overhead and cheaper labor, will do the repair job for an amount less than the insurance settlement, and the owners then pocket the difference.

Thus, it is abundantly clear that non-GM and non-Ford dealers have available to them, through other sources, the same types of incomes as might be available to GM and Ford dealers.

With respect to the argument that these GM controlled incomes to GM dealers permit high charges to the public, we assume that the supporters of this proposed legislation must be referring to the prices set by General Motors for its products since it is an established fact that GMAC rates to dealers and consumers are consistently equal to, or lower than, those of independent finance companies. The hard competition existing in the automobile industry does not permit even a manufacturer owning a finance company to establish unreasonably high prices, or, for that matter, to establish prices out of line with prices established for comparable products by competing manufacturers who do not own a finance company. Therefore, the fallacy of this contention becomes immediately apparent when it is realized that the prices set by General Motors and Ford Motor Co. for their products are equivalent to, or less than, the prices established by the other automobile manufacturers for their comparable products.

With respect to the argument advanced by supporters of this legislation that GMAC operates in a noncompetitive, captive market because GM dealers are expected, if not actually coerced, to channel all, or a massive majority, of their time sales contracts to GMAC, this contention is not in accord with the facts as we know them today.

According to our best information, General Motors dealers are not coerced to do business with GMAC. Our GM dealer-members tell us they are completely free to do their own financing or to do their wholesale and retail financing with any bank, finance company, or other institution of their choice. If the GM dealer can obtain a better rate from an independent finance company or bank, he is free to give all or any part of his business (wholesale as well as retail) to such company or bank. This is also true with respect to Ford dealers and Ford Motor Credit Co.

It is the desire of the National Automobile Dealers Association to preserve to all motor vehicle manufacturers the freedom to engage ethically in any business that would promote and further the welfare and interests of the retail automobile dealer and the public he serves.

The necessity of a healthy retail automotive industry to the economic well-being of our country is indisputable, and there is universal recognition of its essential role. Furthermore, we do not believe that anyone would dispute the fact that the retail automotive industry has been, and still is, in a depressed state. Last year the industry lost 2,500 dealers; nearly 300 dealers failed; 22 percent of dealers operated at a loss; and average operating profit before taxes as a percentage of total sales was 0.5 percent for the franchised dealer. In the first quarter of this year, nearly 40 percent of all franchised dealers operated at a loss; and the combined operating results before taxes for all franchised dealers averaged out to a loss of 0.2 percent on total sales.

If the retail automobile dealer is to survive, he requires adequate low-cost financing of (1) the retail sales of his automobiles to the public; (2) the cars he buys from his manufacturer; and (3) capital loans which are necessary from time to time to meet his ordinary operational needs.

The unwillingness on the part of banks and other financial institutions to provide these necessary funds, under terms and conditions which the small dealer businessman can afford, gave rise in the first instance to GMAC. Generally speaking, banks still refuse to provide dealers with adequate low-cost wholesale financing because they apparently do not consider the return to be commensurate with the risks involved. Dealers also encounter difficulty in obtaining necessary capital loans from banks because of their inability to furnish collateral satisfactory to the banks to guarantee such loans. Likewise, there is a reluctance on the part of many independent finance companies to provide a wholesale financing service because they do not feel that the low wholesale rates required by the dealer compensate them for the costs of money risks taken and the expense of operation. Also, many independent finance companies are not in the position to provide capital loans to dealers because they do not have the required capital necessary to make such loans at low rates over an extended period of time. GMAC, on the other hand, has proved its ability to provide General Motors dealers with adequate low-cost financing in each of these areas—and to do so profitably.

As we understand their testimony, those independent finance companies which support this proposed legislation do not do so on the ground that its enactment would establish more competition that would lead to more and better services at lower rates.

Instead, they are apparently inviting the enactment of H.R. 71 on the theory that the divorcement of GMAC from General Motors and FMCC from Ford would result in GMAC and FMCC being forced to compete and do business at increased rates. To enact a law that would create competition of a type that would lead to an increase rather than a decrease in the cost of a product or a service to the consumer would, on its face, seem to be in derogation of public interest.

Furthermore, any increase in financing costs would have to be either absorbed by the dealer or passed on to the consumer. As previously pointed out, the dealer is struggling for his very survival and would find it impossible to absorb such additional costs, and the consumer has indicated his definite resistance to higher costs of automobile acquisition as reflected by the unfavorable automobile market over the past 2 years.

The plain truth of the matter is that the existence of a GM owned and controlled GMAC has not prohibited banks and finance companies from entering and competing successfully and profitably for the business of automobile financing, and this is supported by the fact that there are more than 7,300 finance companies and banks competing in this field.

We are of the firm conviction that GMAC has maintained its business with General Motors dealers due to the fact that in most instances GMAC offers a more complete financing service at a lower rate than do many finance companies and banks.

We also believe that the existence of GMAC has enabled our members who are not GM dealers to obtain services of better value and quality from other finance companies. We are also of the opinion that further benefits will accrue not only to the dealer body as a whole but also to the consuming public because of the additional competition resulting from the Ford Motor Co.'s reentering the financing and insurance fields. Furthermore, we believe that dealers representing other makers, as well as their customers, will likewise benefit should the other automobile manufacturers enter the finance and insurance field.

In fact, we have been told by many of our Ford dealer members that as a result of Ford's reentrance into the financing business they are now able to obtain, not only from FMCC, but also from many of the banks and independent finance companies with which they do business lower wholesale and retail financing rates than they were able to obtain prior to Ford's reentry into this field.

The National Automobile Dealers Association is also opposed to H.R. 71 because it singles out the automobile industry and proposes to make illegal certain business practices which numerous other industries are openly engaged in, and which would not be affected by the enactment of this bill.

The automobile industry is engaged in hard competition for the consumer dollar with other industries producing swimming pools, home workshops and tools, house trailers, pleasure boats, etc., all of which would be free to provide more favorable financing to the detriment of the automobile industry. We fail to see any justification for this type of discrimination. If the automobile industry is to compete successfully for its share of the consumer dollar with other industries producing hard goods, the manufacturers must be free to provide favorable low-cost financing for their products whenever they feel that this is necessary to maintain and expand their markets. The National Automobile Dealers Association certainly is not interested in penalizing the independent financing companies or the banks, or preventing either from growing and prospering. We do not think, however, that they should be protected from the rigors of competition at the expense of the automobile buyer and the automobile dealer.

The National Automobile Dealers Association firmly believes it to be in the best interest of the public to have as many sources of finance services available to the dealer and the consumer as is humanly possible. If the public's best interest is to be served, the automobile manufacturer must be free to engage in automobile financing when banks and other financing institutions cannot, or refuse to, provide that low-cost financing necessary to keep the automobile industry strong and healthy in order that it might perform to the fullest its essential role in our economy.

Furthermore, it is our firm conviction that the existing antitrust laws are adequate to protect the public and the financing industry from any abuses for which H.R. 71 is designed. If there is, or should there develop, a manufacturer monopoly in the area of automobile financing and insuring, there are adequate laws and governmental machinery fully capable of initiating appropriate action to protect the American public from such monopolistic practices and all the evils that flow therefrom.

In conclusion, we urge your most careful consideration of H.R. 71 and respectfully suggest that its enactment would not be in the best interest of the public and the automobile industry.

I want to read from the second paragraph of the first page of the statement the following:

The National Automobile Dealers' Association wishes to express its opposition to H.R. 71 which if enacted would prohibit manufacturers of motor vehicles from (a) financing the sale of their products at wholesale or retail and (b) issue insurance of any kind in connections with their products.

I read also from the second paragraph on page 8 of the statement:

Furthermore, any increase in financing costs would have to be either absorbed by the dealer or passed on to the consumer. As previously pointed out, the dealer is struggling for his very survival and would find it impossible to absorb such additional costs—and the consumer has indicated his definite resistance to higher costs of automobile acquisition as reflected by the unfavorable automobile market over the past 2 years.

Then, reading from the final paragraph of the statement:

In conclusion, we urge your most careful consideration of H.R. 71 and respectfully suggest that its enactment would not be in the best interest of the public and the automobile industry.

How the gentleman from Texas [Mr. PATMAN] in over 2 weeks after this statement was presented for the record could make the statement this afternoon that the dealers were then "silent as the tomb" amazes me.

Apparently there is another development in our hearings that the gentleman from Texas does not know.

I vigorously urged Chairman CELLER of our subcommittee to permit individual automobile dealers to testify and in case they did not volunteer to appear, to issue subpenas to a limited number of representative automobile dealers, taking into account geographical considerations and various makes of cars.

Mr. CELLER adamantly refused to permit automobile dealers to testify in person, although he did allow three Ford dealers to submit their statements for the record, and has indicated he would accept additional statements of dealers. The passage of the record containing this ruling is included at this point in my remarks:

EXCERPT FROM HEARINGS ON AUTO FINANCING LEGISLATION, JUNE 29, 1961

Mr. MEADER. Mr. Chairman, I want to read a brief passage from yesterday's record at the bottom of page 725:

"Mr. MEADER. Mr. Misch, it seems to me that this question of whether the consumer is going to have to pay more for a car if H.R. 71 becomes law is a question on which the knowledge is peculiarly in the dealers, would that not be true?

"Would it not be the dealers who would know comparative rates in their community more than the motor vehicle manufacturer, for example?

"Mr. MISCH. They are certainly the ones that set the final retail prices. They are the ones who decide the charge, the ultimate charge to the customer.

"Mr. MEADER. I am going to suggest, Mr. Chairman, that I don't believe our hearings would be complete, and I believe we wouldn't have an accurate and comprehensive picture of this auto financing, unless we hear some authentic testimony from dealers.

"Mr. HOLTZMAN. I am advised that we have no objection to hear testimony from national automobile manufacturers. And I think that is a misprint. I believe that meant the National Automobile Dealers Association.

"And also the association of used car dealers.

"They haven't sought an opportunity to testify here."

Now, let me say, Mr. Chairman, that, in my opinion, the central question here is the public interest, and the ones who have primary information, knowledge of their own, on the rates, comparative rates, that are offered by GMAC, the banks, the independent finance company, is the dealer who uses those financing and insurance services in the sale of his automobiles.

We have had very little testimony on rates here. We have had some general testimony from Mr. Yntema on rates being higher by independent finance companies, but we do not have any figures in our record.

The only ones that we can get them from are the dealers, because they know, when they want to dispose of their paper, the sources of credit where they can sell their paper, and it is not the same in each community; and it is my suggestion that we not call all the dealers in the country, 40,000, but we can call some sample dealers in metropolitan areas.

We can call some from the rural communities; we can call some from the different automobile companies; that is, American Motors, some that do not have any finance companies, and Ford and General Motors.

We can get a sampling and we can get to the heart of this question of whether or not H.R. 71 will cost more in the acquisition of cars by the American public. This is vital, I must say, because the major manufacturing employment in the Second Congressional District of Michigan is in the motor vehicle and equipment industry, and that, in turn, has an effect indirectly upon the economic health of a lot of other activities.

The CHAIRMAN. I have no doubt that the gentleman wishes to prolong the hearing——

Mr. MEADER. I do not wish to prolong the hearings, but I do wish to get the truth.

The CHAIRMAN. We will get the truth as to the actual situation. We will get the attitude of the National Association of Auto Dealers, the National Association of Used Car Dealers.

We have invited them, but they have not responded.

We will have their views spread on the record, if necessary, to appear before this

committee. We have had evidence that General Motors was proselytizing the dealers, pressurizing them to appear before this committee, and directing them to testify against this; we have had evidence to that effect.

Now, I do not want that situation developing—it could easily develop—so that we can get the views of the dealers. If any dealer wishes to express his opinions, he can express it in writing and then those views will be placed in the record. They will be placed right in the record.

We will have those views, so anyone who wants to read the views of the dealers, they can read those views.

Proceed.

Mr. MEADER. Mr. Chairman, if I may make one further comment, I certainly do not want any pressured testimony from anyone, but I do believe that, not the secondhand report of the trade association, but the firsthand information of the man who has firsthand knowledge of the subject should be in our record.

And if it should be necessary, I think this committee should make a selection of dealers, maybe a half dozen dealers, that would be a cross section of this portion of the industry, and subpena them, if necessary, to appear here and testify about comparative rates.

The CHAIRMAN. I will say to the gentleman from Michigan, I do not know whether he was a member of the committee then, but we passed an auto dealers franchise bill in 1956, and testimony was very ample, unfortunately, that these gentlemen—and I say that "unfortunately" because it is in the presence of these gentlemen—that the Ford Motor Car Co. pressurized dealers in opposition to the bill. Ample testimony was given.

I do not want the door open to that kind of pressure. I have had any number of letters from Chevrolet and General Motors car dealers which clearly indicate pressure. It is the usual type of letter you get as a result of very pressurized lobbying, and we would have this room just filled with dealers, if we opened this door, and I am very anxious to get the views of the dealers; we have the views of the dealers, and we will put into the record many letters.

If you have any letters, Mr. Meader, we would be glad to put those letters into the record, and I will assure you I will read the letters and the record. So I do not think that we can take that time.

The overriding consideration in whether or not motor vehicle manufacturers are to be prevented from establishing financing and insurance affiliates is whether or not it is going to hurt the purchaser of a car. Will it cost him more or will it cost him less if you drive GMAC and the Ford Motor Credit Corp. out of business and prevent any other automobile manufacturer from facilitating the sale of his products, by making time payments possible?

Who would know whether the cost would go up or not? Who would know best whether the consumer would pay more for the time paper and insurance on his automobile if GMAC and Ford Motor Credit Corp. were driven out of competition with individual finance companies and the bankers? Would it not be the dealer?

The auto dealer is the small businessman, if you please, who sells the cars.

He is the man who has to finance his inventory of cars by floor planning, and wholesale financing.

He is the man who knows how much he pays now for that wholesale financing and how much he would have to pay if it were not made available by the motor vehicle credit companies such as GMAC and Ford Motor Credit Corp.

He is also the man who knows which banks will buy his paper, at what discount, and he knows what insurance will cost on the car he sells to his customer.

He is the man who has firsthand, primary knowledge of the cost of financing and insuring the sales of automobiles.

Why did not the chairman of the Judiciary Committee consent to have these dealers before him in person?

I do not know the answer to that question and I suggest that that is a far more important question than the one the gentleman from Texas [Mr. PATMAN] asked this afternoon.

I circularized every dealer in my district. I sent him a copy of H.R. 71. I sent him a copy of the statement of the National Automobile Dealers Association, and I sent him a copy of the letter I had written to Walter Reuther, who, also, it seems to me, with his United Automobile Workers is definitely a party in interest. I am beginning to get some replies back from that contact with the dealers in my district.

Incidentally, Mr. Speaker, I want the RECORD to show here that the gentleman from Texas [Mr. PATMAN] was on the floor when I made a 1-minute speech this afternoon in which I announced I was going to reply to the speech he inserted in the RECORD. He had adequate notice I was going to comment on his remarks.

With respect to the bankers and the American Bankers Association, the gentleman from Texas is correct that there has been no expression of opinion by the American Bankers Association either way with respect to H.R. 71. Accordingly, I cannot speak authoritatively for the bankers association or any individual banks or bankers, but I suggest that the silence of the banking community might mean that they do not regard this legislation as being of immediate interest to them, although I agree with the gentleman from Texas that the passage of H.R. 71, by preventing automobile companies from competing in the automobile financing and insurance market, would redound to the benefit of the banks as well as the independent finance companies.

The evidence is clear that the banks currently enjoy nearly one-half—I think the recent figure is 46 percent—of automobile retail credit and that in general their financing rates are lower but their credit is concentrated in the preferred risks.

Mr. Speaker, the gentleman from Texas [Mr. PATMAN], has set up a strawman and asked himself a number of inflammatory questions based upon this false assumption and has also made some extravagant statements about the greed of the automobile companies.

Although the Subcommittee on Antitrust of the House Judiciary Committee has not taken action with respect to H.R. 71, it would seem appropriate, inasmuch as the gentleman from Texas has made an attack, to put a somewhat different light on the true nature of the legislation he endorses.

Mr. Gossett, vice president and general counsel of the Ford Motor Co., described H.R. 71 as "anti-antitrust," in that it would relieve unaffiliated finance companies from competition by motor vehicle finance affiliates. This is what Mr. Gossett said:

But the bill would not eliminate restraint of trade; on the contrary, it would impose novel and unprecedented restraints of its own. Far from being an appropriate supplement to the antitrust laws, the proposed legislation would be anti-antitrust in effect. Indeed, as we shall show, it would be in direct conflict with the basic purposes and philosophy of the antitrust laws.

The mere possibility that new competitors may enter an industry exerts a beneficial, restraining influence on prices. Exclusion of competitors is a contradiction of these fundamental principles.

Yet H.R. 71 would exclude from an important field of commerce an entire class of legitimate competitors. It would confer upon the unaffiliated finance and insurance companies, as a class, a monopoly position, free from even the possibility of competition from the manufacturers.

On page 1051 of the transcript of our subcommittee's hearings of June 30 occurs the following colloquy:

Mr. MEADER. Mr. Gossett, would you go so far as to describe H.R. 71 as a private bill for the relief of unaffiliated finance companies?

Mr. GOSSETT. I think that is precisely what it is, sir.

Mr. Speaker, since the gentleman from Texas [Mr. PATMAN] has raised questions concerning groups apparently displaying a lack of interest in H.R. 71, I have been somewhat disturbed, that I have received no reply to a letter I addressed to Mr. Walter Reuther on June 29, 1961, the entire text of which, Mr. Speaker, is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., June 29, 1961.

Mr. WALTER REUTHER,
President, United Automobile Workers of America, AFL–CIO, Solidarity House, Detroit, Mich.

DEAR MR. REUTHER: I call your attention to H.R. 71, a copy of which is enclosed, to prevent motor vehicle manufacturers from financing and insuring the sales of their products.

In my opinion this legislation can have important consequences to the livelihood of the members of your union, many of whom are constituents of mine, and to the health and prosperity of the motor vehicle industry, its production and employment, and therefore, of course, have an important influence on the future economic health of the State of Michigan.

As a member of Subcommittee No. 5, the Antitrust Subcommittee of the House Committee on the Judiciary, I set forth my attitude and position at the opening of the current hearings on this legislation. A copy of these remarks is attached.

I am aware that the United Automobile Workers Union has an extensive and, I believe, competent research staff, and that your union frequently takes positions on a wide variety of public issues, many of which seem to have little direct relationship to the immediate economic interests of your members. This legislation, however, could have a more direct and immediate effect on your membership than almost any other legislation under consideration currently.

My efforts to find out what study, if any, the UAW has made or what position it has taken with respect to H.R. 71 have so far been fruitless. It therefore occurred to me

to write to you direct and inquire what position, if any, the UAW has taken or intends to take with respect to this bill.

In this connection I am enclosing hearings on this subject before the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary in 1959, and statements which have been presented to our subcommittee in the current hearings. I want to call attention particularly to the column from Ford Facts, Ford Local 600 (UAW), by Carl Stellato entitled "President's Column: Stellato Charges Politicos Set Up Smokescreen To Shield Finance Companies," appearing on pages 596 and 597 of the Senate hearings.

I also wish to point out that section 2 of H.R. 71 would appear to prohibit employees of the motor vehicle companies from engaging in the financing and insuring of the motor vehicles produced by the companies of which they are employees. This would appear to me clearly to prevent credit unions of the motor vehicle companies of which your members are also members from financing their members' purchase of cars from the company for which they work.

More basically, however, the problem is whether or not H.R. 71 will result in increasing the total cost to the consumer of the purchase of an automobile. If it should have that effect, not only would it take money from the pockets of automobile purchasers and transfer it to money lenders and insurance companies, but it would have a detrimental effect upon the purchase of automobiles, thus decreasing production and employment in the automotive industry.

Because it seems to me your members and your union are definitely parties in interest in this legislation and that your union should not remain silent on this proposed legislation, I should be pleased to hear from you and venture to suggest that you might well request the subcommittee to hear witnesses to present the views of your organization.

Sincerely,

GEORGE MEADER.

STATEMENT OF REPRESENTATIVE GEORGE MEADER AT HEARINGS ON H.R. 71, TO PROHIBIT MANUFACTURERS OF MOTOR VEHICLES FROM ENGAGING IN FINANCING AND INSURING INSTALLMENT SALES OF MOTOR VEHICLES BEFORE ANTITRUST SUBCOMMITTEE OF THE HOUSE COMMITTEE ON THE JUDICIARY, WEDNESDAY, JUNE 7, 1961

Mr. Chairman, as a Representative from the State of Michigan, this subject is of great interest to me and of extreme importance to our State.

I represent four counties in the southern part of Michigan in which the predominant economic activity is the manufacture of motor vehicles and motor vehicle parts. Each of the three largest automobile manufacturers have operations in my district. Chrysler Corp. has its proving ground; General Motors has its transmission division plants where it makes the Corvair and General Motors trucks; and the Ford Motor Co. has parts plants at Ypsilanti, Rawsonville, and Monroe.

The statistics of the Michigan Employment Security Commission show that approximately 40 percent of the durable goods manufacturing employment in my district is in the manufacture of motor vehicles, parts and equipment.

For example, the issue of February 15, 1961, shows that in the labor community of Jackson, out of 10,900 employees engaged in manufacturing durable goods, 4,000 are in the manufacture of motor vehicles and equipment.

Accordingly, anything which will inhibit the manufacture and sale of motor vehicles will be detrimental to an economy already harassed economically by governmental meddling and social experimentation. I know I do not need to dwell upon the difficulties the State of Michigan has been experiencing in recent years economically and financially.

Conversely, anything to facilitate the sale of motor vehicles and increase automobile production and employment will benefit Michigan and my congressional district.

The field of automobile financing which has a direct effect upon the volume of production and employment in the automotive industry is a rather sizable free enterprise activity. I understand there is some $14 billion worth of automobile paper outstanding, and it is interesting to note that, in contrast to the housing industry, this is all private capital and does not require any governmental financial assistance.

The central question raised by this legislative proposal is whether a manufacturer may facilitate the sale of his product by dealer and consumer financing. Interesting antitrust aspects of the legislation are, in my opinion, secondary but also important. Some of the questions raised are those of vertical integration, diversification of enterprises, domination of an industry, coercion of dealers and consumers, free and open competition and cornering of the market.

I say the antitrust aspects are secondary because alreday consent decrees in antitrust suits presumably inhibit restrictive trade practices, and if they exist, no new regulation or litigation is needed, merely contempt proceedings.

My decision on this proposed legislation will be guided by two main considerations.

First, the welfare of the consumer. Will this bill result in his paying more or less to finance his car?

Second, and this follows from the first, will this proposed legislation aid or injure the motor vehicle industry and those whose livelihood depends on it, as well as the innumerable industries and occupations which directly or indirectly are allied to motor vehicle transportation?

As with any innovation, I approach this proposal with skepticism, believing the burden of proof is upon those who want to change the existing order; who suggest limitations upon and interference with the sphere of discretion of the private individual and his voluntary business associations; who wish to tamper with and reshape a viable, thriving, existing system.

I have stated these views to give notice to the witnesses in these hearings that I would like them to address themselves to the questions I have raised in the course of their testimony, and provide the facts and considerations which will clearly resolve any doubts concerning them, in the public interest.

Mr. MEADER. Mr. Speaker, it appears from the opening statement I made at the beginning of the hearings on H.R. 71, the central issue, as I see it, is whether or not H.R. 71 will require automobile purchasers to pay more to finance and insure their cars. If it will, H.R. 71 will depress the automobile market, diminish production and employment and, thus, the members of Mr. Walter Reuther's union will be hurt. The members of the UAW, in my judgment, are definitely parties in interest and, yet, Mr. Reuther who is not noted for his silence on a great many issues only remotely—if at all—related to the economic interest of his members has chosen to ignore H.R. 71 which might do more economic damage to automobile employment and indirectly to the welfare of the UAW itself than almost any legislation pending before Congress.

Since the gentleman from Texas is asking questions, I, myself, have a question to ask. Why did Representative CELLER, chairman of the Antitrust Subcommittee of the Judiciary Committee, exclude from our record the testimony of dealers who of necessity would be the group having primary knowledge—essential to their remaining in business—of the cost of disposing of their time contracts?

I suggest that the answer is that such testimony would clearly have shown that H.R. 71, by providing a haven free from the competition of motor vehicle affiliated finance companies, would have carved out that portion of the automobile financing market which can least afford an increase in cost, namely, used car financing and questionable risk new car financing, as the exclusive preserve of the high rate, independent finance companies.

Mr. Speaker, although Walter Reuther has chosen to remain silent on H.R. 71, another union leader of the UAW, Mr. Carl Stellato, President of Ford Local 600, spoke out forthrightly against similar legislation pending before a Senate committee in 1959. I include his article from Ford Facts of March 7, 1959, which appears on pages 596–597 of auto financing legislation hearings before the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary, U.S. Senate:

[From Ford Facts, Ford Local 600 (UAW), Mar. 7, 1959]

PRESIDENT'S COLUMN: STELLATO CHARGES POLITICOS SET UP SMOKESCREEN TO SHIELD FINANCE COMPANIES

(By Carl Stellato)

The 86th Congress has been in session for 2 months. During this period it has failed to adopt a single piece of legislation to aid unemployed workers of America. Presently there are 5 million workers unemployed and millions of others on a reduced workweek. Our union has called upon Congress to take steps designed to alleviate this critical unemployment situation.

There are more people unemployed today than there were a year ago at this time. This is a paradox of the American economy because while there are more jobless workers the national productivity figure is above that of a year ago. As an example, department stores' sales have increased, freight car loadings are running 2½ percent higher than in 1958, truck haulage is on the increase, and steel production is nearing boom levels.

Our union has called upon Congress on several occasions since the November elections to take action on the total question of unemployment.

IMMEDIATE ACTION NEEDED

We have asked Congress to take immediate action now on reducing the workweek, increasing and liberalizing unemployment compensation benefits, and putting into effect public works programs that would provide jobs for the unemployed.

Congress is spending millions of the taxpayers' dollars to support investigating committees for the alleged purpose of deciding on the type and kind of legislation Congress ought to adopt. One of these investigating committees is the Senate Antitrust Subcommittee which is presently looking into the retail financing of automobiles. Actually it is our opinion that the direction toward which the committee is leaning is designed to protect the leeches and parasites in the moneylending business.

EXORBITANT INTEREST RATES

Many of the independent finance companies are charging exorbitant rates all out of line with decency and integrity. Many

of the independent finance companies charge interest rates as high as 30 percent.

The Senate Antitrust Subcommittee is making headlines by attacking the principle of auto manufacturers being in the financing business. We think this is a deliberate attempt to becloud the issues by shouting "monopoly." Actually we feel that this entire investigation is the result of the independent finance companies' Washington lobbies.

When our union proposed a march on Washington to lobby for jobs, we were ridiculed by the President of the United States, while simultaneously the oil industry, banking institutions, the American Medical Association, etc., are fulltime lobbyists for their own narrow, selfish interests in Washington.

PUBLIC AT MERCY OF MONEYLENDERS

It is our opinion that to pass legislation which would drive the auto manufacturers out of the financing end of the business would be class legislation designed specifically to leave the American public at the mercy of the independent finance companies.

Mr. Yntema, a vice president of the Ford Motor Co., testifying before the Senate Antitrust Committee, said that the Ford Motor Co.'s decision to enter the finance field was prompted by a failure of the independent agencies to meet the General Motors Acceptance Corp.'s rates. Mr. Yntema intimated that the independents charge higher rates solely out of a desire for higher profits and that CIT Finance Corp., one of the independent giants, second only to GMAC in volume auto financing, told him bluntly it would not meet GMAC's rates.

MORE COMPETITION NEEDED IN FINANCIAL FIELD

Mr. Yntema told the committee that the service charges leveled by the independents mean $65 to $150 higher costs per passenger car than those charged by the GMAC, and under these conditions it is small wonder that GMAC dominates the field. General Motors has indicated that additional competition in the installment credit field would be of definite benefit to customers, to dealers, and to the economy in general.

If Congress adopts legislation to limit participation in the installment credit field, this will be a blow to the consuming public and to the free enterprise system in general. If this field were limited to the independent companies, the results would be disastrous to say the least.

However, Ford, General Motors, and Chrysler do not stand before the American public with clean and untarnished hands. There are many things that the auto industry could do in an effort to create full employment. First and foremost would be to unrig the prices of their products. An example of the rigged price structure maintained by the auto manufacturers is sharply pointed up by the fact that in 1955 the industry produced over 8 million cars and trucks. In 1958 this production figure dropped approximately 50 percent and yet the prices of automobiles continued to rise. In a free enterprise system, under the laws of supply and demand, the prices of automobiles should have moved downward in 1958 had there been competition in the auto industry for the contracted sales market. On the contrary, prices rose.

CLASS LEGISLATION TO ENTRENCH FINANCE COMPANIES

Even though the auto manufacturers do not stand before the public with clean hands in carrying out their social responsibilities to the American public, this should not be used as an excuse for adopting class legislation designed solely to entrench the moneychangers in the temples of finance. In this instance, in opposing the type of legislation proposed by the Senate Antitrust Subcommittee, we are in complete agreement with the automobile manufacturers, because without GMAC in the financing business, the average worker would be faced with such exorbitant financing rates that he would be priced out of the automobile market.

Mr. Speaker, because the gentleman from New York [Mr. CELLER], the chairman of our committee, ruled out what I regard as the most informed class of witnesses on the cost of financing and insuring automobile sales, namely, automobile dealers, I have circularized all of the automobile dealers in my district to obtain their views on what I describe as the central issue. I have received replies from dealers, all of which predict that the passage of H.R. 71 would increase the cost of automobile financing.

I ask unanimous consent, Mr. Speaker, to include at this point in my remarks a few sample letters received from automobile dealers.

The Speaker pro tempore (Mr. BOLLING). Without objection, it is so ordered.

There was no objection.

The letters referred to are as follows:

COFFEY CADILLAC, INC,
Ann Arbor, Mich., July 6, 1961.

Hon. GEORGE MEADER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MEADER: I wish to acknowledge receipt of your letter dated June 30, 1961, with attached copy of your communication dated June 29, 1961, to UAW President Walter P. Reuther, and the copy of H.R. 71 in connection with the Automobile Financing and Insurance Acts.

It is my opinion, as a General Motors dealer, that GMAC as well as MIC serves the General Motors dealer, as well as the retail customer, fairly and in the majority of cases at competitive interest rates. Further, it is my belief that if H.R. 71 should pass, divorcing automobile manufacturers from their financing and insuring subsidiaries, the result would create increased cost to the consumer as well as decrease the manufacturers automobile production. I believe this would not only be harmful to the State of Michigan but also to the retail automobile dealer.

In closing, I wish to express my appreciation for your letters and hope the next time you return to Ann Arbor, you will get in touch with me.

Yours very truly,
H. RICHARD COFFEY,
President.

WILLIAMS BROS.,
Dundee, Mich., July 10, 1961.

Hon. GEORGE MEADER,
House of Representatives,
Washington, D.C.

DEAR SIR: Thank you for the opportunity to express my views regarding H.R. 71 that would supplement the antitrust laws and prevent the manufacturers of automobiles from financing and insuring the sales of their product.

There is no doubt in my mind that this legislation is aimed at General Motors and Ford Motor Co. and their GMAC, YMAC, and FMCC. As a Chrysler Corp. dealer I do not enjoy the same privileges as GM and Ford dealers and must seek working financing capital from independent sources.

As you know, the automobile dealer has been and still is in a depressed market for his product and any aid he receives in the form of lower interest rates, and other income producing factors, the better his chances of survival.

I note with disappointment that credit unions are not mentioned in H.R. 71, neither are farm implement manufacturing companies, nor is Sears-Roebuck who sells and finances many of its own products.

I am opposed to H.R. 71 because it appears to be discriminatory as it would affect the automobile industry when many other types of business are engaged in this same practice.

I believe the automobile business to be the largest business in the world and accounts for more dollars paid into the Federal, State, and local coffers in the form of taxes than any other source.

In conclusion, I urge you and your colleague to use your good office to defeat this bill as it is not in the best interest of the automobile business and of the public in general.

Respectfully yours,
W. A. WILLIAMS.

GALLES MOTORS,
Albuquerque, N. Mex., June 2, 1961.

Hon. GEORGE MEADER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN MEADER: I understand that the Antitrust Subcommittee of the House Committee on the Judiciary has scheduled hearings on House bill No. 71 and similar bills which would prevent manufacturers of motor vehicles from financing and insuring sales of their products.

As a General Motors dealer for many years, I can assure you that any separation of the General Motors Acceptance Corp. from the General Motors Corp. would have been to our disadvantage as an automobile dealer. We have always had the finest relations between General Motors Acceptance Corp. and our dealership. At no time has it been suggested by any unit of General Motors that we utilize the General Motors Acceptance Corp. finance plan or any insurance plan. In fact, in our own instance, we do give some finance paper to other companies. We also patronize various insurance companies.

To take the General Motors Acceptance Corp. out of the competitive picture would, in my estimation, be contrary to public interest. The competitiveness of all finance corporations results in benefits to the public. At the same time, this competitiveness provides many advantages to the individual dealers. I do not feel that we would be in a position to offer as attractive terms, or to actually maintain our gross volume sales without much more difficulty if the General Motors Acceptance Corp. were eliminated from the finance field.

I sincerely hope you and your committee will aggressively prohibit the enactment of legislation which would, in my mind, hinder our industry.

Sincerely yours,
H. L. GALLES, Jr.

PAUL C. CHAPMAN & SON, INC.,
Ypsilanti, Mich., July 7, 1961.

Hon. GEORGE MEADER,
House of Representatives,
Washington, D.C.

DEAR GEORGE: Your letter regarding H.R. 71 was received and given careful study. You are interested in the effects of this bill on the consumer. In my opinion, it should not be passed and become a law.

I have used GMAC for years, along with other finance companies also banks. GMAC rates are fair and competitive, so why take a chance of increasing the cost of the automobile to installment buyers. In my community GMAC has no monopoly on the finance business, but I am sure without GMAC I would be paying a higher rate of interest on my floor planned cars. And I am not using GMAC floor plan.

If this bill is kept from becoming a law you will be helping the consumer, the dealers, and all industries that may be affected by any financing of automobiles.

Sincerely yours,

PAUL C. CHAPMAN, Sr.

GENE BUTMAN FORD SALES, INC.,
Ypsilanti, Mich., July 5, 1961.

Hon. GEORGE MEADER,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN: This is a letter in reply to your recent request for an opinion regarding H.R. 71.

My experience has been wide and varied in the retail automobile business. I operate the Ford dealership in Ypsilanti and up to 4 years ago managed a large Ford place in Detroit.

Although our retail finance business is done with several banks and finance companies, we have had available to us, without any insistance, the Ford Motor Finance Co. for the last year. It is my firm opinion that the whole scope of auto retail financing has been greatly improved because of this competition. The customer and the dealer are in a much more favorable position. Finance rates and insurance costs have become more competitive. A restraint of auto manufacturers in financing and insuring their products would act in reverse of what H.R. 71 proposes to accomplish.

Sincerely,

EUGENE P. BUTMAN.

ANN ARBOR, MICH., *July 11, 1961.*

Hon. GEORGE MEADER,
House of Representatives,
Washington, D.C.

DEAR GEORGE: I am very happy to see that you are getting the viewpoints of automobile dealers in re H.R. 71.

It is my judgment this bill should not be passed. In the first place the cost of financing automobiles is less than it might have been because the factory-owned finance companies are so competitive they have kept the rates down.

Additionally, many dealers are kept in business by securing capital loans from these institutions. If the present setup were disturbed dealers would be hard pressed to find such loans on the open money market.

It seems un-American to me to divorce any manufacturer from a legitimate business enterprise.

General Motors dealers are the envy of our whole dealer body because they have access to the services of GMAC.

Actually, it is a benevolent arrangement for the dealer and also the customers of the dealer.

If this bill is made into law two things will happen.

1. The public will pay more to finance a vehicle.

2. Dealers will pay more for their money.

I urge you to help defeat this bill.

Very truly yours,

HERB ESTES, *President.*

HENDRICKSON PONTIAC, INC.,
CHICAGO, *June 16, 1961.*

Hon. GEORGE MEADER,
Member, Antitrust Subcommittee, Judiciary Committee, House of Representatives, House Office Building, Washington, D.C.

DEAR REPRESENTATIVE: I have been in the automobile business actively since 1915, and of these 46 years, 36 of them have been spent as a General Motors dealer and distributor. In 1920 my company was a Chevrolet dealer, retailing on Michigan Avenue in Chicago, and in 1924 it purchased the Oakland branch. Oakland then brought out the Pontiac in 1926, and we continued operating. Metropolitan Chicago wholesale, averaging about 32 dealers and 4 retail stores until 1942, which was the first year after the war when General Motors took out most of the distributors on a very fair basis, and we split up the retail stores among ourselves and I operate the West Side store under the name of Hendrickson Pontiac. Between 1915 and 1924, I was a partner in a Franklin distributorship. I recite the above so that you might know that my feelings on H.R. 71 come from years of experience.

While we operated as a Pontiac distributor in Metropolitan Chicago under the name of Community Motors, we had our own finance company under the name of Community Credit Corp., which we organized in the early 1930's. We also had our own insurance agency known as the Consumers Insurance Agency, and yet, during all of this period GMAC took whatever retail business we wanted to offer to them, or on the other hand the customer's request for their assistance was never refused by them. They at no time hesitated to carry the wholesale paper, and I might state here, that at the time the banks refused to give us 100-percent floor planning, independent finance companies could not, or would not, give us the rates or terms that we needed to make a profit. We always found that the business demanded every dollar of capital that we could accumulate. GMAC's generous cooperation assisted us in doing business, in giving employment, and paying taxes. Banks insisted on large equities in floor planning which we couldn't afford, and at higher rates of interest than GMAC, and the banks to this day are too stringent in their terms, and too expensive to allow an automobile dealer to operate with any degree of flexibility and profit. I happen to be a director of a national bank, and a stockholder in four banks, and I can definitely state that if General Motors dealers were left to the mercy of banks or independent finance companies, business would be stifled, employment would be interfered with, and the United States would not get the taxes that they are able to get now, and in addition, the automobiles would cost the public more money. A grave injustice would be done to our economy, and the buying public as a whole, because of the scramble that would ensue.

I stated above that I took over one of our branches, and now operate it as a retail dealership. I have Rambler on one side of the street and Pontiac on the other, and I combine the service departments of both franchises, and GMAC carries the floor plan of both companies at 100 percent of factory invoice. They also insure the cars, and have not set crippling stipulations of limits that might hamper the flow of business.

I also operate the Midwest Car Leasing Corporation. GMAC finances each lease and advances 90 percent of the leasing company's cost of each vehicle regardless of the make of the car, and extends the leasing company monthly terms up to 24 months at a rate that is slightly less than a bank or another finance company has offered, and I am convinced that if GMAC was not willing to assist the leasing company, that outside sources would charge even more than they charge today. At my own bank the interest rate for leasing paper is very high. They also demand collateralizing of the certificate of origin, and the retail leasing contract, and yet, I cannot criticize the bank because they are loaning depositors' funds, whereas finance companies have more or less risk capital, which is used to promote business as a whole, which in turn makes employment and earns taxes, when their experience is favorable. Banks must be more conservative because they have only depositors' money to lend.

I have my own finance company known as Hendrickson Finance Corp., and I have my own insurance agency, and I have not had one iota of criticism or coercion on the part of GMAC, or Pontiac, or Rambler.

GMAC likewise helps the dealers in financing demonstrators and salesmen demos. This helps the dealer sell the car he represents.

There are many manufacturers who have their own finance companies to assist them in promoting the sale of their goods. American Motors has their own finance company, and while they have never asked us to use their company, I am sure that we could make use of it if we had need of it.

Any legislation forbidding an automobile manufacturer from having his own finance company is discriminatory class legislation and in restraint of trade.

I can't help but feel that H.R. 71 falls in this category. Mr. CELLER speaks about concentration of power, but he says nothing about the amount of taxes General Motors pay, or the great amount of employment they give, or the great things their research department develop for the good of mankind. These they could not possibly do if they were broken up into small units.

I beg of you to see that this bill does not pass.

Respectfully submitted.

NELS A. HENDRICKSON, *President.*

KINGS POINT, N.Y., *July 4, 1961.*

DEAR CONGRESSMAN MEADER: With reference to H.R. 71, I would like to inform you that since FMCC has come into the scene, our present finance company, Commercial Credit Co., has reduced our rates on wholesale floor plan and also increased our dealer reserves on retail finance paper. In addition, we have earnestly been solicited (as never before) by two other companies for our business.

We are a Ford dealer and also a Rambler dealer (at two other locations—not dual) and have never been seen or heard from an FMCC representative.

I can only be led to believe by my current experience that in these times of marginal profits we have been able to reduce our cost of doing business and at the same time offer our retail customers lower rates of financing with no loss of reserve revenue to us.

The factory-finance companies will not put the smaller companies out of business, but will tend to trim their gluttonous charges to a point where dealers and customers will benefit. Competition is the backbone of our economy—please vote to turn down this harmful bill.

Thank you.

Respectfully,

VICTOR GOLDSMITH.

DALLAS TEX., *April 13, 1961.*

Mr. EMANUEL CELLER,
Member of Congress, House Office Building, Washington, D.C.

DEAR CONGRESSMAN CELLER: Recently, the American Finance Conference, Inc., sent me a copy of a speech you made entitled "A Threat To Free Enterprise." It was accompanied by a pamphlet called "The Secret of Monopoly in the Auto Industry." Both are vicious and unjustified attacks on General Motors Acceptance Corp.

While I have no personal interest in GMAC, still I find it impossible to remain silent after reading these tracts.

I have been in the automobile business for 36 years, having worked for Chevrolet from 1931 until 1945, when I acquired my Chevrolet dealership. My organization has sold over 51,000 units in the 16 years I have been a dealer.

I became familiar with GMAC operations while I was with Chevrolet. Although I have utilized various sources in financing the automobiles I sell, I have observed the operations of GMAC over the years and have certain very strong convictions about this company.

You couldn't have been more wrong in the things you said about GMAC in your speech. Never, during my experience as a field district manager for Chevrolet, was I ever instructed by my superiors to force dealers to

use GMAC, nor did I, at any time in my subsequent executive positions with Chevrolet, instruct any employee to influence dealers toward the GMAC finance plan. Chevrolet felt the dealer should be free to use whatever finance plan he deemed best.

Insofar as the GMAC reserve plan is concerned, all the large automobile financing companies have such plans. Most are as good as that of GMAC. Some are better than the GMAC plan.

It is true that dealers, at times, have made an additional profit as a result of repossession reserves, but there have been many others, including the period 1958 to the present, when this reserve has been exceeded by losses. Repossession losses today are greater than at any time during my experience.

I used GMAC wholesale and retail financing from 1945 to 1954. In 1954 I organized Earl Hayes Investments, Inc., to handle my own retail paper. Because of the rise in interest rates and a large number of repossessions, I liquidated this company in 1960 and started having GMAC handle my retail paper again.

During the 6 years when I did my own retail financing, GMAC never denied me wholesale credit lines, nor was any pressure brought to bear upon me to give it this business.

You characterize GMAC as a vulture. Congressman, are you aware that when the money market goes down in New York, GMAC voluntarily reduces its rate to the dealer? Do members of the American Finance Conference, Inc. do this?

I sincerely believe that if it were not for GMAC and similar large financing companies, the banks and local finance concerns would have dealer and consumer paying maximum legal rates on automobile loans.

I do not defend coercion or oppression. On that we are probably in agreement. But before you attack an institution, you should learn the facts about how it operates. Should you destroy or cripple GMAC by legislation stemming from your unfounded charges, the public would suffer by the exploitation to which you would expose it. GMAC is not a monopoly as you seem to believe. Its effect on our economy is more in the nature of a governor upon the abuses to business and the public which can be so easily accomplished by misuse of power in automobile financing.

Your statement that 10,000 GM dealers are under the absolute domination of GMAC is a horrible distortion of the facts. Your apparent irresponsibility shocks me.

It is incredible that you, who have served your country as a Congressman since 1922, could be so taken in by the men calling themselves "The American Finance Conference, Inc."

I hope that before you press further toward passage of H.R. 4256 that you will find out the facts for yourself. Otherwise, you will be a party to a gross injustice.

Sincerely,

EARL F. HAYES,
President.

Mr. MEADER. At this point also, Mr. Speaker, I ask unanimous consent to incorporate in my remarks a copy of a news story which appeared in the Detroit Free Press of Wednesday, July 12, 1961, entitled "Now They Want To Regulate Your Car Buying." This article is by John C. Manning, a Free Press contributing editor and it discusses aspects of the legislation which have been the subject of my remarks this afternoon.

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

There was no objection.

The article referred to is as follows:

NOW THEY WANT TO REGULATE YOUR CAR BUYING

(By John C. Manning)

Relentless sniping at American industry by liberal fanatics in Congress and the Department of Justice is beyond the understanding of this corner. It is proper for the Government to crack down on sharp practices such as the recent revelation of price fixing in the electrical appliance field.

But the monotonously constant offensive against business just because it is big, lacks either rhyme or reason.

It is particularly baffling in view of President Kennedy's plea to our free enterprise captains to dig in harder than ever to explode Pal Khrushchev's boast that Communist economy will overtake ours in the next couple of decades.

Either the welfare state champs—Senator Kefauver, Representative Emmanuel Celler, Assistant Attorney General Loevinger, Thurman Arnold, the veteran trust buster, etc.—didn't hear the President's warning, or else they figure he was merely kidding. Ostensibly they are loyal members of the Kennedy team. Regardless, though, they insist on calling their own signals.

This corner is pleased to report that business leaders seem to fight back more enthusiastically than they used to in the New Deal era. Thirty years ago industrial defense against congressional allegations of marketplace piracy was weak and almost apologetic.

Today, thank goodness our established manufacturers appear downright eager to trade punches with Washington snooper and naggers.

BY WAY OF ILLUSTRATING

A case in point is current legislation sponsored by Representative CELLER'S House Judiciary Antitrust Subcommittee, which would make it illegal for General Motors and the Ford Motor Co. to continue financing the sale of their cars.

The trustbuster, identified above, demand in effect that the next time you buy an automobile on time (as most of us do) you'll have to shop around and get some bank or independent loan company to finance the installments for you.

They argue that permitting your Ford or General Motors dealer to draw up the installment contract so you may walk in, select your car, sign the papers and drive out, is a wicked conspiracy.

They say it endangers the future of Chrysler, American Motors and all other car companies which do not have financing subsidiaries. We think the average car buyer will agree with this corner, the allegation is plain stupid.

I was tickled pink when Frederick G. Donner, General Motors chairman; Charles G. Stradella, chairman of General Motors Acceptance Corp.; William T. Gossett, vice president and general counsel for Ford Motor Co., and Theodore O. Yntema, Ford vice president and finance chairman, stood up on their feet before the Antitrust Subcommittee and denounced the proposed bill as sheer drivel.

Scoffing at the monopoly accusation, General Motors, Stradella produced Federal Reserve Board figures showing that $18 billion worth of American automobiles were sold on credit last year. The installment payments were distributed 46 percent by commercial banks, 23 percent by other sales finance companies, 18 percent by General Motors Acceptance Corp., and 13 percent by credit unions, small loan companies, etc.

ALL IN THE SAME BOAT

Yntema testified that if Ford and General Motors were forced to disband their finance subsidiaries the cost to individual buyers who would have to arrange outside financing, would rise from between $50 to $100 million a year.

Donner reminded the smug congressional interrogators that General Motors and Ford went into car financing primarily because way back at the end of World War I, when the automotive business hit full stride, bank facilities were not available to provide credit for the dealer and his customers in the newly blooming business.

Gossett declared cold turkey that the bill preventing auto manufacturers from financing their vehicles was ridiculous in that it would arbitrarily destroy a right as fundamental as their right to make carburetors, sparkplugs or any similar product component.

This corner suggest support of the fighting automakers by every man who owns a car. We're all in the same boat.

Better than 60 percent of our automobiles are bought on time. When your correspondent buys his next one he doesn't want to visit a pawnshop to get it financed.

CAPTIVE NATIONS WEEK, 1961

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Massachusette [Mr. CONTE] is recognized for 5 minutes.

Mr. CONTE. Mr. Speaker, Captive Nations Week begins today. The importance of this observance is not that it is a week in length, for if we could accomplish our purpose in just one moment of silence, then I am sure that we would all recommend it.

And what is our purpose during Captive Nations Week. It is to rededicate ourselves, as Americans, to freedom for the peoples of the world. It is to especially reiterate this goal to the peoples of nations held in bondage by Russian imperialism. We are telling them, this week, that during the coming year, or decade, or however long it may be until they are liberated, America will not forget them or condone their captivity. We are reminding them that, as the leaders of the Western crusade, the United States will continue the struggle not only for a lasting peace, but, as General Eisenhower has said, for a peace with freedom.

Every person living today in a captive nation has the right to know what we mean by the freedom that we hold up to them as the ultimate social and governmental order. It is incumbent upon this Nation to clearly outline, for all to examine, the specifics of our definition of world freedom. Communist dictators have told their subjects that they already live in a free society. The dangers inherent with the passage of time are obvious. Fewer and fewer people will be alive to attest that this Communist line is a lie. The young will soon have no one to tell them, from personal experience, that there is a way of life more desirable than international communism. Evidence shows us that time, especially in the captive nations of Eastern Europe, has tended to solidify the power of Communist domination and that only those who have known a different regime are violently dissatisfied. One of our great tasks, then, is to insure that the young people of the world are aware of our meaning and practice of

freedom. Above all, they should realize that our primary goal is really very basic. That objective is for all citizens of each nation to possess the power to determine for themselves the form of government under which they shall live. Whether or not they might choose exactly our form of democracy is of no real consequence, so long as they have the right of unlimited choice.

We should emphasize the personal liberties contained in our Bill of Rights: The freedom of speech necessary to make any nontotalitarian system of government work to the advantage of all the people; freedom of the press to disseminate conflicting ideas as well as the truth, without restriction to just the party line; freedom of religion to allow each individual to practice any religion that his conscience dictates; the right of personal protection under a judicial system independent from the dictates of any political philosophy. These human rights are not characteristic of democracy alone, but are vital to any form of government of the people and by the people.

So I say, Mr. Speaker, that today one of our duties is to keep the knowledge of freedom alive. It is not logical to assume that every person enclosed by the Iron Curtain knows enough about our freedom to want it for himself. He has too long been subjected to lies and propaganda.

At the same time that the United States is keeping the hopes of freedom alive in the captive nations, she must not allow the frontiers of freedom to be rolled back to her own shores, country by country. Unless our Government quickly reflects the firm stand desired by our people on the emergency of Berlin, the United States will endanger the most crucial outpost of freedom. Any indication of weakness of policy on Berlin, or South Vietnam, or Red China, or Latin America will lead to crises of our own creation.

If we fail to make the stand or face the challenge of Berlin, where will the line be then drawn? If this commitment is not fulfilled, who will have any faith in any statement of American policy? If there is compromise in Berlin, it would be sheer hypocrisy to talk of freedom for any captive nation.

I hope that this 1961 Captive Nations Week will serve to reinforce Nikita Khrushchev's concept of America's steadfastness as it did in 1959 and 1960. If we are able, by a united effort of all Americans, to accomplish this, then we will have reassured the peoples of the captive nations of our willingness to defend freedom as well. They look to us for hope. If we let them down, we should not expect them to look again.

NEUTRONS AWAY

Mrs. NORRELL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, in recent weeks, we have been advised by some that we must resume nuclear weapons tests in order to perfect the latest wonder of the nuclear age, the neutron bomb. This bomb, we are advised, will make it possible for us to kill people without destroying property. Perhaps I am missing some vital point somewhere, but I must admit I fail to see the advantage offered by this new triumph of science. But an editorial has appeared in the Portland Oregonian, which puts the whole controversy in a new light, and explains to all the benefits that will accrue if we resume testing and perfect the neutron bomb:

NEUTRONS AWAY

Some U.S. scientists and militarists want to end the voluntary suspension of nuclear testing so they can perfect a neutron bomb by underground tests in the Nevada desert.

The neutron bomb, they say, would release a deadly rain of radioactivity which could penetrate several feet of earth or concrete and destroy all human life. But this death ray would leave virtually undamaged the dwellings, factories, and war structures of an enemy.

It is conceded that the Russians probably are working on the same sort of device. Which brings up the prospect that we could wipe each other out, but leave our factories steamed up and ready to go. This would set up a jolly new world. The underprivileged masses of Latin America could move into our industrial centers and make the giant stride into modernity in a jiffy. And the Africans or Asians could take over the Soviets industrial plant.

That ought to fix things up for about 20 years of glorious peace. Then the transplanted Latins and Asian-Africans would be ready to wipe each other out with neutron bombs. The birth rate problem would be solved. There would be enough food for everyone left. What are we waiting for?

REORGANIZATION PLAN NO. 7 OF 1961

Mrs. NORRELL. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DAWSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

Mr. DAWSON. Mr. Speaker, on July 14 the Committee on Government Operations voted to lay House Resolutions 335 and 336 on the table. House Resolution 335 would disapprove Reorganization Plan No. 6 of 1961, relating to the Federal Home Loan Bank Board, and House Resolution 336 would disapprove Reorganization Plan No. 7 of 1961, redistributing certain maritime functions.

Since the reorganization plans will go into effect on August 12 unless a disapproval resolution is adopted by either House of Congress, the action of the committee in voting to lay them on the table is favorable to the plans. The disapproval resolutions will not come up for consideration on the floor unless a motion to discharge the committee of either resolution is made and adopted.

In view of the provisions of the Reorganization Act relating to committee and House action on plans, the committee felt that this is the most expeditious way to handle these two reorganization plans.

I do not believe that either reorganization plan is necessarily the final action in solving all the problems of the agencies involved. The Reorganization Act of 1949 gives both to the President and to Congress a very efficient and handy tool in securing improvements in the management of the executive branch of the Government. The very existence of the act is based upon the recommendations of the first Hoover Commission, which studied the problems of the organization of the executive branch extensively.

Many necessary and valuable steps to secure improved management and to increase the efficiency and economy of Government operations can be taken through reorganization plans. On the other hand, whether reorganizations are brought about through plan or through legislation experience will, from time to time, show that further improvements can be made either by new measures in a reorganization plan or by new legislation. When a plan is allowed to go into effect, the legislative committees concerned should keep the agencies under study. Then, if additional changes are needed, the committees are perfectly free to, and in fact should, endeavor to secure them through the legislative process. The President, too, should also keep alert to needed revisions and submit them to Congress either as proposed legislation or as further plans.

Now, to turn to the two plans upon which the committee acted last Friday:

Plan No. 6 would place in the Chairman of the Federal Home Loan Bank Board the managerial functions of that Board. These are the type of functions transferred to other agency chairmen by a series of reorganization plans in 1949 and 1950. They include: The appointment, removal and direction of personnel—appointment of the heads of major units must be made with the approval of the Board—the distribution of business among Board personnel and units; the communication of Board policies and the enforcement of those policies; the preparation and justification of fund authorizations, and the allocation, use and expenditure of administrative expense funds. In carrying out those functions, the plan requires the Chairman to follow the general policies and the regulatory decisions and determinations of the Board.

The basic objectives of the plan are first, to strengthen the internal management and increase the efficiency of the Board by making a single official responsible for that internal management, and second, to free the Board members from the day-to-day managerial concerns they now must assume and thereby to increase their ability to deal more effectively with regulatory and policy matters. These objectives follow the recommendations of the first Hoover Commission which concluded that purley executive duties can be performed far better by a single administrative official.

The phenomenal growth of the Board's activities in recent years was described in detail in the President's message. For

example, the number of examinations made of savings and loan institutions has almost doubled since 1950 as has the number of personnel employed by the Board. With the increased volume of work, the Board members must be relieved of day-to-day operating responsibilities in order to deal with the important policy matters before them and with important matters of regulation and supervision.

The Committee on Government Operations has made a continuing study of the Home Loan Bank Board during the 86th and 87th Congresses and has pointed out in its interim report that the Board has not established uniform criteria for governing the operations of the Federal savings and loan associations under its supervision. The adoption of the reorganization plan will be a step in the right direction. It will give the Board members the time they need to study and adopt uniform regulations and policies to guide both the savings and loan associations and the Board's own staff.

Representatives of the three major industry associations dealing with savings and loan associations testified in favor of the plan as did all three members of the Board. No opposition to the plan was expressed.

The majority of the committee members saw no need to use the time of the House in extensive debate on plan No. 6 and, therefore, adopted a motion to table it in committee.

Reorganization Plan No. 7 of 1961 deals with the maritime functions now vested in the Federal Maritime Board, the Maritime Administration, and the Secretary of Commerce.

At present, the Board consists of three members under a Chairman appointed by the President. Besides heading the Board, the Chairman is also, ex officio, the Maritime Administrator. As Administrator, he derives his powers by delegation from the Secretary of Commerce. The Board and the Administration have one unified staff, serving both agencies jointly.

There is almost universal agreement that the Board is not performing its functions adequately. Its important duty to regulate the maritime industry has been neglected under the press of other duties involving promotion of the same industry.

There is also nearly universal agreement about the main causes of this situation.

First, the Board, under present law, has two types of responsibilities which are mutually inconsistent, if not contradictory: On the one hand, the Board must regulate the rates and practices of the maritime industry. On the other, it must sustain and promote that industry by determining and awarding large subsidies, which in fiscal year 1960 amounted to over $231 million.

Second, the Board and the Maritime Administration, notwithstanding their separate and often divergent responsibilities, are headed by the same individual and are served by the same unified staff. As with the Board itself, most of the time of the joint staff is consumed in promotional, rather than regulatory activity.

Reorganization Plan No. 7 would correct these organizational defects. Principally, it would establish a new agency, the Federal Maritime Commission, as a fully separate and independent body of five members. Neither the Commission, its members, nor its staff would have any functions except those relating directly to regulation of the maritime industry. Its promotional functions would be transferred to the Secretary of Commerce, who would be empowered to delegate them, and any other maritime functions, to the Maritime Administrator or to others in the Department.

In transmitting Reorganization Plan No. 7 to the Congress, the President declared:

> Existing organizational arrangements have not proved to be satisfactory. The development and maintenance of a sound maritime industry require that the Federal Government carry out its dual responsibilities for regulation and promotion with equal vigor and effectiveness. Intermingling of regulatory and promotional functions has tended in this instance to dilute responsibility and has led to serious inadequacies, particularly in the administration of regulatory functions. Recent findings by committees of the Congress disclose serious violations of maritime laws and point to the urgent need for a reorganization to vest in completely separate agencies responsibility for (1) regulatory functions and (2) promotional and operating functions.

Testimony before the Committee on Government Operations amply sustains the findings of the President on which he based Reorganization Plan No. 7. In a well-reasoned and effective presentation, the Chairman of the Federal Maritime Board supported the plan for reasons very similar to those stated in the message. He concluded:

> Based on 18 years' experience in Government maritime agencies, I am convinced of the need to allow plan No. 7 to become effective. There is an immediate necessity of improving regulatory efficiency in the public interest. Plan No. 7 will accomplish this objective.

In considering the disapproval resolution on plan No. 7, the Committee on Government Operations took note of the following:

1. Almost everyone agrees that a separate and independent agency should be set up to perform solely regulatory functions under the U.S. shipping laws.

2. The Secretary of Commerce has declared that the subsidy-award function, which, under plan No. 7, would be divorced from the regulatory agency and transferred to him, would not be exercised by one man. This function would be delegated to the top three officials of the Maritime Administration, to be exercised by them jointly.

3. The provision of plan No. 7 authorizing the new Commission to delegate any of its functions is virtually identical in language and purpose to Reorganization Plans Nos. 1, 3, and 4, which were thoroughly considered and endorsed by both the committee and the House.

4. All the procedural safeguards with which Congress has surrounded the performance of maritime functions by existing agencies would survive and be preserved under plan No. 7.

In light of this, the majority of the committee felt that the plan should be allowed to go into effect. Since extensive debate on the question of delegation of authority under the earlier plans has already been held on the floor, a majority of the committee concluded that the time of the House should not be used in lengthy and repetitive arguments on the same basic issues unless the House itself should decide to take the plan up for full-scale debate. Accordingly, the majority of the committee voted to table the disapproval resolution on Reorganization Plan No. 7.

PERSONAL EXPLANATION—MR. BRADEMAS, OF INDIANA

Mrs. NORRELL. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I was unavoidably absent on Monday, July 10, 1961, on two rollcalls.

Had I been present and voting on H.R. 187, a bill to provide for the beneficial review of orders of deportation, I would have voted "no."

Had I been present and voting on H.R. 5786, a bill to provide for the establishment of Cape Cod National Seashore, I would have voted "aye."

HOME RULE A NECESSITY FOR WASHINGTON IN A DEMOCRATIC SOCIETY

Mrs. NORRELL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

Mr. MULTER. Mr. Speaker, I have introduced today the administration's bill for home rule for the District of Columbia. It provides for an elected mayor, city council and nonvoting Delegate to the House of Representatives for the District of Columbia.

At times it seems difficult to remember that the citizens of the Nation's Capital do not have a voice in the determination of their own affairs. Consequently I would remind the Congress of its historic responsibility to provide for and protect the rights of American citizens, a responsibility it has no less than the executive branch of our Government.

One-hundred and sixty-one years ago this summer, Mr. Speaker, the Federal Government moved to what is now the beautiful city of Washington. At that time it was not beautiful—most of it was a swamp. Our predecessors in these hallowed Halls who lived in the tiny town of Georgetown had to travel a treacherous stretch of "yellow tenacious mud" to reach Capitol Hill. Beginning in June of 1800, the executive branch of our fledgling Government moved down from Philadelphia—all 130 of them.

How different it is today. In 1800 the population here was only about 3,600—it now approaches the million mark.

Mr. Speaker, in introducing this bill I am only asking that the residents of the District of Columbia be granted by the Congress those rights which every American is entitled to—those rights which, I am convinced, the Founding Fathers intended them to have. They—the Founders of our Nation—did not seem to question but that the District would have home rule. James Madison, writing in the Federalist papers, said that "a municipal legislature for local purposes derived from their own suffrages will of course be allowed them."

It is my hope and desire that this Congress will bring to reality these words of our fourth President and the chief architect of our Constitution.

Home rule is a necessity for Washington in a democratic society.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mrs. NORRELL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. COHELAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Arkansas?

There was no objection.

Mr. COHELAN. Mr. Speaker, today I have joined with my senior colleague on the District of Columbia Committee, [Mr. MULTER] in introducing the home rule bill for the District of Columbia. This bill was drafted by the District Commissioners, after extensive and careful consideration, and has been submitted to the Congress with strong support by the President of the United States.

I warmly support this bill, but I would like to point out to my colleagues that I have some reservations about the provision in this bill which would grant 18-year olds the right to vote. As my colleagues know, only two States at the present time have such voting age and I propose therefore to give this provision further study.

Mr. Speaker, the idea of home rule for the District of Columbia is so familiar to all of us that it would be superfluous for me to dwell upon it at length at this time. It is important, however, that we keep certain facts very clearly in mind as we consider this legislation.

We should remember that this legislation has been considered sufficiently important to be introduced in every Congress since 1946. Furthermore, on five separate occasions it has passed the Senate, although, regrettably, on only one occasion has it reached the floor of the House.

We should also remember that the idea of home rule for the District is not new, for if this bill were to be passed, it would merely restore the home rule which was temporarily suspended in 1870.

The alternative to home rule, of course, is the continuation of the present city council system; a shockingly clumsy system in which an already overworked and increasingly burdened Congress must take vital time to consider essentially local matters. This time, in my opinion, could much more profitably be spent on our multitude of national and international problems.

Aside from these reasons, home rule for the District of Columbia is justified solely on the traditions for which we stand as a nation; for our system of representative and popular government; and for the right of men to manage their own local affairs; a right, incidentally, which is enjoyed by all other American citizens.

I urge my colleagues to bear these factors carefully in mind, and to support this legislation.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

Mr. EDMONDSON for July 18, 1961, on account of official business.

Mr. ROBERTS (at the request of Mr. MCCORMACK) for an indefinite period, on account of illness in the family.

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. THOMPSON of New Jersey, for 1 hour, tomorrow.

Mr. ROUSH, for 10 minutes, today.

Mr. MOORHEAD of Pennsylvania, for 1 hour, tomorrow.

Mr. REUSS, for 1 hour, today.

Mr. MEADER, for 30 minutes, today.

Mr. STRATTON, for 20 minutes, tomorrow.

Mr. CONTE (at the request of Mr. DEVINE), for 5 minutes, today.

Mr. ASHBROOK (at the request of Mr. DEVINE), for 60 minutes, on Tuesday, July 18.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. HOLIFIELD and to include extraneous matter.

Mr. MCCORMACK and to include extraneous matter.

Mr. CURTIS of Missouri.

Mr. ALGER.

(The following Members (at the request of Mr. DEVINE) and to include extraneous matter:)

Mr. HARSHA.

Mr. CORBETT.

(The following Members (at the request of Mrs. NORRELL) and to include extraneous matter:)

Mr. FLOOD.

Mr. BYRNE of Pennsylvania.

Mr. EVINS in three instances.

Mr. RABAUT.

Mr. PELLY.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1107. An act to provide a 2-year extension of the existing provision for a minimum wheat acreage allotment in the Tulelake area of California; to the Committee on Agriculture.

S. 1154. An act to provide for the improvement and strengthening of the international relations of the United States by promoting better mutual understanding among the peoples of the world through educational and cultural exchanges; to the Committee on Foreign Affairs.

S. 2197. An act to amend section 107(a)(3) of the Soil Bank Act, as amended; to the Committee on Agriculture.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1986. An act to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroads from express companies for the transportation of express matter;

H.R. 4591. An act to continue until the close of June 30, 1962, the suspension of duties on metal scrap, and for other purposes; and

H.R. 6441. An act to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control, and for other purposes.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1710. An act to amend the act of April 6, 1949, as amended, so as to authorize the Secretary of Agriculture to make emergency livestock loans under such act until December 31, 1961, 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. 1986. An act to repeal the provisions of section 5 of the act of July 28, 1916, as amended, relating to the furnishing of information to the Postmaster General by the Interstate Commerce Commission with respect to revenue received by railroads from express companies for the transportation of express matter;

H.R. 4591. An act to continue until the close of June 30, 1962, the suspension of duties on metal scrap, and for other purposes; and

H.R. 6441. An act to amend the Federal Water Pollution Control Act to provide for a more effective program of water pollution control, and for other purposes.

ADJOURNMENT

Mrs. NORRELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 53 minutes p.m.)

the House adjourned until tomorrow, Tuesday, July 18, 1961, 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:

1136. A letter from the Administrator, General Services Administration, relative to a notice of a proposed disposition of approximately 4,471 troy ounces of platinum scrap and a quantity of nonferrous scrap consisting of approximately 520 short tons of brass, 74 short tons of silicon bronze and copper, 11 short tons of beryllium copper, and 106 short tons of zinc foil now held in the national stockpile, pursuant to 50 U.S.C. 98b(e); to the Committee on Armed Services.

1137. A letter from the Attorney General, transmitting a draft of a proposed bill entitled "A bill to provide for the disbursing of judiciary funds"; to the Committee on the Judiciary.

1138. A letter from the chairman, Pacific Marine Fisheries Commission, transmitting the 13th Annual Report of the Pacific Marine Fisheries Commission for the year 1960, pursuant to Public Law 232, 80th Congress; to the Committee on Merchant Marine and Fisheries.

1139. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order suspending deportation in the case of Mario Norrito, A2305713, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1140. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting copies of orders entered in cases where the authority was exercised in behalf of such aliens, pursuant to the Immigration and Nationality Act; to the Committee on the Judiciary.

1141. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, relative to reporting that during the second 6-month period, from January 1, 1961, through June 30, 1961, the Service found 2,123 refugees eligible for parole into the United States, pursuant to Public Law 86-648; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. Immigration aspects of the international education exchange program. (Report No. 721.) Referred to the Committee of the Whole House on the State of the Union.

Mr. McCULLOCH: Committee on the Judiciary. H.R. 6690. A bill to amend section 332 of title 28, United States Code, in order to provide for the inclusion of a district judge or judges on the judicial council of each circuit; without amendment (Rept. No. 722). Referred to the Committee of the Whole House on the State of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H.R. 7856. A bill to amend the Communications Act of 1934, as amended, for the purpose of facilitating the prompt and orderly conduct of the business of the Federal Communications Commission; without amendment (Rept. No. 723). Referred to the Committee of the Whole House on the State of the Union.

Mr. HAYS: Committee on House Administration. H.R. 8141. A bill to revise the laws relating to depository libraries; without amendment (Rept. No. 724). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 641. A bill to provide for the free entry of an electron microscope and an L.K.B. intermediate image spectrometer for the use of Tulane University, New Orleans, La.; with amendment (Rept. No. 725). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITTEN: Committee of conference. H.R. 7444. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1962, and for other purposes. (Rept. No. 726). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SPENCE:

H.R. 8176. A bill to authorize annual appropriation to reimburse Commodity Credit Corporation for net realized losses sustained during any fiscal year in lieu of annual appropriations to restore capital impairment based on annual Treasury appraisals, and for other purposes; to the Committee on Banking and Currency.

By Mr. ASPINALL:

H.R. 8177. A bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a Water Resources Council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning; to the Committee on Interior and Insular Affairs.

By Mr. COHELAN:

H.R 8178. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. FARBSTEIN:

H.R. 8179. A bill to amend the Internal Revenue Code of 1954 to provide a special deduction from gross income for a taxpayer supporting an aged dependent who has no retirement income of his own; to the Committee on Ways and Means.

By Mr. HARRISON of Wyoming:

H.R. 8180. A bill to specify the price at which the Commodity Credit Corporation may sell corn to provide feed for livestock in areas determined to be emergency areas; to the Committee on Agriculture.

By Mr. KIRWAN:

H.R. 8181. A bill to authorize the Secretary of the Interior to construct a National Fisheries Center and Aquarium in the District of Columbia; to the Committee on the District of Columbia

By Mr. MONTOYA:

H.R. 8182. A bill to amend the Federal Employees' Compensation Act so as to permit injured employees entitled to receive medical services under such act to utilize the services of chiropractors; to the Committee on Education and Labor.

H.R. 8183. A bill to amend title 38, United States Code, to provide for payment of pension to the widows of certain veterans; to the Committee on Veterans' Affairs.

By Mr. MULTER:

H.R. 8184. A bill to provide an elected mayor, city council, and nonvoting Delegate to the House of Representatives for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SMITH of Mississippi:

H.R. 8185. A bill to direct the Secretary of the Army to transfer the U.S. vessel *Mississippi* to the Administrator of General Services and to provide for the disposal of such vessel; to the Committee on Armed Services.

By Mr. TOLLEFSON:

H.R. 8186. A bill to provide for the creation of a separate Federal Maritime Commission charged with the regulatory functions of the present Federal Maritime Board, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. WHARTON:

H.R. 8187. A bill to provide for the maintenance of the graves of former Presidents of the United States, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WESTLAND:

H.R. 8188. A bill to amend the Civil Service Retirement Act to provide for the resumption of surviving widows annuities upon termination of subsequent remarriages; to the Committee on Post Office and Civil Service.

By Mr. DORN:

H.R. 8189. A bill to amend section 2112 of title 28 of the United States Code to require that certain proceedings must be instituted in the judicial circuit where the controversy arose; to the Committee on the Judiciary.

By Mr. MASON:

H.R. 8190. A bill to amend the Internal Revenue Code of 1954 so as to provide that certain distributions of stock made pursuant to orders enforcing the antitrust laws shall not be treated as dividend distributions but shall be treated as a return of basis and result in gain only to the extent basis of the underlying stock is exceeded; and to further provide that the amount of a dividend in kind received by a corporation shall be its fair market value; to the Committee on Ways and Means.

By Mr. ZELENKO:

H.R. 8191. A bill to amend the Fair Labor Standards Act of 1938 to extend the child labor provisions thereof to certain children employed in agriculture, and for other purposes; to the Committee on Education and Labor.

By Mr. BENNETT of Florida:

H.J. Res. 482. Joint resolution proposing an amendment to the Constitution to redefine the term "treason"; to the Committee on the Judiciary.

By Mr. BOLAND:

H.J. Res. 483. Joint resolution authorizing the President of the United States to proclaim the period from October 22, 1961, through October 28, 1961, as National Gifted Child Week; to the Committee on the Judiciary.

By Mr. COLMER:

H.J. Res. 484. Joint resolution authorizing the President to take such steps as he deems necessary to carry out U.S. responsibilities for Berlin; to the Committee on Foreign Affairs.

By Mr. KOWALSKI:

H.J. Res. 485. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. JARMAN:

H.J. Res. 486. Joint resolution proposing an amendment to the Constitution of the United States providing for the popular election of President and Vice President of the United States; to the Committee on the Judiciary.

By Mr. ROUSH:

H. Con. Res. 350. Concurrent resolution expressing the sense of Congress that the U.S. policy in Berlin be upheld; to the Committee on Foreign Affairs.

By Mr. MOORE:
H. Res. 372. Resolution declaring the Eastern Orthodox Church to be a major faith in the United States; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII,

The SPEAKER presented a memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to propose an amendment to the Constitution of the United States relative to balancing the expenditures and the income of the Government of the United States, which was referred to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDONIZIO:
H.R. 8192. A bill for the relief of Theresa Godino; to the Committee on the Judiciary.

By Mr. ALGER:
H.R. 8193. A bill for the relief of Henry G. Sunderman; to the Committee on the Judiciary.

By Mr. ANFUSO:
H.R. 8194. A bill for the relief of Andrzej Gitter; to the Committee on the Judiciary.

By Mr. BROOMFIELD:
H.R. 8195. A bill for the relief of Ronald L. Mutter; to the Committee on the Judiciary.

By Mr. CHAMBERLAIN:
H.R. 8196. A bill for the relief of Miss Flora C. Dono; to the Committee on the Judiciary.

By Mr. COLLIER:
H.R. 8197. A bill for the relief of Andrea Avogadro; to the Committee on the Judiciary.

By Mr. DOMINICK:
H.R. 8198. A bill for the relief of Lee R. Garcia, also known as Lino Rios Garcia; to the Committee on the Judiciary.

By Mr. HOLTZMAN:
H.R. 8199. A bill for the relief of Mrs. Esperance Shohet; to the Committee on the Judiciary.

By Mr. JUDD:
H.R. 8200. A bill for the relief of Gee Wing Ying (also known as Wing Ying Gee); to the Committee on the Judiciary.

By Mr. KILDAY:
H.R. 8201. A bill for the relief of Sp5c. Curtis Melton, Jr.; to the Committee on the Judiciary.

By Mr. KING of California:
H.R. 8202. A bill for the relief of Peter Alkema; to the Committee on the Judiciary.

By Mr. LIBONATI:
H.R. 8203. A bill for the relief of Saadet Hatize Paksoy; to the Committee on the Judiciary.

By Mr. MONTOYA:
H.R. 8204. A bill for the relief of Mr. and Mrs. Harley Brewer; to the Committee on the Judiciary.

By Mr. WIDNALL:
H.R. 8205. A bill to provide tax relief to the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, Local 683, pension fund and the contributors thereto; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII,

194. The SPEAKER presented a petition of Henry Stoner, Avon Park, Fla., relative to our foreign policy, and recommending the teaching of the American political theory as set forth by Thomas Jefferson and in Madison's notes, which was referred to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

Needed: Western Penetrations of Red-Orbit Countries

EXTENSION OF REMARKS
OF
HON. ALEXANDER WILEY
OF WISCONSIN
IN THE SENATE OF THE UNITED STATES
Monday, July 17, 1961

Mr. WILEY. Mr. President, in a world teetering on the brink of war—because of Communist-created crises—we find ourselves faced with defending ourselves on many fronts. Particularly in Berlin, Mr. Khrushchev has thrown down the gauntlet. The question, now, is: What shall we do about it?

Recently, I was privileged to comment on major aspects of the Berlin crisis, as well as make some suggestions generally for dealing with the Red threat elsewhere around the world. I ask unanimous consent that excerpts from the address be printed in the RECORD.

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

Today, the world is facing a most serious Communist-created crisis in Berlin.

In evaluating the situation, the question arises: "Why has Khrushchev—at this time in history—decided to throw down a gauntlet over West Berlin; a city that does not militarily threaten the Red iron grip on East Germany or the Communist bloc?"

What, then, is the motivation? Realistically there is no way, of course, to accurately probe the Communist mind. Nevertheless, there are speculations on the reasons for the flareup in Berlin. These include:

First. West Berlin—a showplace of Western progress—continues to taunt the Reds by making East Berlin and East Germany look "drab" and "draggy" economically. As Mr. K. has often stated, the city is a bone in his throat." Apparently, he is now choking on it.

Second. The flow of thinking people—including the technical, professional and other highly trained individuals—to the West is not only embarrassing to the Communists, but is seriously jeopardizing progress in East Germany.

Third. Red strategy may call for further tightening of the Communist grip of Eastern Europe—including wiping out remnants of Westernism, symbolized by Berlin.

Whatever the reason—Khrushchev has now chosen to discard the deceitful cloak of peace—which did not fit anyway—and flex his "military muscles."

The threats to Berlin; threats to use force against the United Nations; the "beefing up" of military forces; the display of more lethal air power in Moscow: All of these reflect a new militarism—"provocative acts" against which the West must be prepared to defend itself.

How should we and the free world meet this new Red-inspired crisis?

In my judgment we need to alert, sharpen up and, as necessary, strengthen our defenses—girding ourselves for whatever action—military or nonmilitary—may be needed to protect freedom in Berlin or elsewhere.

We need to close ranks in NATO and other Western alliances, to present a strong, bulwark against Red aggression.

We must effectively present the Western position to the court of world opinion. The West is in Berlin by right, obligation, and commitment—not by sufferance of the Reds. In a crucial test—short of war—the impact of aroused world opinion may be decisive.

Overall, we must mobilize our resources—to provide the necessary brainpower, manpower, and materiel to protect freedom from the Communist aggression.

Our efforts, however, must not end there. Rather, we must undertake a strong, nonmilitary counteroffensive. We need more effective effort, for example, to penetrate the Iron and Bamboo Curtains—not leave this as "untouchable territory" for the Reds. This should include recommendations for a vote by secret ballot for the citizens of all Berlin—giving them a voice in determining their own future; recommending a secret ballot vote by citizens of East and West Germany to settle the question of unification or nonunification; recommendations for a U.S.-type bill of rights—including that of suffrage—for the people of all Communist-dominated countries—pointing out how communism denies even minimum rights, recognized, not just in the United States, but in the United Nations, and other efforts not just to defend ourselves, but to launch a real campaign for global freedom.

This then, is a fight for all of us. As a people, we must pool our resources, reinvigorate our patriotic spirit; and weld together our efforts and purposes in a common cause: that of survival of ourselves, of our ideals, and of freedom.

The President, the TVA, and the Public Interest

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, July 17, 1961

Mr. EVINS. Mr. Speaker, the chairman and members of the Board of Directors of the Tennessee Valley Authority recently announced a schedule of new low power rates in the TVA area. This announcement was made at a significant ceremony at the White House with President Kennedy and some 30 Members of Congress from the Tennessee Valley area. While announcing a reduction in rates, the TVA has also recently announced the payment of some $51 million to the U.S. Treasurer on earnings from this great Federal investment. Following this announcement, certain of the private utility companies led by individuals noted by the name of Dixon and Yates attacked this rate reduction schedule of the TVA.

The private utility companies are afraid that their power rates will be compared with the much lower power rates obtaining in the TVA area.

Mr. Speaker, in this connection, under unanimous consent I include my weekly newsletter written on this subject in the CONGRESSIONAL RECORD. The newsletter follows:

THE PRESIDENT, THE TVA, AND THE PUBLIC INTEREST

(By Hon. JOE L. EVINS, Member of Congress, Fourth District, Tennessee)

During the week I was privileged to attend ceremonies at the White House with President Kennedy honoring the 100th anniversary of the birth of the late Senator George W. Norris. At this meeting Chairman Vogal and the other members of the Board of Directors of the Tennessee Valley Authority announced a new schedule of reduced electric power rates for TVA customers—the lowest in TVA's history.

The TVA chairman in a brief speech told President Kennedy and the 30 Members of Congress from the Tennessee Valley area attending the White House ceremonies that the new rate reductions will vary from 8 to 11 percent and may be placed into effect at the option of any of the 155 locally owned electric cooperative and municipal distribution systems which purchase TVA power and serve the more than 1.5 million customers in the area. Two of these distributors have already announced adoption of the new rates and others will follow.

The new rate, called the Norris centennial rate, after the late great Senator from Nebraska who was one of the authors of the TVA Act, will permit distributors in the TVA system to make significant reductions in cost of electricity to consumers.

Although the people of the TVA area already enjoy the lowest power rates of any section of the Nation, the TVA recently has been able because of its profitable and efficient operation to make a $51 million payment into the Federal Treasury as an earnings on the Federal investment. (Very few of the agencies of the Federal Government make payments to the U.S. Treasury.)

Following the announcement of the TVA rate reductions the private utilities—led by Edgar H. Dixon, president of Middle South Utilities, and Harllee Branch, Jr., president of the Southern Utility Co.—noted member of the Dixon-Yates conspiracy against TVA—attacked the action of the TVA Board of Directors in making these rate reductions. The private utilities executives called the reduction "a cheap publicity stunt."

The high-paid representatives of the private utilities are smarting over the TVA's demonstrated ability to operate efficiently and to provide reduced power rates to the consumer. These officials, who seem always ready to snipe at any efficient and successful action of the TVA, must be afraid that the private power rates will be compared to the much lower power rates of the TVA area.

Lobbyists of the private utility companies have recently been swarming on Capitol Hill in an effort to sabatoge important features of the Public Works appropriations bill pending in the House. This bill carries funds for the Corps of Engineers, the Bureau of Reclamation, and various great public power projects and programs for the Nation. These utility lobbyists continue to oppose these great projects which are in the public interest. During the week they contributed to the defeat of an important amendment to the Atomic Energy Commission Act which would have provided for an atomic powerplant in the Pacific Northwest.

These special interest groups are opposed to any advancement in the production of low cost electricity. Their action this week in attacking TVA's new rates and in opposing the atomic powerplant proves again that the public interest must be protected.

The present day utility Insulls have not ceased their greedy efforts to constantly milk the public while also asking for special favors for themselves in the form of power wheeling contracts and rapid tax amortization.

World Peace Through World Law—Address by Senator Edward V. Long, of Missouri

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES

Monday, July 17, 1961

Mr. HUMPHREY. Mr. President, I wish to call attention to an address by Senator EDWARD V. LONG entitled "World Peace and World Law" which was delivered at Culver-Stockton College in Canton, Mo., on May 20 of this year. I ask unanimous consent that it be printed in the RECORD.

I wish to commend the Senator from Missouri for this most thoughtful address. It is quite obvious that the Senator has given long and serious study to this most vital question of how we may best assure a just and lasting world peace.

Senator LONG suggests various steps which should be taken to promote world peace through world law. The Senator urges our continued wholehearted support of the United Nations and the establishment of the United Nations police force representing all nations with the power to enforce its resolutions and maintain the peace.

The Senator from Missouri also urges repeal of the so-called Connally amendment to our declaration of acceptance of jurisdiction of the International Court of Justice. As my colleagues know, I have offered a resolution in this Congress to delete the self-judging reserve clause. I am so pleased to have Senator LONG's support on this measure.

The Senator also suggests in his excellent address that in any future negotiations we have in regard to international treaties and agreements that we should press for inclusion in them of provisions to the effect that any disputes arising from their interpretation be submitted to the International Court of Justice.

I agree with the Senator from Missouri on the points he raised in the excellent and thoughtful address he delivered.

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

WORLD PEACE THROUGH WORLD LAW

(An address by Senator EDWARD V. LONG, of Missouri, before Culver-Stockton College, Canton, Mo., May 29, 1961)

For the sake of brevity, I have chosen the subject today, "World Peace Through World Law." Unfortunately, the subject is not original. Many distinguished Americans have preceded me with truly studious, masterpieces on the subject. Former Presidents Roosevelt, Truman, Eisenhower, former Vice President Nixon, former Attorney General William Rogers have all delivered wonderful talks on the subject.

However, less than 2 years ago, the American Bar Association honored Mr. Greenville Clark with the American Bar Association Medal in recognition of a lifetime of public service which culminated in his monumental work—"World Peace Through World Law." Mr. Clark was assisted by Mr. Louis B. Sohn—a native of Poland—and it is truly a monumental work. If you haven't read it—I unhesitantly recommend it to you now.

The achievement of world peace through law is a goal which motivates the conduct of our country's international relations. Thanks to the American Bar Association, lawyers in many parts of the world are now working to formulate an action program designed to help move mankind nearer to the goal of peace through law. This increasing consciousness of international problems in the legal profession is a significant contribution to efforts of the United States to strengthen the foundations of freedom throughout the world.

Freedom has a value which the American people down through history have cherished above all else. The preamble to the Constitution submitted to the States in 1789 stated as one of its principal purposes, "to secure the blessings of liberty to ourselves and our posterity." But, this declared purpose was not enough to satisfy the people. They refused to accept the Constitution until the essentials of freedom had been specifically guaranteed in the first 10 amendments: The Bill of Rights. Thus, we have held freedom—freedom of religion, freedom of speech and of the press, and all the other individual freedoms—to be a prior condition of Government itself.

We conceive of freedom as being within the context of the rule of law. Our Founding Fathers associated natural rights with natural laws. This linkage between freedom and law is explicit in our approach to international problems. We feel that freedom and law are indivisible, as freedom itself is indivisible.

Today, on the world scene, freedom is locked in a fateful contest with the formidable challenge of Communist imperialism. Hundreds of millions of human beings in Soviet Russia and Communist China never taste the blessings of freedom. In the satellite countries, ancient freedoms are being ruthlessly suppressed. This new absolutism is more formidable than any in modern history because it coincides in time with the tremendous and continuing advance of science and technology. It is not only in the military field that Communist leaders are drawing upon science and technology to strengthen their position. They are also utilizing science and technology to strengthen their economic position, as well.

If the economic planning of Soviet leaders was aimed basically at raising the living standards of the Soviet citizen, we would cheer them on. For we sincerely wish the Soviet leaders every success in their efforts to improve the drab lot of their own people. It is not the economic progress of the Sino-Soviet bloc that concerns us. What we are concerned with—and what we firmly oppose—are the efforts of the Communist leaders to dominate other countries by a combination of economic cajolery, subversion and artful propaganda backed up, when opportune, by military power.

Today, all of us have become accustomed to the names of such places as Lebanon, Berlin, the Congo, Cuba, Laos, and South Vietnam.

For to mention these places is almost to call the roll of crisis during the past years—the same years you have been studying for your degrees. All of these diverse places and their problems have one definite thing in common. They have all held the prospect of a resort to force for their settlement.

And that prospect in turn has pointed clearly to the tragedy that, in spite of all of our wisdom, we have not yet devised a reliable method for the settlement of international disputes, short of war.

Presently, we are being shocked, by the revelations in Israel's trial of Adolf Eichmann, into recalling with horror the logical consequences of a world order in which force remains the ultimate arbiter of international disputes. With the Israel prosecutor, we ask: How could this all happen in the 20th century? But a more important question for us is: What is the alternative to such human slaughter when we still have no alternative to force to resolve international disputes? How can the Eichmanns within society be restrained when the conditions that permit them to develop still exist? To me, it seems clear that we cannot feel safe from such wholesale relapse into brutality until these conditions are changed. What we must have is an international environment in which law replaces force as the decisive factor in the settlement of the world's disputes. We cannot expect a secure, lasting world peace until we have established the essential foundation for it through a system of world law.

Former President Harry Truman reduced the problem into its simplest terms with a quotation as far back as 1945: "When Kansas and Colorado have a quarrel over the water in the Arkansas River, they don't call out the National Guard in each State and go to war over it. They bring a suit in the Supreme Court of the United States and abide by the decision. There isn't a reason in the world why we cannot do that internationally."

There can be no doubt that this legal foundation is more difficult to bring into being than orbiting space satellites or devising more massive weapons of mass destruction. But, in truth, our ultimate survival may depend on how well we meet this most difficult challenge. Once we have recognized this challenge there is a natural tendency to be overawed by its immensity. But all of us, I fear, have not yet made this fundamental discovery. Faced with the necessity of meeting world crisis on almost a day-to-day basis, there seems little time for long-range planning to gain perspective on our problems. We must deal with the situation at hand. Short-range objectives tend to replace long-range goals as long-range plans seldom seem fully appropriate to the needs of the rapidly changing international environment.

I believe it is imperative, however, to take a new look at long-range considerations, if we are to exert our maximum influence upon the world's rapidly unfolding events and ultimately gain our long-run objective—world peace.

To insure our survival, we must plan for it as completely as possible. While never neglecting the military aspects of planning for the cold war, neither must we neglect the nonmilitary aspects of planning. Insofar as possible, our planning and actions should reflect the ultimate goal of world peace through world law.

How can we achieve this goal? To be perfectly honest, the sad answer is that there is no sure way; all factors involved are not subject to our own control. We must face the probability that this goal will not be achieved in our lifetime. But, taking heart in the knowledge that each step we take will bring us that much nearer our goal—we must begin.

Today, I would like to briefly outline several areas in which I believe a few precious steps can be taken to further the cause of world peace through world law.

The first involves the United Nations, which I believe still offers the best possibility for replacing the rule of force with the rule of law in world affairs. We must continue to support wholeheartedly this organization and work for the expansion of its facilities for use in the peaceful solution of international disputes.

Recognizing the fact that for law to be effective, it must have some enforcement agency, I favor the concept of establishing a U.N. Police Force representing all nations with the power to enforce its resolutions and to maintain the peace. Our past diplomatic agreements with the Soviet Union have only too painfully shown the need for such an agency.

Another area in which I believe progress can be made involves the International Court of Justice at the Hague. This tribunal of 15 outstanding international jurists contains the potential for valuable contribution to furthering the cause of world law and international justice. It seems clear that it represents a method for peacefully settling disputes that could profitably be greatly expanded.

By any standard you care to use, the function of the International Court of Justice has been most disappointing. As of May 15, 1961, the United Nation's Court has rendered a grand total of 45 decisions, opinions, and orders. After 15 years in existence, this record is far from being impressive. Here is a court made up of 15 judges who are each paid $20,000 a year and still heard only one case during the entire year of 1960.

Presently, I believe that the United States, itself, is restricting the possibilities of the International Court. The whole case is explained in a most learned manner in the Readers Digest in June 1960 with an article titled, "The United States is Impeding World Law," by William Hard. The article frankly advocates the repeal of six words in a treaty of the United States having to do with the operations of the International Court of Justice of the United Nations. Here's what happened:

In 1946, the U.S. Senate was considering the acceptance by the United States of the "compulsory jurisdiction" of the International Court of Justice. Some 40 countries have accepted that jurisdiction. The United States is one of them. But, there is a catch. The catch is in the word "jurisdiction."

The Senate resolution of 1946 specifically exempted from the Court's jurisdiction "disputes with regard to matters which are essentially within the domestic jurisdiction of the United States." The Senate Foreign Relations Committee thought that this act of caution was enough.

Senator Tom Connally of Texas did not agree. On August 1, 1946, he took the floor and offered an amendment. It was overwhelmingly adopted. To the resolution before the Senate then were added the six words "as determined by the United States." This Connally reservation is called by its opponents our American self-judging reservation. We have made ourselves our own judges as to whether or not the Court has jurisdiction in any suit brought against us.

As a result of this position on our part, other nations have adopted similar reservations. I believe that the repeal of this debilitating amendment would be one of the most direct steps we could take to further the cause of world law.

In conjunction with this step, I believe that in our future negotiation of international treaties and agreements, we should press for inclusion in them of provisions to the effect that any disputes arising from their interpretation be submitted to the World Court. In addition, we should urge at the time of the signing of the agreements that the nations involved bind themselves to accept World Court decisions concerning disputes as to their interpretation.

Here, as in all of these proposals, we should not be totally dismayed if we do not receive immediate support from the Communist bloc. Nor should we expect such support. We can, however, realistically expect support for these actions in the free world. This partial acceptance, in itself, would make a positive contribution to the cause of freedom in the cold war arena. It would serve as an example, to those emergent nations in search of peace and stability, of the handiwork of free men working through free institutions. Nor do I believe that the appeal of world law could be totally ignored by our Communist adversaries. The concept of world law is a self-perpetuating idea which will expand as it gains strength throughout the world.

These then are a few areas in which the effect of action upon the principle of world law is readily apparent. But, there are other areas close to home in which the effect of action, though of great importance, is not so apparent. I refer to the fact that we are now in the process of reevaluating a basic social problem in America, that of race relations, through due process of law. In this field we are under particular scrutiny by a world that is two-thirds colored. Here, America, by her example, must demonstrate that the rule of law can prevail in even the most trying circumstances.

These then—the United Nations, the World Court, and the domestic scene—are the areas, I believe, which offer valuable opportunities for making progress toward the goal of world peace through world law.

This goal is still admittedly a distant one. Moreover, events such as those that have taken place in the Congo in the recent past tend to make us doubt its ultimate obtainability. But if the obstacles are great, so is the urgency of the task.

Are we willing to accept its alternative, force, as the decisive judge of man's relations with his fellow man? Can we in fact live with dignity and passively accept such a world—such a world that slaughtered 6 million Jews, such a world that is condemned always to slaughter?

If indeed we accept such a world, can we with clean hands point the finger of accusation at its Adolf Eichmanns? And can the condemnation of its killers free us of moral responsibility for its crimes?

In answer to those questions and in conclusion please permit me to quote Mr. Charles S. Rhyne, former president of the American Bar Association: "Supremacy of the rule of law within nations has transferred sovereignty from ruler to the ruled and has created man's most cherished possession—individual freedom under law. Supremacy of the rule of law between nations—placing supremacy of law over supremacy of capacity to destroy internationally—can be a most meaningful exercise of national sovereignty to achieve freedom from the scourge of war. Let us hope and pray and work together for the arrival of a law day for the world—a day when law will replace weapons in the control of the fate of humanity."

The Case for Atomic Testing by United States

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. McCARMACK. Mr. Speaker, one of the most serious questions of this time is whether or not our country should resume testing nuclear weapons. In connection with the proper discussion on this question, the national interest of our country is involved; in fact, our very survival may be involved.

Personally, I did not favor the moratorium of some 3 years ago that former President Eisenhower voluntarily imposed upon testing by our Government.

In the light of the attitude of the Soviet Union, we cannot allow this condition to continue much longer.

One of the best qualified persons to discuss this very vital question is the gentleman from California [Mr. HOLIFIELD], chairman of the Joint Committee on Atomic Energy, an able and dedicated Member of the Congress, and a great American. His views, with which I agree, are worthy of profound consideration.

In the July 17, 1961 issue of U.S. News & World Report appears an article, "Argument and Answer," prepared by Congressman HOLIFIELD, clearly showing that the resumption of testing is necessary to the national interest and defense of our country, which article I include in my remarks.

THE CASE FOR ATOMIC TESTING BY UNITED STATES

To test new weapons again—or not to test—is moving to top position among decisions pressing in on President Kennedy.

Representative CHET HOLIFIELD, Democrat, of California—in a key position as chairman of the Joint Committee on Atomic Energy, and as a friend of Kennedy—is among those pressing for a decision to resume testing. His views, based on years of dealing with matters of national security, are shared by many top military men and members of the Atomic Energy Commission.

In what follows, arguments that are advanced against weapons testing are stated and answered by Chairman HOLIFIELD:

Argument: "We should not resume testing nuclear weapons because Russia and the United States have enough to destroy each other right now."

Answer: "This argument could be true in terms of numbers of weapons and total explosive power, and still be fallacious.

"Reason? It ignores the problem of delivery of such weapons. Quantities of nuclear weapons in hands of either United States or Russia could be meaningless unless they are related directly to modern, sophisticated delivery systems.

"As an example, delivery of a 10-megaton bomb by a manned bomber plane might become impossible in the near future. In fact, this will be the case very soon as a result of antiaircraft missiles—or Sidewinder rockets from supersonic interceptor planes. Missiles launched from planes, and armed with relatively small nuclear warheads and electronic guidance systems which seek their target, could seal the doom of our SAC—Strategic Air Command—bomber planes.

"Intermediate and long-range missiles are becoming a reality. Ways of delivering missile warheads are improving at a fantastic rate. Note the rate of improvement in solid-fuel missiles such as the Polaris and Minuteman in the past 18 months."

Argument: "But atomic warheads for these missiles have already been developed. Any further improvements are bound to be marginal."

Answer: "Further improvements could be tremendous—not marginal. Further testing of warheads is imperative.

"Let me give an example, using theoretical warhead weights:

"A warhead weighing 500 pounds has a present range of 1,200 miles. If the weight of the warhead were reduced from 500 to 250 pounds, the range could be increased to 1,700 miles with the same amount of missile fuel. Reduction in weight, size, and configuration of warheads requires testing, except in minor instances.

"The real problem which faces us—and which depends on testing—is not to create larger-yield weapons with more megatons, but to create lighter and smaller missile warheads which are practically invulnerable to interception.

"Our national security may rest on this point. We cannot gamble with weapon systems which are rapidly becoming obsolescent. If we believe that an equal or slightly superior weapon capability in our hands is, or has been, a primary factor of deterrence, then we cannot afford to lose that deterrence by depending on obsolescent weapons or methods of delivery."

Argument: "It isn't actually necessary to test—and explode—atomic devices, because improvements in weapons can be made in laboratories."

Answer: "This argument is dangerous and is refuted by every important event in the history of research and development. Only minor improvements of existing devices can be made without testing. Any major improvement must be proved by testing.

"There are new and revolutionary concepts of delivery systems and warheads in today's rapidly moving technology. These concepts must be tested step by step from theory to accomplishment. Continuous testing of missile propulsion and guidance at Cape Canaveral and Vandenberg missile facilities are conclusive as to the need of testing of warheads as well.

"The continuous testing of nuclear submarines is another example. Such revolutionary concepts of warhead delivery are being proved in test after test. How naive and impractical and inconsistent are those who are satisfied with the existing state of nuclear warheads while they fail to protest, at all, testing of the basic delivery systems.

"Protests against testing of warheads become emotional rather than logical. Denial of testing in one phase of our weapon research and development, while continuing testing in all other phases, can only be crippling in nature. It cannot remove the danger of war; it can only increase the danger of defeat by a determined and ruthless opponent."

Argument: "We should be patient. We should continue negotiating with the Soviets in the hope that an agreement on a test ban can be reached."

Answer: "We have been patient. We have negotiated for 33 months. During this period only minor concessions have been made by the Soviets to our request for an adequate inspection and detection system, to prevent possible cheating.

"On the first meeting in March of this year, the Soviets nullified all previous concessions by advancing a demand for the 'troika' principle of administering the agreement.

"The Soviets reneged on a previous agreement for a one-man neutral administrator and demanded a three-man administration, each to have the right to veto any action of the international inspection team. Since one of the three would be a Soviet representative, this of course made a mockery of any previous agreement. Future chances of an equitable administration of any provision of a treaty agreement were destroyed by the Soviets."

Argument: "The only alternative is to walk out—and that would give Russia a propaganda victory.'

Answer: "Breaking off the talks in Geneva is not the only choice. Notwithstanding the futility of our negotiations, I agree that we should continue to negotiate or be willing to negotiate.

"However, we should no longer be bound by our voluntary moratorium during the time of future negotiations.

"We should not 'walk out' on the negotiations, neither should we tie our hands on nuclear-weapons testing for strength and security."

Argument: "(a) the Soviets are not testing secretly; (b) the Soviets are testing secretly."

Answer: "Neither of these statements can be proved by the United States. It is precisely because we do not know the answers, and because the Soviets will not agree to an adequate system of detection which would give us firm answers, that we face the grave decision."

Argument: "If the United States and Britain resume testing, then the Soviets will resume testing."

Answer: "This argument assumes that the Soviets have not been secretly testing. If the assumption is not true, then they would not 'resume,' they would continue.

"On the other hand, if they have honored the moratorium and have not been secretly testing, we will start out at the same relative position we were in 33 months ago. Our course of action will not be based on ignorance of our opponent's actions, but on proven procedures for improving our capability to deter war."

Argument: "The Soviets have more to gain by resuming nuclear tests than the United States and Britain."

Answer: "This argument is based on the assumption that the Soviets have not been secretly testing during the 33-month moratorium. The assumption therefore must be evaluated. It can neither be proved nor disproved, because we lack dependable information.

"If the Soviets have been secretly testing, they may have closed any gap in their technology which may have existed at the beginning of the moratorium.

"If they have not been secretly testing, then it is reasonable to assume that the same gap exists today as we believe existed at the beginning of the moratorium. Assuming this latter situation, we then must evaluate our respective technological capabilities. On this point, I see no reason for doubting our own capability. The record of the past proves that we have had a superior capability in both quality and diverse types of nuclear weapons.

"Undoubtedly the Soviets will improve their weapons technology whether their testing is secret or open. Because we lack information as to the present status of their nuclear-weapon technology, we can only speculate as to the relative gain in the future between the Soviets and ourselves.

"In a contest of this type, I have confidence in the ability of the United States and Britain to maintain any lead in weaponry that we may now have."

Argument: "If tests are resumed, people all over the world will be alarmed and blame the United States."

Answer: "There will undoubtedly be some adverse public opinion toward any nation that resumes testing of nuclear weapons. The degree of blame directed against the United States will depend on several factors, some of which can be modified by the skill we exercise in presenting our case to world opinion. Some factors are beyond our control.

"The President should, in my opinion, devote a major television speech to this presentation. He should give a brief résumé of our patient negotiations over the 33-month time period. He should then explain the continuous refusal of the Soviets to accept any basic agreement which would give us assurance against secret violation.

"The people should be given the facts regarding the need for improvement of existing weapons and the probability of revolutionary weapons development. The basic factor for resumption, of course, would be the maintenance of our position of military strength in the interest of deterrence and the preservation of peace.

"We now have a considerable cushion of good will and confidence on the part of our

allies and most of the neutral nations. That good will and confidence is based on the belief that we have negotiated sincerely during the recent months.

"There is a corresponding decrease in respect for the Soviets. Their failure to advance constructive proposals and their rejection of United States and British concessions have caused growing doubt as to their sincerity. The recent 'troika' proposal in the United Nations and the Geneva conferences has worked to their disadvantage before the bar of world opinion.

"In making the decision to resume testing because we believe it necessary for the preservation of our national security, we must be willing to accept criticism from those who are not responsible for our national safety and who, in most instances, are misinformed or uninformed on the reasons for making the decision."

Argument: "Fallout from nuclear-weapons testing by the United States, the Soviets, and possibly other nations, will contaminate the atmosphere and be harmful to people."

Answer: "The United States and Britain would not conduct tests which would involve contamination of the world's atmosphere.

"Tests which are necessary to improve existing weapons, or prove the principle of new and possibly revolutionary weapons, can be conducted in underground cavities, thereby solving the problem of atmospheric contamination.

"Each sovereign nation determines its own course in nuclear-weapon testing. The present test-ban negotiations affect only the United States, Britain, and the U.S.S.R. The fact that the negotiations were being held did not prevent France from conducting atomic-weapon tests in the Sahara Desert.

"It would indeed be naive to believe that Communist China would refrain from testing atomic weapons, if such tests were within her capability or to her advantage."

Safety Programs Are Good Government in Action

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES
Monday, July 17, 1961

Mr. HUMPHREY. Mr. President, last month it was my privilege to speak at the President's Safety Awards Ceremony in the Departmental Auditorium. I ask unanimous consent that my remarks be printed in the RECORD.

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

Ten years ago a 34-year-old Congressman from Massachusetts left a House subcommittee hearing on a longshore and labor worker's safety bill to visit the docks of Cleveland, Chicago, Boston, and New York. He wanted to see for himself the dangers of loading and unloading cargo. Afterward, when he called stevedoring "one of our most hazardous occupations," he quoted from firsthand knowledge. And his observations made him an even more ardent advocate and sponsor of legislation which was enacted in 1958, after he moved to the Senate side of the Capitol.

That man's concern for the welfare of the workers has been constant. In a repeat performance of the earlier visit just 1 year ago, he visited the coal mines. The next day he argued for a safety bill extending Federal regulation to small mines. As chairman of a Senate subcommittee, he noted that the fatality rate in these mines is twice that of large mines already regulated by Federal standards. His statement "there is no more hazardous or demanding labor than the work of those who toil in our mines," was again from firsthand knowledge.

In the decade between those two visits, this Member of Congress had, among his other accident-prevention efforts, sought and sponsored legislation to improve the safety functions of the Federal Government. And when he moved to the White House early this year, he continued to demonstrate his determined concern for the safety of the workers of America—to the extent that as President he said he would rather see the United States come in second in space than allow an astronaut to "take a disproportionate risk." Moreover, he has asked that the President's Conference on Occupational Safety be continued and reenergized to help control hazards emerging (during the sixties) from the new tasks which will develop from scientific progress.

President Kennedy had planned to be with you today to demonstrate anew his personal concern for the safety and health of some two and a half million Americans who serve their countrymen—often with small appreciation—as Federal employees. His planned attendance was his way of showing the same sustained personal concern that safety engineers continually seek—the concern of top management to safeguard the lives and health of employees in the Federal service. And his interest is the rugged, down-to-earth, hardheaded concern of a man who has known danger and who takes responsibility for protecting others from its perils. It is no "fair weather" interest, no polite "lipservice" to the cause of safety.

President Kennedy is happy to recognize the good safety record of the 1960 winners of these awards, because he wants to see enacted an active, effective safety program for the Federal service. Moreover, he believes that all agencies should emulate the winners: That the Federal safety record should and can be better than it is.

I wish to point out here that this philosophy of concern is unlike that of other governmental systems where the individual exists for the good of the State. We believe with Edmund Burke that "Government is a contrivance of human wisdom to provide for human wants." The President recognizes, and so do I, that the safety movement in this country is a practical reflection of America's basic concern for human worth and dignity.

Secretary Ribicoff, as Governor of Connecticut, exemplified this concern by extending leadership, by enforcing high standards which greatly reduced traffic fatalities in his State. It can be done. I suggest that just as we have been able to provide safety leadership in State and local government, we propose and enact an even better program for ourselves in governmental service as an example for private industry.

And may I suggest that to further our goal of human welfare in Federal service, we also call on the Bureau of the Budget, the coordinating force of this Government, to examine the safety program of each Federal agency. This is the best kind of economy move the Government can make—it will serve to save on human talent. When the Bureau's evaluation has been made, and completed, I think a report should be submitted to the President's Office and to the appropriate committees in Congress, so that we can better the efforts we are presently honoring.

This kind of program is in line with President Kennedy's. He has pledged this administration to efficiency in Government. He has moved to release the interests and energies of all of us whose responsibility it is to carry out the policies and programs of this Government. He presents both the challenge and opportunity to improve the quality of our performance, to display leadership and initiative, to show courage and imagination, and equally important, particularly in safety work, to curtail financial and human waste. Our responsibility is to conserve our national resources, especially the lives and productive skills of our citizens.

Federal agencies—the Veterans' Administration, the National Aeronautics and Space Administration and, of course, the Atomic Energy Commission—and to honor with you those who have made these achievements possible during the year just passed. As Federal departments and agencies go, today's winners are young. Their work clearly reflects our rapidly changing technology and a shifting emphasis in governmental responsibilities and obligations. If these winners with their high inherent hazards can so markedly improve their safety performance, there is no valid reason why all other branches of Federal service cannot make similar improvements. Nor is there any reason why the counterparts to these agencies which exist in private industry and enterprise cannot upgrade their safety standards.

Yet, despite the fine records we commemorate this morning, 371 fatalities and nearly 43,000 disabling job injuries were reported to the Bureau of Employees' Compensation for 1960. While final adjudication may change these totals somewhat, they offer a preliminary measure of the task we face and how much farther we must go to meet our responsibilities.

Fifteen years ago, President Truman told the Federal Safety Council that "The Federal Government should lead, not lag in the important field of employee safety." Since then, as the Nation's largest employer, the Federal Government has not lagged, but neither has it led. Over the past dozen years, the accident record of the Federal Government as a whole has leveled off—it has gotten no worse, but neither has it improved materially.

As we recognize and congratulate the 1960 winners this June morning, the record we shall make in 1961 is already well advanced. Still, every agency in the Federal service has 6 months to improve its own 1960 record and that of our winners today. Our challenge and goal for the sixties is clear: Prevent accidents and better performance.

Extremism in Public Policy—The John Birch Society

EXTENSION OF REMARKS
OF
HON. JACOB K. JAVITS
OF NEW YORK
IN THE SENATE OF THE UNITED STATES
Monday, July 17, 1961

Mr. JAVITS. Mr. President, the activities of the John Birch Society reminds us that the principles of a free society can be eroded from the extreme right as well as the extreme left. Jeopardizing the confidence of Americans in their tried and proved leaders is a serious way to undermine the very foundations of our Government.

This warning is contained in an address by Representative PAUL A. FINO, delivered at the commander's banquet during the 31st Annual Convention of the Department of New York, Jewish

War Veterans, June 10, 1961. I ask unanimous consent that his remarks before the Jewish War Veterans, the Nation's oldest active war veterans organization, be printed in the RECORD.

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

(Speech delivered by guest speaker, Congressman PAUL A. FINO, of New York, on June 10, 1961, at the department commander's banquet)

Mr. Chairman, Cornie Schneider, National Commander Isidore Feuer, Incoming State Commander Hy Miller, National President Bertha Krause, Rabbi Gordon, distinguished guests and ladies and gentlemen, it is indeed an honor and a privilege to address the 31st Annual Convention of the Department of New York, Jewish War Veterans. I look upon you as men of tried and true patriotism, formed and disciplined by military training, and tested in the fires of battle. As men reared in the Jewish tradition of intellectual skepticism and moral conviction, I look to you to discriminate carefully and effectively between those organizations whose words and actions are calculated to promote the safety and well-being of our country, and those organizations whose announced patriotic aims are frustrated and stymied by their words and actions.

It is not enough for a man or an organization to claim anticommunism as a patriotic goal. No less an authority than J. Edgar Hoover, Director of the Federal Bureau of Investigation, has recently devoted a special message to the topic of irresponsible words and actions under this label, and the danger they bring to us. This message appears in the FBI law enforcement bulletin for April 1961. I strongly recommend that all citizens read it and take its message to heart.

Much of what Mr. Hoover says in this urgent message seems to me to apply directly to certain characteristics of the John Birch Society, though he does not mention this or any other organization by name. Pointing out that the Communists need, in order to take over a country, "a people shaken with fear, hysteria, and confusion," Mr. Hoover goes on to say: "Above all, however, is the danger of irresponsible counteraction by citizens who lend impetus to communism through inept attempts to fight this insidious menace."

The FBI director, surely one of the Nation's foremost authorities on this Communist menace and how to meet it, quotes Lenin's direction to his followers, urging them to take advantage of "every, even the smallest, rift among the enemies." He sees this technique as a part of the Communist attack upon America today. "There exists today in our land," Mr. Hoover says, "a vital rift which the Communists are exploiting." Unfortunately, this involves certain people across the country who engage in reckless charges against one another. The label of "Communist" is too often indiscriminately attached to those whose views differ from the majority. Those whose lives are not led according to what one segment of society might decree to be the norm are too frequently challenged as Reds.

The founder and present head of the John Birch Society has denied responsibility for certain much-publicized reckless charges, made in his so-called private letter, entitled "The Politician." In this privately circulated work he accused President Dwight D. Eisenhower, his brother, Milton Eisenhower, and Allen Dulles, Director of the CIA, of being either conscious or unconscious agents of the Communist Party. He claims that, since he made these accusations privately, and before the formation of his society, the society cannot be saddled with the onus of whatever slander may be involved.

But the accusations are of a piece with the consistent attitude and behavior of the John Birch Society. "Attributing every adversity to communism is not only irrational," says J. Edgar Hoover, "but contributes to hysteria and fosters groundless fears." The Blue Book of the John Birch Society, and all other writings of Robert Welch, and publications of the society, are full of similar accusations of men and organizations. Mr. Welch is particularly fond of the type of accusation that goes like this: "So-and-so, whether he knows it or not, is helping the Communist conspiracy to take over this country." Every administration since 1933, every political party and most of the minor ones—all come under the same condemnation. In the Blue Book, for example, he says of Americans for Democratic Action: "The ADA, whether a lot of its members know it or not, is the same as an arm of the Communist Party. Its weight can be thrown and is thrown, time after time, with never an exception, in support of Communist objectives. It has the benefit of the direction of a nerve system of that body which runs all the way to the top."

This is a typical smear. Welch talks a lot about the smear technique, objecting to its use by liberals, and advocating its use by rightists. A smear may be defined as an accusation definite enough to hurt, but indefinite enough to be impossible, or almost impossible, to disprove.

Robert Welch sees the Communist conspiracy in efforts to break the segregation pattern in the South, in foreign aid, in the United Nations, and in every international organization dependent upon or affiliated with the United Nations. His reading lists of recommended books include violent attacks upon such other aspects of the Communist conspiracy as income tax, fluoridation of water supplies, Federal aid to education, and the National Council of Churches. One of the major efforts of his organization has been a letter-writing campaign to urge the impeachment of Chief Justice Earl Warren, as a tool of the Communist Party. He has associated himself, in his anti-Communist efforts, with J. B. Matthews, who won his chief fame as the publicizer of wild and unfounded charges of Communist infiltration of the churches, and has himself recommended Bundy's notorious book, "Collectivism in the Churches," and quoted as fact its fantastic statistics.

The one aspect of the usual extreme rightist pattern that is missing from Welch's statements, from the proclaimed attitudes of the John Birch Society, and from the record of his close associates, is anti-Semitism. However, many publications, which he recommends, in turn recommend books and magazines expressing the most violent anti-Semitism, and identifying the Communist conspiracy with a Jewish plot to win world domination. This is an association at one remove, and I am far from claiming that Welch and his society should be blamed for it—but it behooves us to keep a cautious eye upon any authoritarian society that tends to interpret all world events in terms of secret conspiracies.

I am not denying, of course, that there is a Communist conspiracy, or that it is dangerous, or that it must be fought vigorously. I am protesting against this little-brained rhinoceros fury, that would charge anything that moves in the underbrush. I am protesting against the unthinking terror that would shudder away from Communist dictators, into the arms of Fascist and Falangist dictators. I am protesting against the manner in which these reactionary societies attack, by slander and innuendo, by smear and sneer, any and every attempt to form or maintain alliances with foreign countries, to alleviate distress or to spread employment and prosperity among our own people, or to build up the financial and military strength of the American Government.

Many magazines and newspapers have published thoughtful articles and editorials discussing the John Birch Society. Many Members of Congress, in each House, have made statements and speeches about the organization and its activities. Each has something to contribute, and I strongly recommend that you veterans make a thorough study of what has been said in favor of the society and its aims and methods, as well as what has been said in opposition. It is the American way to hear and listen to both sides before rendering a verdict. For my own part, however, I have heard both sides; I have read the Blue Book; I have read many of the monthly bulletins of the John Birch Society; I have heard and read statements in favor of the society on the floor of the House of Representatives and on the radio, in the newspapers and the CONGRESSIONAL RECORD. I am convinced that the just verdict on the John Birch Society is contained in the resolution on the subject issued last month by the board of directors of Freedom House. This resolution was reprinted in the CONGRESSIONAL RECORD of May 9, 1961, page 7595, and I hope that every one of you will get hold of this statement and read it thoughtfully.

The essence of this statement is contained in a five-point criticism of the society as weakening our defenses against communism, and as betraying the cause of true conservatism. I believe this is a well-ordered and valid analysis, and I quote it to you now with my own hearty concurrence:

"First, the John Birch Society is not fighting communism because no Communist operative was ever apprehended or diverted by its methods. Communist subversives do not leave trails for the telephone threatener, the student informer, the boycotter, or any of the other sneak warriors of Birchism. Catching Communist spies is a job for professionals—casting suspicion on the FBI and the CIA only makes the job harder and gives Communists a better chance to do their work.

"Second, the John Birch Society is not fighting communism because such tools as doubt, suspicion, and prejudice employed by the society are also standard Communist weapons. These tactics are written into every agitator's manual that comes out of Moscow. Every one of the score of countries taken over by the Communists was first prepared by the injection of these community poisons. Every country now marked for takeover is being similarly prepared.

"Third, the John Birch Society's targets are the most imaginative and effective of the free world's defenses against the Communist threat: the Marshall plan, the United Nations, the North Atlantic Treaty Organization. Consider these targets and the fulminations of Communists from Stalin to Khrushchev and Mao Tse-Tung against the same targets. Who is allied with whom?

"Fourth, the John Birch Society is not conservative: it is not even reactionary. Its declaration of war upon the greatest enemy of man (which) is government, is a call to anarchy. Disguised in that call is the threat of new tyranny and oppression. Note some of its domestic targets: civil rights, collective bargaining, the social gospel of religion. Then ask whether the John Birch Society does not seek to destroy those same human rights which are suppressed in every nation under Communist rule.

"Fifth, the John Birch Society is neither 'left' nor 'right' but of that perfect circle where both sides join and merge completely in extremism for its own sake. When the left and the right forsake ethics and morals for 'goals,' means for ends, moderation for violence, they lose their separate meanings. A social order built by false witness, fear and hatred can never be anything but a world of falsity, fear and hatred. This is why the American people have in the past

rejected the know-nothings, the Ku Klux Klanners, the Black Legion vigilantes, as well as the Communists."

That point about false witness is, I think, one that deserves particular emphasis. I look upon the Commandment, "Thou shalt not bear false witness against thy neighbor," as equally binding with the other nine. I look upon it, also, as a necessary foundation of our democratic way of life. I believe it is no coincidence that the leader of the John Birch Society, who opposes democracy as a form of government and a condition of society, at the same time adopts that slimy and slippery form of bearing false witness, the smear, as a tactic of political warfare. He boasts of having coined the combination-word "Comsimp," for this use, pointing out proudly that it leaves the accusation vague and undefined. It can be applied to anyone, from a known Communist to a liberal or conservative opponent of the John Birch Society. The single word, applied haphazard and without any sort of evidence to back it up, would require volumes of refutation to clear the name of the person libeled.

Similarly haphazard are Robert Welch's estimates of the degree or percentage of Communist takeover in the various countries of the world. I defy an IBM or Remington-Rand computer to make out how the man arrives at his precise percentages, or to substitute, with any logical justification, another percentage for the one he has adopted. To me, these percentages seem meaningless, and I believe them to be baseless: Merely dramatic formulations of Welch's opinion and guesswork.

The Robert Welch-John Birch Society philosophy is an anti-intellectual, one-shot cure-all for what ails us. As such, it can do us no good, but a considerable amount of harm. It appeals to the ignorant, the uninformed, the stupid, the emotionally unbalanced. It appeals also to the frightened and selfish holders of wealth and economic power, who look upon rigid control as the safeguard of the status quo. Its philosophy of defense, both for capital and for the Nation, is the philosophy of the snail and the turtle; pull in your horns and close up your shell tight, and maybe the enemy will go away. The enemy, in this warped view of the world includes our own Government, our intellectual leaders and teachers, most of our ministers, priests, and rabbis, and a vast crowd of doctors, lawyers, scientists, and writers. They are mistaken, I am sure, both about the nature and the power of the enemy, and about the proper means of meeting the challenge at home and abroad.

I hope we shall choose, instead of this foolish philosophy of despair and hatred, a forwardlooking and active participation, with patriots of this country, and with freedom-loving people everywhere, in projects looking toward the maintenance of peace, justice, friendship, and independence the world over. This, I believe, is the true direction of the spirit of America.

Stand Up and Be Counted

EXTENSION OF REMARKS

OF

HON. WILLIAM H. HARSHA, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. HARSHA. Mr. Speaker, I think it is time that we stand up and be counted. I want to join my colleagues who are insisting that America stand firm in her position on the Berlin situation.

If we have the facility to get to the very core of human anxiety, in this day and age, it will soon become apparent that the major concern of virtually all people is human freedom and peace.

This would be brought home dramatically to any reader if he follows current news with any deep interest.

Wherever we turn, east, west, north, or south, we see strife and unrest, anxiety and world danger, saber and missile rattling, and of course at the root of it all—communism.

The international situation is extremely volatile. It is more precarious now than at any time since the Korean conflict. By almost every indication, war or peace hangs in the balance.

In Cuba, as close to the United States as Columbus is to Portsmouth, we see the hard cold truth that on our very doorstep is a well-armed Russian satellite, headed by a ruthless dictator, surrounded by equally ruthless hard-core Communists.

We are confronted with the inescapable fact that the stature of this well-armed Soviet satellite has been projected into international proportions that make it a real distinct threat to the peace, progress, and security of all the Americans.

Mr. Stevenson's report on conditions in the Latin Americas points out very vividly the expansion of communism in those countries.

The gutting of Laos by the Communists, the turmoil in Africa and Algeria, the antagonism in the Arabian countries, the concerted drive to admit Red China to the United Nations, and now Outer Mongolia, the obvious stalemate of nuclear disarmament and test ban discussions, all are a direct result of the Communist-inspired movement to disrupt and disorganize the world and make it more susceptible to Russian domination.

These conflict managers have saturated the Afro-Asian countries, the Middle East and Central and Latin Americas. They have done their job well. They have created as much dissension, anxiety, strife, and unrest, as is humanly possible—short of allout war. And, add to this, the Berlin crisis—and you have a world about to explode.

The situation now shaping up will be the greatest test of leadership since the President took office 6 months ago. Berlin brings the United States into possible collision with Moscow itself, if it develops according to the lines now apparently shaping.

There is no alternate policy but to remain firm and stand our ground on this issue.

The administration believes Mr. Khrushchev thinks the West is bluffing and is testing its nerve. It has, in consequence, set in motion a chain of positive responses to convince Moscow it is deeply serious. In the next few weeks and months, these responses will grow. There is every prospect of a grim fall and winter. Yet we must act and talk straight from the shoulder. Stop vacillating and take a position that will enhance not only world but our own self-respect regardless of the consequences.

Saline Water Conversion Program

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE SENATE OF THE UNITED STATES

Monday, July 17, 1961

Mr. METCALF. Mr. President, in the last 9 years research on saline water has reduced the cost of conversion from $5 per 1,000 gallons, to $1 per thousand. We are on the threshhold of a breakthrough in cost that will make saline water economically feasible both here and abroad. I want to call attention to the testimony of Secretary of Interior Udall before the House Interior Committee and ask unanimous consent that it be printed in the RECORD.

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

Mr. Chairman and members of the committee, this statement supplements the earlier statement I made to this committee on June 27, 1961. Because certain information was not available from the Department, it has been necessary to recess these hearings on two occasions, and the hearings have not maintained the continuity desired by the committee. For that reason and in the interest of stating more clearly the views of the Department of the Interior, I am submitting this additional statement for your information.

On June 26, 1961, President Kennedy recommended a draft of a bill "to expand and extend the Saline Water Conversion Program being administered by the Department of the Interior." The suggested legislation borrowed heavily from and is an expansion of the three bills introduced by members of this committee: H.R. 4721, by Mr. ASPINALL; H.R. 4757, by Mr. ROGERS; and H.R. 4759, by Mr. SAYLOR.

These three bills would expand a program developed by this committee 9 years ago. When I had the pleasure of being assigned to this committee some 6 years ago, the saline water program was already 3 years in operation. The program launched by this committee 9 years ago has already assisted in reducing the cost of converting sea water to fresh water from $5 to about $1 per 1,000 gallons.

President Kennedy agrees with the members of this committee who have for several years recognized the importance of the saline water program. He recommended legislation which is now incorporated in H.R. 7916, introduced by Congressman ASPINALL. The suggested legislation can be divided essentially into two parts:

Title I of the draft bill relates to research and development and carries forward the policies and expands the scope of this vital program previously authorized by Congress. This suggested legislation will enable the Department to do more research.

Titles II through V relate to demonstration plants and actual operating units, and would provide limited financial assistance on a "share the risk with industry" approach to the program.

I should like to make one thing clear to this committee: The Department of the Interior has no intention nor desire to enter the municipal water business. The Department does, however, feel a keen responsibility to foster and assist the research and development which will enable American industry and municipalities to succeed in saline water conversion.

It is important to keep in mind the significance of the achievement we seek. You

will recall President Kennedy's conviction that obtaining inexpensive fresh water by saline conversion would dwarf any other scientific accomplishment as a benefit to mankind. Assuming the best set of circumstances according to engineering hydrology, it seems certain that at some future year many communities on the face of America will have seen their source of fresh water dangerously depleted unless we take steps to guard against such a situation. Let us then make no mistake, the need is urgent, the effort will be rewarding.

On the other hand, it is equally important that the problems of saline water conversion be viewed with utmost candor and in proper perspective. Those who say that this program will quickly make it possible to provide water so that "the deserts will bloom" are not facing the facts. Producing fresh water from the sea or brackish sources cannot in the foreseeable future be a substitute for other broad programs of water conservation to meet agricultural needs. At the present time, the cost of converting sea water may be as much as 100 times the present cost of irrigation water. This, of course, assumes a cheap source of fresh water, but even in areas where irrigation water is expensive the cost of converting saline water is now about 10 times the cost of water to produce crops. In certain areas where water is scarce and has a high value the cost of converted sea water is three times as great as that of water from present municipal and industrial water sources.

In brief, this is the situation: We must reduce the cost of converted sea water more than 50 percent or to about 40 cents per thousand gallons to make it economically attractive for industrial and municipal uses in the more critical areas. It is quite possible that this can be done. We must further reduce the cost of converted sea water to one-fifteenth its present cost before it could compete for irrigation purposes in some places with scarce supply.

I have stated these costs as they exist generally and they should not be misinterpreted in relation to the vital need for this program. The chairman of this committee and the chairman of this subcommittee and its members are aware that in some parts of this country, and certainly in many parts of the world, potable water is worth what you have to pay to get it. We can put a price on water but we cannot place a value on it. To sharply emphasize this, you may recall that not many summers ago people stood in lines in Dallas, Tex., to pay 50 cents a gallon for water, and they were glad to get it.

If our program could reduce the cost of water to 40 cents per thousand gallons, and that appears scientifically possible, the accomplishment would be sufficiently economic to satisfy the domestic, municipal and industrial water demands in many key areas of America.

Moreover, if the cost of converting sea water to fresh water could be reduced to 40 cents per 1,000 gallons, I need not emphasize to this committee the worldwide significance that would be attached to this program. In the field of foreign relations, this accomplishment could be extremely beneficial to the United States. There are many developing countries in the world such as Kuwait, Pakistan, Israel, Chile, Australia, and many others, in which major economic progress may depend on producing fresh water from the sea.

This Committee may properly ask what achievements have been made in the past to justify further expansion of this program. In answer to that inquiry, permit me to cite what happened in Coalinga, Calif. Water too salty for domestic use was replaced by fresh water hauled in tank cars at the almost prohibitive cost of $9.35 per 1,000 gallons. But, as a result of a process developed under the saline water program, the city of Coalinga now gets its domestic water supply at about $1.45 per 1,000 gallons.

This committee may also ask if there is truly a need for this program. The need can best be shown by emphasizing that we are racing against time to discover new sources of fresh water before our expanding demands exhaust our present supplies. In the northern Great Plains region of America an alarming number of communities sought the single demonstration plant authorized under our present limited program because their municipal water supplies are becoming too brackish for domestic consumption. In the panhandle and west Texas-New Mexico area the present sources of underground water are being consumed at a dangerous rate. Reasonable engineering estimates predict that, in many communities, economical sources of water will soon be gone.

It is because of this challenge that the President sent his recommendations to this committee on June 26, and it is because the need for new sources of usable water is vital that the President mentioned it specifically to the Congress in his special message on natural resources.

To meet our responsibility of assisting States, municipalities, and private enterprises in the field of saline water conversion, the second portion of the President's recommendations provides for financial assistance on what I should like to call a share the risk with industry basis. The answer we seek in saline water conversion will be the result of American ingenuity. It is imperative here as in other endeavors that proper financial assistance be made available to private industry as an incentive to move this program forward as quickly as research will permit.

You may be sure that if this expansion of the saline water program is authorized by the Congress, the Department of the Interior will carefully guard the funds made available to encourage industry in its quest for new sources of fresh water. Each proposal for financial assistance will be carefully scrutinized. At the same time I should make it clear that we are "plowing new ground," and I cannot at this time recommend limitations on appropriations nor tell you with certainty what amount of money this program will require for each succeeding year. You know the safeguards provided by the Bureau of the Budget and the Appropriation Committee, which guard against unwarranted expenditures.

The more detailed justification of the expanded authority we are requesting will be given by Mr. C. Fred MacGowan, Director, Office of Saline Water. With him will be Dr. Roger Revelle whom I have just appointed as the science adviser to the Secretary. Dr. Revelle will be assisting us in the approach to this problem from a scientific standpoint. I am sure he will prevent us from making the mistake of trying to equate accomplishment with appropriation of funds. This is not the way we intend to solve the problem. Dr. Revelle will help us to determine whether demonstration plants are too big or too small, and he will advise me in this difficult area where research and development in effect becomes applied research. Every effort will be made by Mr. MacGowan, Dr. Revelle, and other members of my staff to carry on a program that is technically and economically sound.

In conclusion, I commend the chairman and the members of this committee for their record of moving forward on a program that is so vital to the future of our country and indeed vital to the future of the free world. I urge you to decide upon a policy through this legislation that will enable us in the Department of the Interior to work with you on a joint legislative-executive effort to make America the leader in the conversion of fresh water from sea water.

Robert S. Ball

EXTENSION OF REMARKS
OF
HON. LOUIS C. RABAUT
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Monday, July 17, 1961

Mr. RABAUT. Mr. Speaker, on Sunday, July 9, the city of Detroit and Capitol Hill lost a young, highly competent, and outstanding journalist, Robert S. Ball.

I considered Bob a good friend of mine. Our friendship took root in the years 1951 and 1952, when Bob served as administrative assistant to the late Senator from Michigan, the Honorable Blair Moody. During that period he met and married one of my former secretaries, Marion Lacey. After that it was my privilege to work with Bob in his assignment to Capitol Hill as a reporter for the Detroit News Washington Bureau. Bob was a familiar figure on the Hill in his representation of the Detroit News; he was a man devoted to his profession; he did not overlook essential details; in a word, he was thorough in his dissemination of the news. His death at the early age of 49 will be felt here.

With his passing, I know that Members on both sides of the aisle in the House and Senate, join me in expressing our sympathy to his dear wife, Marion; to his son, Robert, Jr.; to his editor, Mr. Martin Hayden; and to his close friends and associates of the fourth estate.

Exempt Small Newspapers From Postal Rate Increase

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, July 17, 1961

Mr. EVINS. Mr. Speaker, the postal rate increase bill under consideration by the House Post Office and Civil Service Committee contains a very substantial increase in postal charges for handling second-class material of small daily and weekly newspapers. This proposed increase is so great that many are afraid that a large number of these small newspapers would have to discontinue publication if it were adopted.

I am greatly concerned about the effect this increase would have on the small weekly newspapers of our country which have a limited circulation and a limited advertising revenue. The proposed postal rate changes would increase the cost of mailing newspapers in the county of publication from 1 cent per pound to 1½ cents per pound, plus one-fourth cent per piece.

Testimony by the Post Office Department before the House committee said this change would amount to about a 79-percent increase in second-class revenues. This indeed is considered by many as a burdensome increase.

Mr. Speaker, in considering proposed increases for our small daily and weekly newspapers we must realize the great public service these newspapers are performing. They perform a unique public service—a service that can only be rendered by a local newspaper. The residents of many of our communities are almost entirely dependent on the local newspaper for news about what is happening at home.

Mr. Speaker, in Tennessee, I find that one of the strongest forces for good and for the progress of the area in every community is the local newspaper. I am sure this is true across our land.

The number of smaller newspapers in our country has been on the decline for several years. National advertising has gone largely to the metropolitan dailies, the national magazines and the big radio and TV networks. The small local newspaper must now depend on local advertising for his major income. Because of the dwindling national advertising and increasing labor costs, newsprint, machinery, materials and other necessary items the small newspaper owner would be hard pinched if his postal rates were increased sharply.

Mr. Speaker, from the time of Benjamin Franklin, it has been public policy to encourage the widest possible dissemination of information and educational material as a matter of public policy and for the welfare of the general public. I urge that the present postal rates for second-class mail for small weeklies and dailies be continued at the present rates.

A Pension Program for World War I Pensions

EXTENSION OF REMARKS
OF

HON. JAMES A. BYRNE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. BYRNE of Pennsylvania. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement:

STATEMENT OF HON. JAMES A. BYRNE, OF PENNSYLVANIA, BEFORE THE VETERANS' AFFAIRS COMMITTEE HEARING ON PENSIONS

Mr. Chairman and members of the committee, my name is JAMES A. BYRNE, U.S. Representative, Third District of Pennsylvania. I have introduced H.R. 210 and I desire at this time to submit my remarks for the record in support of the establishment of a pension program for the World War I veterans.

In view of the fact that the World War I veterans are not in a position to enjoy maximum benefits under the Social Security Act, or public or private retirement systems, because of the condition that during many of their productive years the country was in a general depression with unemployment and low wage scale, it is necessary that a more liberal pension program for World War I veterans be enacted because of the finding that 70 percent of those remaining (2,600,000) have increasing problems resulting from disabilities and age.

The U.S. Government should approve these obvious needs of World War I veterans groups because of the increased cost of living and the unfortunate conditions which the World War I veterans have experienced as individuals and as a group.

It must be remembered that these men were taken out of their employments, some at the age of 39 years and that upon their return in the early twenties they met a terrific economic crisis of unemployment and again in the 1929 breakdown in the economic system, lasting for the better part of 11 years, so that they were unable to recoup any financial readjustment to take care of themselves in their later years. The corporate practice of not employing persons between the ages of 40 and 45 because of the new social security legislation also contributed to their unemployment.

It is needless to say that the widows and orphans of deceased veterans are in the same predicament in having a strong program of benefits, including pensions for these veterans because of disability or if they are in need of supplemental income.

The major service organizations are militant in their support of a strong pension program, notwithstanding the activities of minority groups of economic royalists who oppose such legislation.

It is interesting to study the history of previous pensions voted by the Congress of the United States to participants in the wars.

A veterans' pension is a payment, regularly made, to any veteran retired from service. Veterans of our earlier wars have all received pensions sooner than 40 years after their discharge from service:

War:	*Pension voted*
Revolutionary (1776–81)	1809
War with England (1812–15)	1850
Mexican War (1837–41)	1880
Civil War (1861–65)	1889
War with Spain (1898)	1921

I have always been in favor of a pension for World War I veterans and introduced legislation, H.R. 210, touching upon this subject.

Four million six hundred and nine thousand veterans served in our Armed Forces in World War I.

One million seven hundred and nine thousand of such veterans have answered their final rollcall.

Two million nine hundred thousand of such veterans are alive today, and wondering when Congress will vote a pension for them.

The average age of these veterans is 69 years.

The youngest is alleged to be 60 years of age—a yeomanette or nurse, born July 3, 1900.

One million eight hundred and seventy thousand of such veterans are 65 years of age or over.

One million one hundred and nine thousand of such veterans are 67 years of age or older.

About 115,000 World War I veterans pass away each 12 months; 125,000 to 135,000 will pass away each year, beginning in 1962.

If Congress votes a pension for them in 1962, 190,000 of those now alive will be dead by the time their first check will be ready for them.

Our World War I veterans are the only ones who served in any of America's war to whom no pension has been voted by Congress, although they served 40 or more years ago.

At the national "rehab" meeting, February 25–28, 1958, Past Commander Gleason, now the Administrator of the Veterans' Administration, reported "over 1 million veterans are in desperate need of jobs."

Few jobs, even as watchmen, are available to World War I vets. Fifty-eight years is too old for 99 percent of the employers.

In Philadelphia, an unskilled worker over 45 is rarely placeable in a job. Even under 45 entirely too many are unemployed.

The life expectancy of our 67-year-old veterans is 10 years.

$3,722,350,000 was voted for foreign aid last year, but not one penny for pensions to our aged veterans.

A pension of $103.60 per month has, for years, been paid to veterans of our war with Spain in 1898.

A pension of $100 per month is sought, as a matter of right, regardless of income, for all World War I veterans, at age 65 years.

Bills introduced this session of the Congress, for the payment of World War I pensions, are as follows: H.R. 156, 209, 210, 212, 255, 283, 501, 702, 1840, 1946, 1993, 2246, 2549, 2565, 3670, 3745, 3889, 3891, 3895, 3903, 287, 2904, 3433, and 3467.

The cost of such a pension to the 1,109,000 World War I veterans now 67 years old would be $1 billion each year.

The buying value of $100 today is equal to the buying value of $50 in 1939, and to the buying value of $20 in 1918, when 2,084,000 of these World War I veterans became members and 1,390,000 saw frontline service in the American Expeditionary Force in Europe.

In 1955, the Representatives and Senators who now oppose such a pension of $1,200 a year, as a matter of right, voted themselves a salary raise of $5,000 per year—from $17,500 to $22,500. These servants of ours also receive most adequate pensions after they retire from Congress, as long as they live, and their wives receive that same pension when their husbands pass away.

Payment of a pension to such World War I veterans will provide the quickest and most effective means of placing $1 billion plus, yearly, in general circulation in the money stream of the Nation for consumer purchasing as urged by the President.

To provide for such pension, the Government could print non-interest-bearing paper currency for the amount needed each year, just as it printed 450 million of Lincoln greenbacks in 1863, to save the North from defeat in the Civil War. Such currency will have all of the advantages and none of the disadvantages of Government bonds.

Approximately 1,022,000 classified civil service and postal employees were voted a salary increase in 1960, at a total cost to the taxpayers of $700 million per year.

Late in 1957 or in the first 6 months of 1958, Congress also voted and the President approved, a 10 percent incentive raise under the Cordiner plan, for a like number of members of our Armed Forces.

The committee which sponsored each wage increase stated: "The salary adjustments provided by this legislation should tend to have a valuable influence in the efforts to arrest the decline in the national economy."

The overwhelming majority of all veterans of World War I are not interested or concerned with what even their friends in Congress may believe it may or may not do on their demand for a pension, and this overwhelming majority, realizing that their average age is now 67 years, and that their ranks are being depleted by about 125,000 deaths per year, will not recede from their demand.

The overwhelming majority of veterans of World War I, who are members of the Veterans of Foreign Wars, would, undoubtedly, in our opinion, demonstrate by a referendum vote that they are in favor of such a pension for World War I veterans, as a matter of right and regardless of income.

The overwhelming majority of veterans of World War I, who are members of the American Legion, would, undoubtedly, in my opinion, in a referendum, also show that they are also in favor of exactly that type of a pension.

A good majority of veterans of World War II and of the Korean police action, who are members of the VFW and of the Legion (remembering the benefits they derived from the GI bill of rights, which they obtained

almost solely as a good will offering from the World War I veterans of these two organizations), will also, in my opinion, vigorously support that type of a pension in preference to any other type of a pension, including those containing a "needs clause."

The 1960 national convention of the American Legion will also, in my opinion, by a majority vote of larger size, likewise endorse all of said House resolutions and place them at the top of its preferential program of recommended legislation for the next session of the Congress.

The Legion resolution was as follows:

"Resolved by the 42d Annual National Convention of the American Legion assembled in Miami Beach, Fla., October 17–20, 1960, That the American Legion shall sponsor and support legislation to amend the provisions of title 38, United States Code, as amended by Public Law 86–211 so as to:

"1. a. Change the table of rates and income limitations applicable to unmarried veterans under section 521(b) to provide that if a veteran's annual income does not exceed $1,200 the rate of pension shall be $100 a month, and if his annual income is more than $1,200 but does not exceed $1,800 the rate of pension shall be $80 monthly;

"b. Change the table of rates and income limitations applicable to married veterans or veterans with children under section 521(c) to provide that if a veteran's annual income does not exceed $2,000 the rate of pension shall be $100 a month, and if his annual income is more than $2,000 but does not exceed $3,000 the rate of pension shall be $80 a month, with $5 a month to be added to these rates for each additional dependent;

"c. Change the table of rates and income limitations applicable to widows without children under section 541(b) to provide that if a widow's annual income does not exceed $1,200 the rate of pension shall be $65 a month, and if her annual income is more than $1,200 but does not exceed $1,800, the rate of pension shall be $55 a month;

"d. Change the table of rates and income limitations applicable to a widow with one child under section 541(c) to provide that if a widow's annual income does not exceed $2,000 the rate of pension shall be $75 a month, and if her annual income is more than $2,000 but does not exceed $3,000, the rate of pension shall be $65 a month;

"2. Repeal the provisions of subsection 521(a) which require certain veterans to count a part of their spouse's income as their own;

"3. Repeal the provisions of subsection 3203(d) which require the reduction of a veteran's pension to $30 a month after 2 months' hospitalization or domiciliary care by the Veterans' Administration; and restore the provisions of section 3203 relating to pension payments to veterans while in a Veterans' Administration hospital or domiciliary home as were in effect prior to July 1, 1960;

"4. Add to the list of items in section 503 which may be excluded from the computation of annual income for pension purposes:

"a. The unusual medical expenses of the veteran, widow, or child to the same extent as now applicable to income computation of dependent parents under section 415(g)(2); and

"b. Amounts equal to amounts paid by a veteran for the expenses of the last illness and burial of a spouse or child; and be it further

"Resolved, That failing the accomplishments of these needed improvements in the new pension provisions, the American Legion shall seek legislation to grant veterans and dependents of World War I, World War II, and the Korean conflict the right to elect and reelect payment of pension under either the law as in effect prior to July 1, 1960, or as amended by Public Law 86–211, whichever provides the greater benefit."

Captive Nations Week

EXTENSION OF REMARKS
OF
HON. DANIEL J. FLOOD
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. FLOOD. Mr. Speaker, in keeping with the joint resolution approved July 17, 1959, in which the Congress has authorized and requested the President of the United States of America to issue a proclamation commemorating Captive Nations Week, President John F. Kennedy issued the following proclamation July 14, 1961:

THE WHITE HOUSE,
Hyannis, Mass., July 14, 1961.

Following is the text of the President's proclamation on Captive Nations Week:

"Whereas by a joint resolution approved July 17, 1959 (73 Stat. 212), the Congress has authorized and requested the President of the United States of America to issue a proclamation designating the third week in July 1959 as "Captive Nations Week," and to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world; and

"Whereas many of the roots of our society and our population lie in these countries; and

"Whereas it is in keeping with our national tradition that the American people manifest its interest in the freedom of other nations:

"Now, therefore I, John F. Kennedy, President of the United States of America, do hereby designate the week beginning July 16, 1961, as Captive Nations Week.

"I invite the people of the United States of America to observe this week with appropriate ceremonies and activities, and I urge them to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom."

America Pauses To Reaffirm Pledge of Freedom for Captive Nations

EXTENSION OF REMARKS
OF
HON. THOMAS B. CURTIS
OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. CURTIS of Missouri. Mr. Speaker, July 16–22 marks the third observance of Captive Nations Week, a time for Americans to pause and, remembering the blessings which freedom has given us, reaffirm our determination that freedom shall return to the many nations and millions of people now crushed under the oppressive imperialism of the Soviet Union. The cruelest and most complete colonialism of the modern world is found in that ring of unfortunate countries which have succumbed to the force of Soviet arms or the intrigues of Soviet subversion. The free world cannot be safe and America cannot rest until these oppressed nations are once more free.

To carry out its role in the effort to bring freedom to the captive nations, American must face its responsibilities squarely. We must let the leaders of the Sovet Union know that our determination that the world shall be free is no less strong than is theirs that it shall be slave. We must make it clear, through firmness in our dealings with the Soviet leaders and wisdom in our domestic and foreign policies, that we shall not abandon the goal which we have set for ourselves.

Further, we must let the people of the captive nations know of our determination. We must let them know that the free world is in sympathy with their desire to regain that most precious commodity, freedom from the yoke of Soviet oppression. Tyranny cannot stand against a people who will be free.

Washington Report

EXTENSION OF REMARKS
OF
HON. BRUCE ALGER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. ALGER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following newsletter of July 15, 1961:

WASHINGTON REPORT
(By Congressman BRUCE ALGER, Fifth District, Texas)

Congressman WALTER JUDD, of Minnesota, was guest on my TV report this week. The report is made possible through the courtesy of WFAA–TV. For those who missed the telecast on Sunday morning, it is possible to borrow the film for showing to schools, discussion groups, and other organizations. Arrangements for borrowing the TV report may be made through the Republican Headquarters, 4107 Lemmon Avenue.

Congressman JUDD warned that we must stand firm in Berlin or risk losing our freedom within a matter of months. Dr. JUDD said "There is the risk of war if we stand firm in Berlin, but there is also hope."

The American people and our Government leaders can afford no further appeasement of the Communists. We are already at war, a war which we are certain to lose unless we have the will to win it and clearly demonstrate that will to Khrushchev now, before he goes too far to back down. To help America chart a course for victory, I introduced in the House, along with Congressman JOHN PILLION, of New York, and Congressman DON BRUCE, of Indiana, a resolution calling upon the American people to achieve complete victory over communism. The joint resolution, House Joint Resolution 448, "Expressing declaration of will of the American people and purpose of their Government to achieve complete victory over the forces of the world Communist movement." It concludes with this powerful and direct statement:

"Resolved by the Senate and the House of Representatives of the United States in Congress assembled, That a state of hostility exists, and, finding no longer tolerable the abuses and usurpations of the global aggression unjustly thrust upon men by the world Communist movement, in order to bring peace and security to this Nation and the family of nations and to realize the hopes expressed in law for the freedom of Communist-enslaved peoples, it hereby is and henceforth shall be, the indomitable national will of the people of the United States of America and the unswerving purpose of their Government

to achieve complete victory over the forces of the world Communist movement in all its names, its parties, and sections, and to this great end we urge similar action by all independent nations and humbly beseech the strength and guidance of Almighty God; and be it further

"*Resolved*, That the President shall prepare for the approval of Congress, a program to achieve this total victory."

Congress can adopt and the American people can support no more important resolution than this one. Our will to fight now to protect our freedom must be as great as the purpose of our forefathers when they set forth, in the resolution which became the Declaration of Independence, their will to resist tyranny and oppression. All the other problems we face will be of no consequence if we lose the war in which we are now engaged with the Communists.

All of my efforts in Congress and as a patriotic citizen, are directed toward this end. In order to achieve total victory we must refuse to yield a single inch more of territory (ours or that of anybody else) to the Communists. We must be ready to fight in Berlin; we must halt the spread of Communist imperialism in the Western Hemisphere; we must cut out waste and inefficiency in our own Government and promote a strong and sound economy at home; it is imperative that we protect the freedom of our own people from bureaucratic control by social planners who would have us fight communism by adopting socialistic programs.

Our greatest weapon against communism is our own system of free, competitive enterprise. A strong America, operating upon the principles which guarantee the rights of the individual and put the dignity of man above the power of the state can never lose a war against an enemy which recognizes nothing but the power of the state, which embraces the Communist philosophy that man does not have an immortal soul, but is merely a higher species of animal life, that robs the individual of initiative, that holds every man a slave to a hand-picked hierarchy. Only free men can have the indomitable will to pledge "their lives, their property and their sacred honor," in defense of a cause.

House Joint Resolution 448 reminds the Nation of its heritage and, most important, calls upon the President to map a blueprint for victory. This, so far, we have lacked and without the purpose and the blueprint, we cannot achieve victory. Every patriotic American should do his part in urging Congress to enact the victory resolution. You can help by getting your friends in every section of the country to write to their own Representatives, urging passage of the resolution and support of all legislation which will protect our American way of life.

GREAT TRUTHS

"Your representative owes you, not his industry only, but his judgment; and he betrays instead of serving you if he sacrifices it to your opinion."—EDMUND BURKE.

Farm Bureau Opposes Back-Door Foreign Aid Expenditures

EXTENSION OF REMARKS
OF
HON. THOMAS M. PELLY
OF WASHINGTON
IN THE HOUSE OF REPRESENTATIVES
Monday, July 17, 1961

Mr. PELLY. Mr. Speaker, I have read with interest in the American Farm Bureau Federation News that this organization supports congressional control over foreign aid expenditures. Especially I was glad to note the opposition to use of repayments under past foreign loans for additional foreign aid. Rightfully the Farm Bureau took the position that such funds should be returned to the U.S. Treasury.

The Farm Bureau urged Congress to refuse funds for the United Nations Special Fund, which has granted over $1.15 million to assist the Cuban Government in agricultural research. They said:

We are opposed to using U.S. money for the purpose of assisting Castro in his efforts to collectivize Cuban agriculture.

In summary, the farm organization's representatives asked the committee:

First. To make the foreign aid proposals most effective in the defense against Communist aggression.

Second. To maintain and strengthen congressional authority over the program.

Third. To reflect the critical need for reducing Federal expenditures.

Results of a Poll: 29th Pennsylvania Congressional District

EXTENSION OF REMARKS
OF
HON. ROBERT J. CORBETT
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Monday, July 17, 1961

Mr. CORBETT. Mr. Speaker, as many of my colleagues know, I have been taking polls in my district of public opinion on current national issues since 1939. Over the years we have perfected our methods to the point where we feel we are actually taking a referendum on the questions asked.

My 29th Pennsylvania Congressional District is almost evenly divided between registered Republicans and registered Democrats. It is a typical metropolitan area with a very small farm segment in the outlying townships. The suburban population considerably outnumbers the actual city—Pittsburgh—population but is heavily industrialized along the Allegheny and Ohio Rivers.

I recommend these polls to my colleagues as the best antidote for pressure propaganda and an excellent way to keep informed as to what the folks back home are really thinking.

There follows a list of the questions just sent out and a percentage tabulation of the yes-and-no votes received over the signatures of some 14,000 respondents.

1. Do you favor Federal aid to public education below the college level? Yes, 44 percent; no, 56 percent.

2. Should Federal aid be extended to private schools? Yes, 15 percent; no, 85 percent.

3. To segregated schools? Yes, 19 percent; no, 81 percent.

4. Do you favor the Tractors for Prisoners project if not terminated by Castro? Yes, 16 percent; no, 84 percent.

5. Do you think the Peace Corps should be authorized by Congress? Yes, 52 percent; no, 48 percent.

6. Should medical care for the aged be financed through social security (Forand plan) rather than some other way? Yes, 55 percent; no, 45 percent.

7. Total spending in the next fiscal year will result in a considerable deficit. Do you think this is good for the economy? Yes, 11 percent; no, 89 percent.

8. Would you favor increasing taxes, rather than increasing the national debt, to finance the New Frontier programs. Yes, 43 percent; no, 57 percent.

9. Do you prefer to keep the Federal highway program on a pay-as-you-go basis even if this means keeping the 4-cent-per-gallon Federal tax on gasoline? Yes, 91 percent; no, 9 percent.

10. President Kennedy has requested a substantial increase in foreign aid. Should it be granted? Yes, 24 percent; no, 76 percent.

11. Would you favor a crash program to try to put a man on the moon? Yes, 28 percent; no, 72 percent.

12. Do you favor utilizing American troops to prevent further Communist aggression in Southeast Asia? Yes, 57 percent; no, 43 percent.

13. Do you think President Kennedy is doing a good job as regards foreign policy? Yes, 43 percent; no, 57 percent.

14. As regards domestic policy? Yes, 44 percent; no, 56 percent.

Some Significant Activities of the House Small Business Committee

EXTENSION OF REMARKS
OF
HON. JOE L. EVINS
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Monday, July 17, 1961

Mr. EVINS. Mr. Speaker, it has been brought to the attention of the House Select Committee on Small Business on special occasions that many of the Members of the House are not aware of the work which is being done by the committee and that such Members would welcome information with respect to the activities of the committee. Accordingly, this is the first of a series of reports to the Members of the House by the Select Committee on Small Business, highlighting important activities and accomplishments of the committee in continuation and furtherance of its dedication to the interests and problems of all American small businesses. This is the first of such reports, and contains information with respect to much of the work of the committee during the 1st session of the 87th Congress.

The Small Business Committee, having been created by the House as a service and investigating committee, all of the activities listed below, with but one exception, were initiated at the request of individual Members of the House.

I. LOCAL ASSISTANCE

In a case brought to the attention of the committee by several Congressmen from a Middle Western State, a small businessman operating a milling company found himself in dire need of a maximum loan from the Small Business Administration for the purpose of continuing his production and expanding his facilities in order to provide a liveli-

hood for about 150 people in an area which has long been suffering from severe unemployment. The Small Business Administration had already declined to make a loan in a much smaller amount when the matter was brought to the attention of the committee. The committee conferred at great length and on several occasions with the officials of SBA and the proposed borrower, in an effort to find some solution to the problem. With the very willing cooperation of SBA, a careful review and reconsideration of the entire case was ordered, with the result that SBA, in participation with local banks, was able to approve a loan totaling $388,000, which will not only provide sorely needed immediate relief in the depressed area, but will undoubtedly increase employment opportunities in that section of the country.

In another case, involving a small meatpacking concern located in the eastern part of the country in a severely depressed labor area, the firm had applied to SBA for a loan to enable it to continue in business and provide employment for some 450 people. At the time the case was brought to the attention of the committee, the loan applicant had been operating under chapter XI of the Bankruptcy Act for some time which, of course, made the problems involved much more complicated and difficult of solution. After several meetings between SBA officials, officers of the proposed borrower, counsel for the applicant, counsel for its creditors, and the committee, arrangements were worked out whereby SBA was able to approve a loan large enough to enable the company to get back on its feet and continue its employment of the great many persons who were on the verge of swelling the ranks of the unemployed.

When speaking of employees, one should also consider the numerous members of each family who will benefit from the continuance of the business. These are but two examples of the great many loan service requests received by the committee.

In addition to the foregoing outstanding examples of assistance rendered by the committee to individual small business concerns, literally hundreds of telephonic and personal requests for information and advice with respect to the Small Business Administration Act and the policies and programs of the SBA are received and answered by the committee.

These calls included scores of inquiries and requests from Members of the House.

II. PROCUREMENT ASSISTANCE

On one occasion the committee was requested to assist two small construction companies in a Middle Western State, which were bidding, under a small business set-aside procurement, for contracts for the building of a bridge and roadway for the Department of Defense. Bids for each job had also been submitted by two other concerns who claimed to be small and not affiliated. The Department of Defense awarded the contracts to the small business concerns, but the other bidders filed an appeal from such awards with the Size Appeals Board of the SBA, asserting their status as independent small business concerns. At the request of several Members of the House, the committee spent many hours going over the problems with officials of the small business firm and SBA in an effort to determine the facts involved and to assist the small concerns. As a result of a brief, and exhibits, which were prepared by the small businessmen, with the assistance of the committee, and submitted to SBA, the appeal of the large bidders was rejected, and the contract went to the small firm, resulting in the defeat of an effort by a business concern to disguise its affiliations and hold itself out as eligible for bidding as a small business concern. It is the opinion of the committee that the action taken by the Appeals Board of the Small Business Administration in this case has set a precedent, as a test case, establishing the policy that large businesses will not be permitted to break up their affiliations for the purpose of taking advantage of the small business set-aside procurement programs.

Shortly prior to the end of this fiscal year, on June 30, a small business concern in an Eastern State presented the committee through a member, with a request for immediate assistance in a procurement matter. It appeared that the small firm had been working for many months on research and development in connection with a new complicated and technical electronic device for the Department of Defense. In the course of such work, the company had invested a large amount of its own funds. Nevertheless, when the time came for a contract to be awarded for the item, which had to be obligated before the end of the fiscal year, the small concern was notified that the Department was considering giving the contract to a very large foreign corporate combine, notwithstanding the fact that both manufacturers were admittedly capable of performing the job, which was not to be subject to competitive bidding. The committee immediately conferred with officials of the small concern and the Department of Defense. After discussions between the committee and the Department, which continued through June 29, 1961, the Department finally decided in favor of the American small business firm, to which the contract was awarded, resulting in the employment of about 175 persons in an area in which the labor surplus was growing.

The above instances are merely examples of the daily services of the committee in providing information, advice, and active assistance to the small business community in its efforts to obtain a greater share of the Government procurement dollar. In this connection, as many Members of the House are aware, there has been a concerted effort in the past few months, to eliminate Government construction procurements from the small business set-aside programs. Members of the committee have been vigorously and actively opposing these proposals in every practicable way possible.

III. INVESTIGATIONS AND HEARINGS

A special subcommittee has been particularly active in investigating complaints received by numerous Members of the House from small business processors of dairy products. The large chain stores and biggest processors and marketers of such products have been following the unfair practice throughout the country of using fluid milk as a loss leader sales item and have indulged in discriminatory pricing and sales below cost in practically every area of the Nation. As a result of the innumerable complaints received, field investigations have been made in East St. Louis and southern Illinois, Detroit, Mich., the Upper Peninsula of Michigan, Colorado Springs, and Denver, Colo., and in Minneapolis, Minn., all covering the concerted effort to drive the small producer and processor of milk out of the market. These investigations have indicated very clearly the necessity for the passage of H.R. 127 introduced by Congressman PATMAN, of Texas, to save the small concerns in this and other industries by providing relief from monopolistic tendencies.

Another special subcommittee, at the request of Members of the House, conducted an investigation of alleged unfair pricing practices being followed by certain soft drink bottlers in the Waco, Tex., area. Within a week after the field investigation, which substantiated the charges, a fully documented case on the subject was sent to the Federal Trade Commission for consideration and appropriate action.

Additionally, members of the committee have introduced and are urging the enactment of many other constructive bills, such as H.R. 1233 and H.R. 3470, for the relief of small businessmen from the concerted and nationwide drive to force them to the wall.

IV. MISCELLANEOUS ACTIVITIES

The committee worked vigorously to obtain restoration of a cut proposed in the appropriation for the Small Business Administration, which decrease would have seriously hampered the lending activities of this agency in the public interest.

An arrangement has been worked out between the Small Business Administration and the Federal Trade Commission, whereby complaints relating to unfair trade practices made to the many field offices of the Small Business Administration are transmitted to the Federal Trade Commission, which has a very limited number of regional offices.

The several subcommittees of the Small Business Committee are formulating agenda and plans for hearings, assigning staff projects, and taking other actions for the benefit of the small business community.

In May the committee announced an investigation into the effect of the foreign crude oil import program upon the small business producers of oil in this country, as well as proposed hearings upon the completion of the investigations. Extensive preparations have since been made for this project and others are underway.

The committee arranged and conducted a meeting for all of the Members of the House to hear the Administrator of the Small Business Administration discuss the programs, activities, and so forth of that agency. The meeting was well attended by Members of the House, and Administrator John E. Horne's statements were well received by all those present, many of whom subsequently commented favorably to the committee.

Problem of Space Satellite Communication Control

EXTENSION OF REMARKS
OF

HON. CHET HOLIFIELD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 17, 1961

Mr. HOLIFIELD. Mr. Speaker, on March 30 of this year I gave a floor speech entitled "Free Competitive Enterprise and the American Telephone & Telegraph Co." At that time I stated:

America has grown to greatness under the free competitive enterprise system.

It is this economic system which we offer as the free world's alternative to state control and monopolies of the Communist and Fascist states of the world.

Yet we permit the American Telephone & Telegraph Co. and the Bell System companies to operate as monopolies under state control. Monopolies are allowed in the publicly regulated areas of our economy to best serve the public interest. However, in the operation of such monopolies many times the public interest is not protected, let alone best served.

The American Telephone & Telegraph Co. and the Bell System companies are the major operators of telephonic communications in the United States. All oversea voice communications are provided by the American Telephone & Telegraph Co. At present it is seeking worldwide monopoly in using communications satellites to provide commercial telephone, television, data, radio, and global communications.

The American Telephone & Telegraph Co. now is pushing vigorously for the aid of the Federal space agency and the consent of the Federal Communications Commission in orbiting a communications satellite, it could exclude all potential competitors from being able to operate. Furthermore, if successful in this venture it would add fuel to the fire that the U.S. worldwide communications satellite program is devised to enrich the private communications interest rather than to benefit the people of the world.

I believe it is time to take stock of what is going on. The Congress should decide whether there will be competition in satellite communications systems which will affect the entire world or shall the American Telephone & Telegraph Co. be granted, also, this monopoly, allegedly under Government regulation or control. In any event, it is necessary that the public interest be best served.

The Congress—the House and Senate Interstate and Foreign Commerce Committees—and the executive branch of the Government, promptly should study and resolve what this country's policy should be. It is necessary, for such a policy directly concerns our international relations, foreign and domestic commerce, allocation of frequency bands, electronic and communication equipment manufacture and, of course, areas of national defense.

We are moving rapidly into new frontiers. Communication technology is advancing so fast that its impact upon the communications industry has been and will continue to be tremendous. Yet our communications system is regulated by policies and statutes that were applicable to communication technology of the 1940's.

The Congress must act now to declare and implement the policy of the United States for the regulation of communications facilities and weather observation activities.

It is predicted that worldwide communications using space satellites will easily constitute a $10 to $100 billion a year business 10 to 15 years from now. This is big business.

It is predicted that satellite communication will revolutionize both international and domestic communications. It is said that earth satellite relays will be employed in relation to broadcasting—voice and television communication—meteorological communication, navigational communication, aircraft and aerospace craft communications relating to safety—Federal Aviation Agency statutory area of operation—radio astronomy, active and passive communication relays, space vehicle and research guides, control tracking, and telemetering of space vehicles. It is obvious communication satellites will affect everyday aspects of our life, as we progress into space and our future of life.

Past efforts on the part of the Federal Government to regulate, in the public interest, the operations of communications facilities have been largely unsuccessful.

At present the Department of Defense reserves to itself a great percentage of the United States communication operations, including both domestic and international. The Department usually operates in the communication field without concern for our foreign policy, the antitrust laws, the civilian communication laws, or the impact of its operations upon the frequency bands allocated to the United States by international agreement. It is possible that the Department of Defense, acting administratively, might hamper or engage in activities in conflict with statutory policy. This is an additional compelling reason for the adoption of a national policy enacted by the Congress which will govern, coordinate, and control the entire communications programs of the United States.

A major portion of my floor speech of March 30, 1961, dealt with the consent decree judgment that the Department of Justice entered into with the American Telephone & Telegraph Co. on January 24, 1956. This consent decree accomplished little, if anything, in the public interest. The terms of a consent decree once entered into binds the Government and remains intact as to the matters covered unless the other parties to the decree agree to modification. Thus, in the A.T. & T. consent decree, in allegedly attempting to protect the free competitive enterprise system, the Justice Department, acting for the Government, legalized Western Electric Co. as a monopoly by this consent decree judgment. The result reached in the consent decree was certainly contrary to the intent and purpose of the antitrust laws, the patent statutes, and the public interest.

To prevent the reoccurrence of such consent decrees, as the one with A.T. & T., the Department of Justice recently adopted a regulation that all proposed antitrust consent decrees prior to adoption by the court would be publicly available for 30 days so that all interested parties might express their views. By such public scrutiny it is hoped that the public interest will be further protected. This, too, I believe, is a step forward by the present administration.

The Federal Communications Commission has been unwilling or unable to ascertain the reasonableness of rates charged by A.T. & T. for such essential services as oversea communications and the transmission of TV programs.

I know that this administration is capable of other constructive action in the public interest, based on the following facts: In my floor speech on March 30, 1961, I pointed out that "the Federal Communications Commission also has never determined the reasonableness of tariff rates for oversea telephone service, presently over $25 million a year business, and increasing with each year." On Friday, July 7, 1961, the FCC made public a letter to A.T. & T., dated June 30, 1961, in which it asked A.T. & T. to go forward promptly with a cost study on its oversea communications services to reflect the current level of earnings on this international business. The Commission has asked for this study because it admits it has never had sufficient data in the past on which to properly evaluate earnings of A.T. & T. on oversea communication services. It is the FCC's function to determine the reasonableness of service rates, and it is a tribute to the new administration that it is moving forward.

I also pointed out in my previous speech that "the absence of effective control on any particular area of an overall operation can tend to defeat regulatory efforts in another area. For example, A.T. & T. could order their manufacturing subsidiary, Western Electric, to adopt policies and prices which would make A.T. & T.'s alleged reasonable service rates actually unreasonable." The FCC has taken note of this fact for it has notified Western Electric Co. that its earnings on net investment allocated to Bell Telephone System business was such that it warrants an immediate reduction in prices charged the Bell companies. Western Electric's earnings are reflected as part of the Bell System companies' costs and, as such, are a factor in telephone ratemaking. The Commission urged that Western Electric give serious and immediate consideration to the matter of reducing current prices to the Bell System companies and to making retroactive adjustments in 1960 billings to the Bell System companies. This is also a step forward that should benefit the public and undertaken by the FCC under the present administration.

As the full text of the FCC's initial decision in the "private line case" is unavailable, it is unwise to pass judgment on this action. Prior to 1958 the FCC had never determined whether the tariff rates charged the Government for the use of the private line services were reasonable. However, it appears that the Commission under this administration is meeting its responsibility that the Congress delegated to determine in its judgment whether the tariff rates for private line telegraph and/or telephonic services are reasonable. Furthermore, it appears that the Commission now seriously considers the potential competitive and antitrust factors that relate to its action. For in this initial decision the FCC adopted rates which are intended to avoid any unwarranted underpricing by the carriers of their competitive services, insure the future benefits of competitive service offerings in the form of the rates shown by the lower costs of either A.T. & T. or Western Union Telegraph Co., and make intercity channel rates more consistent with costs of furnishing such facilities. It is to be desired that the FCC continue to take positive forward steps such as considering the potential competition, pricing, and the benefits of competition in establishing its policy regarding communications satellites.

All these actions are positive steps in the right direction. Yet there is still much to do. With the rapid advent of the space age and communication and weather satellites, it is essential that an overall study in policy be made to determine the measures required to protect the public interest in these new areas of technology. It is imperative that the present administration immediately act and provide the leadership of which it has shown it is capable.

FEDERAL COMMUNICATIONS COMMISSION, WASHINGTON, D.C.—REPORT NO. 861—NON-BROADCAST AND GENERAL ACTIONS, JULY 6, 1961

(The Commission en banc, by Commissioners Minow (Chairman), Hyde, Bartley, Lee, Craven, Ford, and Cross, took the following actions on July 6:)

"INITIAL DECISION IN PRIVATE LINE CASE ADOPTED

"The Commission adopted its initial decision in the private line case (dockets 11645 and 11646). Private line rate adjustments, authorized and prescribed, are expected to result in decreased annual revenues of about $1.2 million for the telephone grade services of the American Telephone & Telegraph Co., and in increased annual revenues of about $2.7 million and $750,000 for the telegraph grade services of A.T. & T. and the Western Union Telegraph Co., respectively. The foregoing amounts are based on the test period business volumes used in the proceeding, as distinguished from current volumes.

"The Commission is prescribing certain rates in order to: (a) avoid any unwarranted underpricing by the carriers of their competitive services; (b) insure to the ratepayers the benefits of competitive service offerings in the form of the rates indicated by the lower costs of either carrier; and (c) make intercity channel rates more consistent with costs of furnishing such facilities. A revised and simplified telegraph channel rate structure is being prescribed more in line with the existing telephone rate structure and more in keeping with the current state of the art of furnishing private line services.

"The Commission rejected the proposal of the press for a special reduced rate classification.

"Proposed tariff schedules implementing the requirements of the initial decision are to be submitted to the Commission and all the parties to the proceeding on or before August 15, 1961. Comments on the proposed schedules, as well as exceptions to, or statements in support of, the initial decision, are to be filed on or before September 15, 1961."

The full text of the initial decision will not be available for about a week because of the time required for reproduction.

COMMON CARRIER EMPLOYEE REPORTS

By report and order, the Commission amended rule part 51 (occupational classification and compensation of employees of class A and class B telephone companies) and schedule 70C of Telephone Annual Report Form M, to change the annual count of employees to December 31 instead of the last normal business day of October, and to make certain other minor changes (docket 14000). The action incorporates appropriate changes in the schedules pertaining to wages and hours of employees in annual report forms M, O, and R for telephone and telegraph carriers (docket 13459). The latter proceeding said that this would be done without recourse to further rulemaking when the minimum wage law was amended.

LETTER TO WESTERN ELECTRIC CO.

The Commission addressed the following letter to the Western Electric Co. in connection with its earnings on Bell Telephone System business:

"The Commission has noted the level of earnings experienced by your company for the year 1960 which, according to your reports, amounted to 10.2 percent on net investment allocated to Bell business. This reported level of earnings in the opinion of the Commission warrants an immediate reduction as hereinafter indicated. In view of our previous correspondence and discussions we do not feel that it is necessary to repeat the reasons for our concern in this matter.

"While we have never expressed an opinion as to what constitutes a proper level of earnings for your company on Bell business, we have no hesitancy in concluding at this time that your return for the year 1960 appears excessive. You will recall that the Commission last had occasion to write you, on January 8, 1958, in connection with a price increase which you placed into effect on January 1, 1958, amounting to approximately $37 million based on the volume of business at that time. In the course of correspondence pursuant to this letter you indicated that your goal for the year 1958 was a return in the neighborhood of 9.4 percent on Bell business which was the approximate return average during the period 1947–56. For the most recent 10-year period, excluding 1960, the year under review, your earnings on this business averaged 8.9 percent. Our citing of these returns is not to be construed as meaning that we do not regard them as being questionably high. They merely demonstrate to us that your current level of earnings justifies a reduction in prices charged the Bell companies.

"In view of the foregoing, it is urged that you give serious and immediate consideration to the matter of reducing your current prices to the Bell companies and to making retroactive adjustments in your 1960 billings to such companies.

FEDERAL COMMUNICATIONS COMMISSION,
Washington, D.C., June 30, 1961.

Mr. F. R. KAPPEL,
President, American Telephone & Telegraph Co., New York, N.Y.

DEAR SIR: The Commission by letter dated July 26, 1960, requested that you undertake a cost study of your oversea communication services to develop for these services the investment, expenses and revenues associated therewith. In your reply of August 8, 1960, you recalled previous discussions with the Commission relative to your views of a worldwide cable system and stated that since there had been a number of developments in that field you would like to present to the Commission the current status of your cable plans before undertaking the requested cost study. Shortly thereafter you did make such a presentation to the Commission. You further stated in your reply that meanwhile you proposed to consider methods and procedures which might be appropriate for a study of your oversea operations.

The Commission has further considered this matter in the light of current developments and desires that you proceed at once to make a cost study that will reflect the current level of earnings on your oversea communication services. In this connection, arrangements should be made with our staff immediately for the purpose of working out some of the details of the cost study. As indicated in your letter of August 8, it is presumed that you have done considerable preliminary work in this connection since that time. Without in any way delaying the completion of this study, the Commission requests that, during the course of the study, the company give attention to the matter of formulating procedures that will readily provide this type of information whenever required.

In previous discussions of proposed cost studies your position, as we understood it, was that such studies would be of little value because of the rapidly changing complexion of oversea business occasioned by new cable projects and the advent of satellite communications. As you are aware, the Commission has never had before it data on which to properly evaluate the level of earnings on your oversea communication services. Such an evaluation can no longer be delayed. As we are sure you appreciate, postponement of further Commission consideration of this matter until the character of your oversea business stabilizes is out of the question since the point of time at which this is likely to occur cannot possibly be foreseen at this time. We have noted, for instance, the substantial amounts that Bell Laboratories is billing your company for satellite research and development and your applications for construction of new cable in the Pacific area.

We will appreciate your cooperation in promptly complying with this request.

By direction of the Commission:

NEWTON N. MINOW,
Chairman.

FCC CAUTIONS UNIT OF A.T. & T. ON PROFITS

The Federal Communications Commission has notified Western Electric Co., wholly owned subsidiary of the American Telephone & Telegraph Co., that it appears to be making too much profit on its equipment sales to the Bell Telephone System.

Such profits, as part of costs, are a factor in telephone ratemaking.

The Commission advised Western Electric to give immediate consideration to a reduction in its Bell System pricings, involving retroactive adjustments in 1960 billings to Bell companies.

The FCC said it had noted that Western Electric earnings on Bell sales last year amounted to 10.2 percent, and asserted that this "appears excessive."

In a separate but related action the FCC announced a proposal to order both upward and downward adjustments in the rates charged by A.T. & T. and Western Union Telegraph Co. for private line service.

At the same time, the Commission tentatively rejected a petition by the American Newspaper Publishers Association and other press interests that the companies be required to reestablish a special reduced rate classification for press users of private lines such as was offered until 1943.

COST STUDY ASKED

The Commission also made public a letter to A.T. & T. in which it asked that company to go forward promptly with a cost study on its oversea communications services to "reflect the current level of earnings" on this international business. The Commission said it has never had sufficient data on which to properly evaluate the earnings level.

The announcements relating to private line charges, which have been under FCC investigation for 3 years, were in the form of an initial decision by the Commission, which will be subject to comment by interested parties before any final action is taken. The Commission said the initial decision itself will be made public next week.

RATE RAISED IN 1958

Private line service, widely used by newspapers, industries, and individual businessmen, involves the supplying of a private telephone line or private telegraph line for the exclusive use of the customer. The service may be on a continuous 24-hour basis or for given segments of the day. The rates are generally related to mileage and the types of terminal equipment used.

The FCC private line investigation evolved in part from an A.T. & T. increase in private telephone line rates in 1958 which its customers complained was not justified. In the proceeding, both A.T. & T. and Western Union contended their earnings on private telegraph line service were unreasonably low.

The Commission said it had tentatively decided to:

Require A.T. & T. to reduce the telephone line service on a formula which would bring its revenues from this service down by about $1.2 million a year.

Allow increases in telegraph private line service designed to give A.T. & T. about $2.7 million more per year and Western Union about $750,000 annually.

The Commission said specific rate schedules designed to carry out these objectives should be submitted by all interested parties by August 15. Comments on these submissions must be in before September 15.

[From the Office of Congressman JOHN E. Moss, Third District of California]

WASHINGTON, D.C.—No responsible person denies that America urgently needs a worldwide satellite communication system as fast-moving events project us willy-nilly into the space age.

Such a system would permit the long-range transmission of higher frequencies (traveling in straight lines) and in consequence, could provide a vast increase in the number of additional channels for long-range telephone, telegraph, radio, and television service.

In my opinion and in that of a good many other Members of the Congress, ownership of these basic facilities should definitely be vested in Uncle Sam, and should not be thrown open to possible monopoly by one or more of the giant communications corporations. By this I do not mean that private enterprise should not operate various facets of the satellite communication system. On the contrary, I think they could and should do so under proper licensing provisions administered by an appropriate agency such as the Federal Communications Commission. However, the FCC and the National Aeronautics and Space Administration have announced somewhat opposing views.

They feel that our "traditional policy of conducting international communications services through private enterprise, subject to Government regulations," should prevail.

Acting on these convictions, eight privately owned companies have been invited by FCC to organize a joint venture for operating the new system. These are the Radio Corporation of America, American Telephone & Telegraph, International Telephone & Telegraph, Tropical Radio & Telegraph (United Fruit), South Puerto Rico Sugar Co., U.S. Liberia Radio Corp. (Firestone), Press Wireless, and Hawaiian Telephone Co.

Obviously, only the first three of these have the financial capital, the research facilities and the manufacturing backup to handle the job. If it's to be a joint venture, it would seem pretty certain the A.T. & T. would gain financial control. It is the company with the "mostest" and the one that is pushing hardest to get the job. I don't go along with control by a single corporation. In my mind, greater opportunities should be given for participation by, say, domestic communication carriers, electronic manufacturers, and interests in the broadcast field.

There is no gainsaying the fact that private enterprise in space poses a Pandora's box of problems. Actually, satellite communications probably will revolutionize both international and domestic communications. Let's see what's involved.

Earth satellite relays relating to space radio communications include broadcasting (voice and television communications), meteorological communications, navigation communications, active and passive communication relays, space vehicle and research guidance, control tracking and telemetering, aircraft and aerospace communications relating to safety, and radio astronomy.

That's quite a bundle of highly important jobs for private enterprise to take on, even under strict Government guidance and control.

I should like particularly to point out that if FCC hands over this new satellite system to private industry, in the area mentioned above of "airplane and aerospace craft communications relating to safety," it would apparently be handing over some of the Federal Aviation Agency's own responsibility. This field, as I understand it, is within FAA's statutory area of operation.

Other thorns in the path of possible microwave communications partnership of European nations and one or several private American corporations would include sharing of benefits and costs. Who will pay for what and how much?

In this connection, NASA has been given an additional $50 million for fiscal year 1962 to assist in the new satellite communication system, and NASA Administrator Webb has indicated that this sum would provide capacity which the Government would like to see incorporated in a privately operated system.

This to me has the look of "pie in the sky." It is far from being explained to my satisfaction why the Government should provide the risk capital if one or a combination of big corporations are to have a guaranteed income, profits, and additional dividends.

Incidentally, the Department of Justice has apparently pounced on the implications of a private partnership—in which one member, the A.T. & T., would be the biggest corporation in the United States—and two members would have their own large manufacturing subsidies. Just to have the record clear, the Justice Department has spelled out the antitrust precautions it thinks should apply in case the negotiations go through for A.T. & T. and its partners. However, FCC seems to take Justice's suspicions lightly.

There is still time for Congress to consider the whole matter of private ownership versus governmental control of this new satellite system—a system which 15 years from now will be a $100 billion a year business.

This is no routine matter to be decided by a regulatory agency, and I do not feel that it should be treated as such. Not only is there a big question mark here as regards possible future monopoly of space communications, but in my opinion the success of our race with the Soviets to put the first man on the moon may well hinge on what is decided in the next few weeks about whether private industry or Uncle Sam controls our basic worldwide satellite communications system.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 18, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, DD., offered the following prayer:

St. John 16: 33: *In the world ye shall have tribulation; but be of good cheer, I have overcome the world.*

Most merciful and gracious God, who art daily challenging us with many glorious opportunities to serve our beloved country, grant that each may do so to the extent of his ability and all with equal fidelity.

Inspire us with a patriotism that never wavers and a courage that never falters as we strive to fulfill the high and holy mission with which we have been entrusted.

May we authenticate the glory and grandeur of the lofty ideals and principles of our Republic by manifesting these in our personal conduct and in our creed as a peace-loving nation, seeking the welfare of all mankind.

Hear us in the name of the Prince of Peace. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Ratchford, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On June 16, 1961:

H.R. 1346. An act for the relief of John Napolis;

H.R. 4327. An act to amend section 714 of title 32, United States Code, to authorize certain payments of deceased members' final accounts without the necessity of settlement by General Accounting Office;