George W. Healy, Jr., editor, the Times-Picayune, New Orleans, La.: "New Orleans and the Philippines long have had a common bond, principally, I believe, because citizens of this port and the Filipinos are agreed that the time is gone when we can live unto ourselves.

"That there is active interest in Louisiana in trade between the Deep South and the Philippines is attested by actual shipments between the two areas.

"That this interest is increasing, it seems to me, is indicated by the sending of a trade mission of New Orleans' International House to Manila in May 1961 to seek ways to strengthen ties with your islands.

"This trade mission, I might add, included some of New Orleans' and the Mississippi Valley's outstanding bankers, publishers, business executives, and shipping authorities. The general manager of the port of New Orleans was a member of the mission.

"New Orleans has as residents a substantial number of nationals of the Philippines and of natives of the Philippines who have become citizens of the United States. It is my privilege to know many of these Filipinos both socially and in a business way, and I do not have an acquaintance with a single one whom I do not consider a good citizen.

"Official representatives of the Philippine nation who have served in New Orleans as consuls or as members of the consular staff, in my opinion, have been ladies and gentlemen of the highest standing and have served both their own country and this port with great credit.

"I hope that New Orleanians who reside in Manila are held in as great esteem by Filipinos as the Philippine citizens who reside in New Orleans are held by citizens of our city."

SENATE

THURSDAY, AUGUST 3, 1961

The Senate met at 10:30 o'clock a.m., and was called to order by the Vice President.

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

Our Father God, all the ways of our direst needs lead us to Thee. For this quiet moment before the pressing concerns of a new day move in upon us, wilt Thou lift us above all stress and strain into the unhurried, healing calm of Thy presence.

Solemnize us with the responsibility of ability as here dedicated servants of the public weal face decisions affecting the lives and fortunes of untold millions who look anxiously to these halls of council for the wise word and the right action.

Make us strong to defend and maintain Thy truth and the right as Thou dost give us to discern it, yet always may we be seekers after a durable peace in all the earth with justice and freedom for all mankind. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 2, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H.R. 30) granting the consent and approval of Congress to the Northeastern Water and Related Land Resources Compact, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 30) granting the consent and approval of Congress to the Northeastern Water and Related Land Resources Compact, was read twice by its title and referred to the Committee on the Judiciary.

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 VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to consider executive business, to consider the nominations on the Executive Calendar, beginning with new reports.

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

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. JOHNSTON, from the Committee on Post Office and Civil Service:

William J. Hartigan, of Massachusetts, to be an Assistant Postmaster General.

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

John E. Cosgrove, of Maryland, to be an Assistant Director of the Office of Civil and Defense Mobilization;

Maj. Gen. Clinton Stone Lyter, Army of the United States (brigadier general, Medical Corps, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States;

John P. Condon, and sundry other officers, for temporary appointment in the Marine Corps; and

Brig. Gen. John William Libcke, and sundry other U.S. Army Reserve officers, for promotion as Reserve commissioned officers of the Army.

EXECUTIVE REPORTS OF COMMITTEE ON ARMED SERVICES

Mr. STENNIS. Mr. President, from the Committee on Armed Services, I report favorably 233 promotions and appointments in the Regular Army, in the grade of colonel and below. All of these nominations have already appeared in the CONGRESSIONAL RECORD. In order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. The nominations will lie on the desk, as requested by the Senator from Mississippi.

The nominations are as follows:

Oliver R. Buesing, and sundry other officers, for promotion in the Regular Army of the United States; and

Rufus L. Leggett, and sundry other persons, for appointment in the Regular Army of the United States.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

TREASURY DEPARTMENT

The Chief Clerk read the nomination of Crane C. Hauser, of Illinois, to be an Assistant General Counsel in the Department of the Treasury.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COLLECTORS OF CUSTOMS

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered and agreed to en bloc.

The VICE PRESIDENT. Without objection, the nominations will be considered en bloc, and, without objection, they are confirmed. The Chair hears none.

Mr. MANSFIELD. Mr. President, I ask that the President be notified forthwith of the nominations today confirmed.

The VICE PRESIDENT. Without objection, the President will be so notified.

LEGISLATIVE SESSION

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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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

SUBCOMMITTEE MEETINGS DURING SENATE SESSION

On request of Mrs. NEUBERGER, and by unanimous consent, the Subcommittee on Freedom of Communication of the Committee on the Judiciary, and the Subcommittee on Public Health, Education, Welfare, and Safety of the Committee on the District of Columbia were authorized to meet during the session of the Senate today.

EXECUTIVE COMMUNICATIONS, ETC.

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

EDUCATIONAL, SCIENTIFIC, AND CULTURAL MATERIALS IMPORTATION ACT

A letter from the Secretary of State, transmitting a draft of proposed legislation to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950 (with accompanying papers); to the Committee on Finance.

REPORT ON REVIEW OF PRIVATE SHIPBUILDERS' RENT-FREE USE OF DEPARTMENT OF THE NAVY FACILITIES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on the review of private shipbuilders' rent-free use of Department of the Navy facilities in the construction of commercial ships (with an accompanying report); to the Committee on Government Operations.

ADJUSTMENT OF IMMIGRATION STATUS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, a copy of an order entered in behalf of Yu-hwei Chow and Cheh Cheng Yang Chow, relating to the adjustment of their immigration status (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A resolution adopted by the United Nations Association of Los Angeles, Calif., relating to the relationship between the United Nations and the continuance of freedom and democracy in America and in the world; to the Committee on Foreign Relations.

A resolution adopted by the junior chamber of commerce, Hightstown, N.J., favoring a plan to coordinate and direct our Nation's efforts in the struggle against Communist domination; to the Committee on the Judiciary.

The petition of Leo. D. Gallagher, of Columbus, Ohio, praying for a redress of grievances; to the Committee on the Judiciary.

A letter in the nature of a petition from Optimist International, St. Louis, Mo., signed by R. R. Rembolt, president, expressing the thanks of that organization to the Senate for passing Senate Joint Resolution 49, designating the second week in November as Youth Appreciation Week; ordered to lie on the table.

RESOLUTION OF COMMON COUNCIL OF MILWAUKEE, WIS., ON DEFENSE CONTRACTS

Mr. WILEY. Mr. President, faced with an international crisis in Berlin, and threats to peace elsewhere in the world, the United States necessarily is strengthening its defense forces.

In my judgment, this is vital to our security.

To create greater striking power will, of course, require not only more manpower in the Armed Services, but also expansion of defense industry to provide new, complex, powerful equipment and weapons.

As a matter of equity, it is important, in my judgment, to fairly distribute new contracts for material vital to our security among industries throughout the country.

Over the years, for example, the industries of Wisconsin have made a most significant contribution to a stronger defense, by turning out highest-caliber supplies, equipment, and components of new complex weapons.

Today, I was privileged to receive from the Common Council of Milwaukee, a resolution requesting full consideration of Milwaukee industries in the awarding of national defense contracts.

Eminently qualified—ranking high among other Wisconsin and national industries—to produce such materials for our defense, I believe this deserves the consideration of Congress, and of the Defense Department, and its contracting agencies.

I ask unanimous consent to have the resolution printed at this point in the RECORD.

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

RESOLUTION REQUESTING FULL CONSIDERATION FOR MILWAUKEE INDUSTRIES IN THE AWARDING OF NATIONAL DEFENSE CONTRACTS AND URGING LOCAL INDUSTRIES TO COMPETE FOR SUCH CONTRACTS

Whereas the Department of Defense spends approximately $14 billion each year for the procurement of supplies and equipment from private corporations; and

Whereas many industries within the city of Milwaukee either do produce or are capable of producing the types of supplies and equipment which are purchased regularly by the Department of Defense; and

Whereas these same Milwaukee industries have, however, received a disproportionately small share of the contracts awarded by the Department of Defense; and

Whereas a more equitable allotment of defense contracts to industries located in Milwaukee would assure the Department of Defense of receiving top quality materials at fair competitive prices, enhance the local economy by stimulating full production and employment, and reimburse said local industries to some extent for the substantial tax revenues which they now pay to the Federal Government: Therefore be it

Resolved by the Common Council of the City of Milwaukee, That it hereby requests the Department of Defense to give greater consideration to industries located within Milwaukee in taking competitive bids and in negotiating contracts for supplies and equipment; and be it further

Resolved, That the common council hereby advises and urges Milwaukee industries to participate more actively in the procurement programs of the Department of Defense to the end that they may receive a greater proportion of the contracts awarded by that agency; and be it further

Resolved, That a certified copy of this resolution be forwarded by the city clerk to Senators WILEY and PROXMIRE and to Congressmen REUSS and ZABLOCKI.

RESOLUTION OF COLUMBUS (GA.) CHAMBER OF COMMERCE

Mr. TALMADGE. Mr. President, I present a memorial from the chamber of commerce of Columbus, Ga., and ask unanimous consent that it be printed in the RECORD and appropriately referred.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

RESOLUTION

Resolved by the board of directors of the Columbus Chamber of Commerce that:

1. The Congress of the United States be called upon to proceed immediately with a thorough public investigation of the Department of State to determine the causes of their failure to properly protect the vital interests of our country.

2. The President of the United States, directly or through the Secretary of State, be called upon to instruct all persons in the Department of State or in other branches of Government to give full, free, and factual information as may be requested by the Congress in its investigation.

3. The President and Congress of the United States take prompt steps, upon the causes of past failures being disclosed, to change those policies and to eliminate from the Department of State any persons found to be responsible for those failures.

The board of directors of the Columbus Chamber of Commerce has taken this action and expresses its grave concern because it knows and recognizes full well:

1. That the Department of State, irrespective of the persons or party in power, has failed to evaluate courses of diplomatic action with intelligence and to act with firmness and courage in those areas vital to the security of the people and the continued existence of the United States of America as a free nation. This continuing failure was most shockingly demonstrated by the recent Cuban invasion fiasco.

2. That our country is engaged in a life and death struggle with Russian international communism.

3. That our enemy has openly avowed her intention of destroying the United States of America and conquering the world.

4. That the strategy and policy in this undeclared war are being determined primarily by our Department of State.

5. That the operations of our Department of State have, over a 15-year period since World War II, resulted in repeated defeats, retreats, appeasements, apologies, humiliations, and loss of prestige leading to our present perilous position with possible deadly consequences; and be it further

Resolved, That copies of this resolution be sent to all Georgia Congressmen, Senators, and other appropriate persons and organizations.

THOMAS G. MOORE,
Secretary to the Board of Directors.

BILLS INTRODUCED

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

By Mr. CHURCH:

S. 2369. A bill to release the right, title, or interest, if any, of the United States in cer-

Comparative statement of appropriations for 1961, and estimates and amounts recommended in the bill for 1962—Continued

Item	Appropriations, 1961	Budget estimates, 1962	Amount recommended in House bill for 1962	Amount recommended by Senate committee	Conference allowance, 1962
CAPITOL POLICE					
General expenses	$36,700	$36,700	$36,700	$36,700	$36,700
Capitol Police Board	113,075	113,675	114,700	114,700	114,700
Total, Capitol Police	149,775	150,375	151,400	151,400	151,400
JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES					
Salaries and expenses	26,790			26,790	26,790
EDUCATION OF PAGES					
Expenses	67,894	67,967	67,900	67,900	67,900
PENALTY MAIL COSTS					
Expenses	3,269,000	3,836,000	3,836,000	3,836,000	3,836,000
Expenses, compiling testimony in contested election cases		1,500			
STATEMENTS OF APPROPRIATIONS					
Preparation of statements	8,000	8,000	8,000	8,000	8,000
ARCHITECT OF THE CAPITOL					
Salaries, Office of the Architect	316,400	333,000	333,000	337,700	337,700
Contingent expenses	50,000	50,000	50,000	50,000	50,000
Capitol buildings	1,152,000	1,142,000	1,135,500	1,135,500	1,135,500
Extension of the Capitol		[4] 1,500,000	1,500,000	1,500,000	1,500,000
Capitol grounds	388,300	446,000	446,000	446,000	446,000
Subway transportation	6,000	6,000			
Senate Office Buildings	2,363,400	2,074,000		2,170,400	2,170,400
Extension of additional Senate Office Building site	139,500				
Legislative garage	48,200	79,000	49,000	79,000	79,000
House office buildings	1,702,600	1,639,000	1,639,000	1,639,000	1,639,000
Acquisition of property, construction, and equipment, additional House office building (liquidation cash)	18,000,000	6,000,000	6,000,000	6,000,000	6,000,000
Capitol Power Plant (operation)	2,028,700	2,052,000	2,052,000	2,052,000	2,052,000
Expansion of facilities, Capitol Power Plant (liquidation cash)	2,500,000				
Changes and improvements, Capitol Power Plant (liquidation cash)	730,000				
Library buildings and grounds:					
Structural and mechanical care	942,300	3,767,000	3,748,000	3,748,000	3,748,000
Furniture and furnishings	123,300	99,000	99,000	99,000	99,000
Additional Library building (plans)	75,000				
Total, Architect of the Capitol	30,565,700	19,187,000	17,051,500	19,256,600	19,256,600
BOTANIC GARDEN					
Salaries and expenses	352,300	489,000	489,000	489,000	489,000
LIBRARY OF CONGRESS					
Salaries and expenses	8,122,800	8,510,200	8,455,000	8,455,000	8,455,000
Copyright Office, salaries and expenses	1,588,800	1,617,000	1,600,000	1,600,000	1,600,000
Legislative Reference Service, salaries and expenses	1,780,200	1,809,200	1,809,200	1,809,200	1,809,200
Distribution of catalog cards, salaries and expenses	2,172,700	2,387,300	2,347,000	2,347,000	2,347,000
Increase of the Library of Congress:					
General increase of the Library	400,000	470,000	470,000	470,000	470,000
Increase of the law library	90,000	90,000	90,000	90,000	70,000
Books for Supreme Court	35,000	38,000	38,000	38,000	38,000
Books for the blind, salaries and expenses	1,723,200	1,786,100	1,786,100	1,786,100	1,786,100
Organizing and microfilming the papers of the President, salaries and expenses	112,800	112,800	112,800	112,800	112,800
Preservation of early American motion pictures	60,600	60,600	60,600	60,600	60,600
Revision of Annotated Constitution		34,200		25,000	25,000
Collection and distribution of Library materials (special foreign currency program)		[5] 721,700		400,000	400,000
Total, Library of Congress	16,086,100	17,637,100	16,768,700	17,193,700	17,193,700
GOVERNMENT PRINTING OFFICE					
Printing and binding	11,900,000	13,400,000	13,400,000	13,400,000	13,400,000
Office of Superintendent of Documents, salaries and expenses	4,044,327	[6] 4,724,000	4,724,000	4,724,000	4,724,000
Total, Government Printing Office	15,944,327	18,124,000	18,124,000	18,124,000	18,124,000
Grand total	[7] 140,620,141	136,082,802	104,353,335	135,432,065	135,432,065

[1] As amended in S. Doc. 31.
[2] As amended in H. Doc. 150.
[3] In addition, $43,800 by transfer from retained income in the stationery revolving fund.
[4] As amended in H. Doc. 151.
[5] As amended in H. Doc. 118.
[6] As amended in H. Doc. 141.
[7] Amounts up through 3d Supplemental Act, 1961.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. PROXMIRE. Mr. President, I yield to the Senator from Ohio.

Mr. YOUNG of Ohio. Mr. President, I have asked the distinguished Senator from Wisconsin to yield briefly to me for the purpose of calling up my amendment, which is now at the desk.

The PRESIDING OFFICER. The pending question is the amendment of the Senator from Wisconsin.

Mr. YOUNG of Ohio. Yes. I am asking that my amendment, which is at clerk's desk, be called up and made the pending order of business after disposition of the pending amendment.

Mr. ROBERTSON. Mr. President, reserving the right to object—and I shall not object—I merely wish to point out that the amendment of the distinguished Senator from Ohio is in the nature of legislation in an appropriation bill, and I shall be obliged to make a point of order against it. However, I have no objection to bringing it up and discussing it. I shall not object to his request.

Mr. YOUNG of Ohio. Mr. President, I do not propose to take much of the time of the Senator from Wisconsin. The amendment that I should like to call up and have made the pending business——

The PRESIDING OFFICER. Is the Senator from Ohio asking unanimous consent to set aside the amendment of the Senator from Wisconsin?

Mr. YOUNG of Ohio. No, I am not making that request. What I am asking is consent to have my amendment considered as the pending question after the amendment of the Senator from Wisconsin is disposed of.

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

Comparative statement of appropriations for 1961, and estimates and amounts recommended in the bill for 1962

Item	Appropriations, 1961	Budget estimates, 1962	Amount recommended in House bill for 1962	Amount recommended by Senate committee	Conference allowance, 1962
SENATE					
Senators:					
Compensation of Senators	$2,433,370	$2,433,370		$2,433,370	$2,433,370
Mileage of the President of the Senate and of Senators	58,370	58,370		58,370	58,370
Expense allowance for majority and minority leaders	4,000	4,000		4,000	4,000
Compensation of the Vice President	37,775	37,775		37,775	37,775
Expense allowance of the Vice President	10,000	10,000		10,000	10,000
Beneficiaries of deceased Senators	22,500				
Total, Senators	2,566,015	2,543,515		2,543,515	2,543,515
Salaries of officers and employees:					
Office of the Vice President	120,550	120,550		120,550	120,550
Chaplain	8,810	8,810		8,810	8,810
Office of the Secretary of the Senate	695,325	695,325		708,400	708,400
Committee employees	2,551,200	2,551,200		2,551,200	2,551,200
Conference committee:					
Majority, clerical salaries	47,325	47,325		47,325	47,325
Minority, clerical salaries	47,325	47,325		47,325	47,325
Administrative and clerical assistants to Senators	11,924,205	11,924,205		11,938,395	11,938,395
Office of Sergeant at Arms and Doorkeeper, salaries	2,482,735	2,483,740		2,519,525	2,519,525
Offices of secretaries for the majority and minority, salaries	124,240	124,240		126,350	126,350
Office of the majority and minority whips	24,860	[1] 28,340		28,340	28,340
Official Reporters of Debates	223,415	223,415		224,870	224,870
Total salaries of officers and employees	18,249,990	18,254,475		18,321,090	18,321,090
Office of Legislative Counsel of the Senate: Salaries and expenses	232,240	232,240		232,240	232,240
Contingent expenses:					
Legislative reorganization	125,940	125,940		125,940	125,940
Senate policy committees	267,950	267,950		267,950	267,950
Joint Economic Committee	202,555	[1] 247,555		247,555	247,555
Joint Committee on Atomic Energy	294,010	294,010		294,010	294,010
Joint Committee on Printing	115,725	115,725		115,725	115,725
Joint Committee on Inaugural Ceremonies for 1961	250,000				
Vice President's automobile	8,710	8,710		8,710	8,710
Automobile for the President pro tempore	11,465	8,960		8,960	8,960
Automobiles for majority and minority leaders	17,420	17,420		17,420	17,420
Furniture	57,190	31,190		31,190	31,190
Inquiries and investigations	3,797,210	3,797,210		3,797,210	3,797,210
Folding documents	34,295	34,295		34,295	34,295
Senate restaurants	85,000	85,000		85,000	85,000
Contingent expenses:					
Mail transportation	16,560	16,560		16,560	16,560
Miscellaneous items	2,008,345	2,008,345		2,008,345	2,008,345
Postage stamps	55,975	55,975		55,975	55,975
Stationery	195,000	195,000		195,000	195,000
Communications	15,150	15,150		15,150	15,150
Total, contingent expenses	7,558,500	7,324,995		7,324,995	7,324,995
Total, Senate	28,606,745	28,355,225		28,421,840	28,421,840
HOUSE OF REPRESENTATIVES					
SALARIES, MILEAGE FOR THE MEMBERS, AND EXPENSE ALLOWANCE OF THE SPEAKER					
Compensation of Members	10,672,530	10,672,000	$10,672,000	10,672,000	10,672,000
Mileage of Members and expense allowance of the Speaker	390,000	200,000	200,000	200,000	200,000
Total	11,062,530	10,872,000	10,872,000	10,872,000	10,872,000
SALARIES, OFFICERS AND EMPLOYEES					
Office of the Speaker	62,900	62,900	62,900	62,900	52,900
Office of the Parliamentarian	64,630	64,630	64,630	64,630	64,630
Office of the Chaplain	8,810	8,810	8,810	8,810	8,810
Office of the Clerk	1,139,350	1,146,025	1,146,025	1,146,025	1,146,025
Expenses, preparation of Clerk's report	8,000	8,000			
Committee employees	2,848,750	2,948,750	2,900,000	2,900,000	2,900,000
Office of the Sergeant at Arms	614,595	[2] 618,150	618,150	618,150	618,150
Office of the Doorkeeper	1,059,070	[2] 1,058,310	1,058,310	1,058,310	1,058,310
Special and minority employees (several items)	303,920	[2] 302,045	302,045	302,045	302,045
Office of the Postmaster	312,150	[2] 316,210	316,210	316,210	316,210
Official reporters of debates	202,915	202,915	202,915	202,915	202,915
Official reporters to committees	204,995	204,995	204,995	204,995	204,995
Committee on Appropriations	600,000	550,000	550,000	550,000	550,000
Office of the Legislative Counsel	225,750	225,750	225,750	225,750	225,750
Total, salaries, officers and employees	7,655,835	7,717,490	7,660,740	7,660,740	7,660,740
MEMBERS' CLERK HIRE					
Clerk hire	18,122,500	[2] 20,492,500	20,400,000	20,400,000	20,400,000
CONTINGENT EXPENSES OF THE HOUSE					
Furniture	242,550	242,550	242,550	242,550	242,550
Miscellaneous items	2,550,000	2,550,000	2,550,000	2,550,000	2,550,000
Reporting hearings	150,000	150,000	150,000	150,000	150,000
Special and select committees	2,633,750	[2] 3,033,750	2,900,000	2,900,000	2,900,000
Joint Committee on Internal Revenue Taxation	322,500	322,500	322,500	322,500	322,500
Joint Committee on Immigration and Nationality Policy	20,000	20,000	20,000	20,000	20,000
Office of Coordinator of Information	108,245	108,245	108,245	108,245	108,245
Telegraph and telephone	1,275,000	1,325,000	1,300,000	1,300,000	1,300,000
Stationery (revolving fund)	788,400	788,400	[3] 744,600	744,600	744,600
Attending physician's office	16,545	16,545	16,545	16,545	16,545
Postage stamps	183,640	183,640	183,640	183,640	183,640
Folding documents	250,000	236,500	236,500	236,500	236,500
Revision of laws	19,515	19,515	19,515	19,515	19,515
Speaker's automobile	10,000	10,000	10,000	10,000	10,000
Majority leader's automobile	10,000	19,000	10,000	10,000	10,000
Minority leader's automobile	10,000	19,000	10,000	10,000	10,000
New edition, United States Code		[2] 100,000	100,000	100,000	100,000
Payment to widows and heirs of deceased Members	112,500				
Total, contingent expenses	8,702,645	9,144,645	8,924,095	8,924,095	8,924,095
Total, House of Representatives	45,543,510	48,226,635	47,856,835	47,856,835	47,856,835

See footnotes at end of table.

Mr. MANSFIELD. Mr. President, will the Senator yield to me briefly?

Mr. ROBERTSON. I yield to the majority leader.

NEGOTIATION OF COMPACTS BY NEBRASKA, WYOMING, AND SOUTH DAKOTA

Mr. MANSFIELD. Mr. President, in view of the fact that there is a time limitation affecting the States of Nebraska, Wyoming, and South Dakota—that limitation being August 5, only 2 days from now—I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Calendar No. 631, S. 2245.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2245) to amend the act granting the consent of Congress to the negotiation of certain compacts by the States of Nebraska, Wyoming, and South Dakota in order to extend the time for such negotiation.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senators from Nebraska, from Wyoming, and from South Dakota may have the privilege of inserting their comments on the so-called Niobrara contract prior to passage of the bill.

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

Mr. McGEE. Mr. President, this bill represents an attempt to extend the period for approval of the upper Niobrara River compact by the Legislatures of Nebraska, Wyoming, and South Dakota.

The need for this extension arises out of the fact that the members of the Wyoming Compact Commission have indicated that they will require additional time to study some of the provisions in the proposed draft of the compact. It is my hope that whatever changes may prove necessary can be finally agreed upon before the convening of the next session of the Wyoming Legislature in order that they may be presented for the legislature for final approval at the earliest possible point during that session.

It seems to me that it is well that full and careful consideration should be given to an agreement of such demonstrable importance to the future economies of the two States involved, and I am hopeful that the House will act quickly after this bill has passed the Senate in order that final passage of the bill may be secured by August 5, which is the final date to which the present enabling legislation extends.

Mr. CASE of South Dakota. Mr. President, this bill is of much importance to the people of South Dakota and Wyoming, with special reference to the waters of the Cheyenne and Belle Fourche Rivers and their interstate tributaries. The certainty of water rights and their equitable apportionment is a matter which is of acute importance in a dry season such as we now experience. I hope that with the enactment of the bill the agencies of the Federal Government and the respective States will act promptly to develop compacts which can be submitted to the next sessions of their respective legislatures.

Mr. HICKEY. Mr. President, the bill (S. 2245) which I introduced for myself and my colleague from Wyoming [Mr. McGEE], and the Senators from Nebraska [Mr. HRUSKA and Mr. CURTIS], has been reported by the Senate Interior and Insular Affairs Committee, and is now before the Senate. The bill will extend for 2 years the time in which the States of Wyoming, Nebraska, and South Dakota are authorized to negotiate a compact covering the waters of the Niobrara River.

The requirement for extension of time to negotiate the compact is essential because the commissioners require additional time to study its effect. Also, the Wyoming Legislature meets every biennium for 40 days with a heavily scheduled agenda. By this extension of time the legislature will be properly prepared to act on the compact. It is hoped that in light of these circumstances, the matter will be approved by the Senate.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2245) 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 the last sentence of the Act entitled "An Act granting the consent of Congress to the negotiation by the States of Nebraska, Wyoming, and South Dakota of certain compacts with respect to the use of waters common to two or more of said States", approved August 5, 1953 (67 Stat. 365), as amended, is amended further by striking out "eight years" and inserting in lieu thereof "ten years".

LEGISLATIVE APPROPRIATION BILL—CONFERENCE REPORT

Mr. ROBERTSON. Mr. President, the Senator from Rhode Island [Mr. PASTORE] informs me he wishes to present a conference report, which, of course, has priority. I am informed this should take only a few minutes.

I yield to the Senator from Rhode Island.

LEGISLATIVE APPROPRIATION BILL, 1962—CONFERENCE REPORT

Mr. PASTORE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7208) making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report. (For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. PASTORE. Mr. President, I move that the conference report be agreed to.

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

The conference report was agreed to.

Mr. PASTORE. Mr. President, I ask the Presiding Officer to lay before the Senate a message from the House of Representatives.

The PRESIDING OFFICER laid befor the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 7208, which was read, as follows:

Resolved, That the House agree 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. 7208) entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes."

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 44 to aforementioned bill, and concur therein.

Resolved, That the House recede from its disagreement to the amendment of the Senate numbered 52, and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"COLLECTION AND DISTRIBUTION OF LIBRARY MATERIALS

"(*Special foreign currency program*)

"For necessary expenses for carrying out the provisions of section 104(n) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(n)), $400,000 of which $363,500 shall be available for the purchase of foreign currencies which accrue under that Act and which the Treasury Department shall determine to be excess to the normal requirements of the United States."

Mr. PASTORE. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 52.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to.

Mr. PASTORE. Mr. President, I ask unanimous consent to include in the RECORD at this point a table which shows the appropriations in this bill for fiscal year 1961, the budget estimate for fiscal year 1962, the amounts of the House and Senate bills, and the final amount agreed to in conference.

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

Senate "add-ons" approved in conference and utilized by the administration, fiscal 1961—Continued

FISCAL YEAR 1961	*Amount*
B-70: "Aircraft procurement, air Force" [2]	$184,300,000
Samos program: "Research, development, test, and evaluation, Air Force"	[3] 50,000,000

[2] After application of 3-percent reduction. Program increase was $190,000,000.

[3] Represents Senate portion of total congressional "add-on" of $83,800,000.

Mr. STENNIS. Mr. President, allusion has been made to the preparedness hearings. At the conclusion of some of the testimony, one of the gentlemen who was testifying about missiles, bombers, and other long-range weapons—and we were speaking in terms of billions of dollars—was asked what was the further need of his branch of the service to strengthen our posture. I think his answer is worthy of the attention of all of us. Adm. W. F. Raborn, Jr., said:

> I feel that a stiffening of the peoples' spines, to return to the principles that made our country great, the willingness to give up soft living, the willingness to really pitch in and do a job for our country, thinking less of benefits, and more of service, more of turning out a good job for a dollar—this is the thing which makes a people worthwhile or not. And if we get the cart before the horse, and start thinking more of ourselves than we do of the country as a whole, then we are not going to be as great a country as we could be otherwise. And I have noted with some concern this slackening off of moral principles, of personal integrity, of a willingness to see how much you do on the job rather than how much you can get away with and still draw your paycheck, and the growing relief rolls and other things. There is some reason to believe there is a tendency to take the easy way out rather than harken to self-respect, and get out and do a job, even if it is not what you are trained for, in order to keep off the rolls. These are the things I think that we have to take a good look at ourselves and be very critical. And this is the kind of deterrence that means the most in the long run.

He did not ask for more money, more men, or more military hardware. He asked for personal integrity and related matters. For my part, I think that quotation would be a good note on which to end my remarks on the largest appropriation bill ever to come before the Congress in peacetime.

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

Mr. STENNIS. I yield to the Senator from Virginia.

Mr. ROBERTSON. Mr. President, in my remarks on the bill this morning I commended the wonderful contribution made by the Senator from Mississippi in the preparation and presentation of this very large defense appropriation bill. I also wish to warmly commend the Senator for his discussion this afternoon of some of the features of our problems, and especially with respect to the necessity to have in production both the manned bombers and the missiles. Both are offensive weapons. Both are designed primarily to deter an aggressor. We believe that if the missile is a deterrent and if the manned bomber is a deterrent, the two together will be better than one by itself.

I commend the Senator again.

Mr. STENNIS. I thank the Senator from Virginia, and I commend him for the fine work he has done in regard to the bill.

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

Mr. STENNIS. Mr. President, I yield to the Senator from Washington, a member of the Committee on Armed Services, of the Joint Committee on Atomic Energy, and of our Preparedness Subcommittee, as well as other committees.

Mr. JACKSON. Mr. President, I commend the distinguished Senator from Mississippi for the excellent statement he has made to the Senate this afternoon. I say to my colleagues that the Senator has been conducting a most important series of hearings in connection with our preparedness program. If the Members of the Senate had an opportunity to listen to the testimony or to review the record, I do not think there would be any doubt about our determination to go ahead and to approve the budget estimates as submitted by the distinguished Senator from Virginia this afternoon.

Mr. President, one of the important items in the bill as presented to the Senate, decided unanimously by the Senate Committee on Appropriations and by the Senate Committee on Armed Services, is the continuation of our manned-bomber program. We should remember that in building our defense posture we are not building it to get into a war, but to prevent a war. Our manned bombers are a very important instrument of diplomacy. We cannot put our missiles on the alert, in the sense that the enemies of this country understand and know it, but we can put our bombers on the alert around the world in a way which our enemies will understand. It seems to me this gives us an added bit of muscle for our diplomatic arm in dealing with problems at Berlin and elsewhere.

The distinguished Senator from Mississippi, it seems to me, touched on the heart of the problem. We are building our military strength to avoid war. The most important thing a free society can do is to make a wise use of that strength. Unless we have the integrity to use our power intelligently for peace and to prevent war, we shall not be utilizing the very strength we have been building. Military strength and diplomacy are inseparable.

On top of all of that is our will to carry out those decisions which are essential to the survival of a democracy. I must say that when we make these decisions, we should be willing to go all the way down the road if it is necessary to preserve peace in the world.

I am convinced the Soviets have the idea that the American people have become soft, and that we are afraid, in a showdown, to face the possibilities of a general war which might involve thermonuclear weapons. They hope to take advantage of what they believe to be our fear of war.

What we do today will go a long way toward clarifying any doubts the Soviet leaders may have in regard to our willingness to make decisions and to firm up those decisions. Unless we are willing to face up to the ultimate facts we might have to face up to, we shall not be using the great material and human resources of this country to preserve and to protect our freedom and the freedom of our allies everywhere.

Mr. STENNIS. Mr. President, I commend the Senator for his remarks. I do not believe there is another person in the Congress more qualified to speak on the subject about which he undertakes to speak than the Senator from Washington.

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

Mr. STENNIS. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I wish to express my appreciation for the fine services the Committee on Armed Services and the subcommittee of the Appropriations Committee have rendered, as well as for the work of the distinguished Senator from Mississippi and the distinguished junior Senator from Virginia.

I had the privilege of appearing briefly before the subcommittee of the Appropriations Committee. I submitted documents, letters, and other material. I heard the committee question witnesses. I have never before heard a committee which I thought was more determined, more knowledgeable, or more dedicated in seeking out whatever information could be obtained from whatever source available. I wish the people of this country could have seen and heard the committee, not simply for a few minutes, but day after day. It makes me proud to be a Member of this body and to serve with men like these. I have had experience as a trial judge, and have practiced law for 25 years. I know what it is to see men engaged in seeking for facts and for the truth. The committee functioned in such a way as to make us proud of our democratic institutions. I am proud to pay tribute to the committee members.

Mr. STENNIS. I thank the Senator from Texas. Mr. President, I yield the floor.

Mr. ROBERTSON. Mr. President, a number of Senators have asked me whether we shall have a vote this afternoon, and, if so, on what and when? We shall have a vote on the Proxmire amendment, and, Mr. President, I ask for the yeas and nays on that amendment.

The yeas and nays were ordered.

Mr. ROBERTSON. Mr. President, the Senator from Wisconsin [Mr. PROXMIRE] desires to speak for perhaps a half hour on the amendment. The Senator from California [Mr. ENGLE] wishes to speak for perhaps a half hour. I think we shall have a vote in approximately an hour.

hilt. Today we serve notice on Mr. Khrushchev that he is laying down the gauntlet to no divided people.

Yes, we have given the President and his administration everything they have asked. And I think we should add, that, in the fullest sense, we have given it, not to the administration, but to the country and to the free world.

While we have responded in every way, we have gone beyond that, and have provided funds for continuation of the existing bomber airplane production lines and the expansion of bomber production beyond the administration proposals for the flying of a few prototypes of doubtful value. We have acceded to every request. But now, with counterproposals of our own, we face the intransigent determination to discontinue bomber production in less than 2 years and to plan only for an advanced bomber, but to do so with such caution as to raise questions as to whether the effort now being put into the B-70 is being wasted.

Never in my service in the Senate have I witnessed such unanimity by those who have dedicated their lives to the public service. All the committees concerned have had the benefit of the best advice of the top military people; and these committees include men with tremendous experience in government and industry—experience not restricted to the legislative aspects of defense problems. Superimposed on this experience has been the day after day reiteration of the fact that nuclear weapons are as yet untested, and that since we can never be absolutely sure of what will happen, we must continue our emphasis on proven products.

We must make a dent here today in the determination to discontinue the production of bombers.

Mr. President, I have emphasized the concern we had in regard to cutting down on the B-52 bomber program, when we had the hearings before the Preparedness Subcommittee. I wish to add that, considering our present firepower and our overall military strength, the American people can be assured that our capacity, if we were to be attacked, is very, very formidable, indeed.

I think it would be overwhelmingly effective. I do not see how any nation or group of nations could possibly stand the fury and destruction that we could unleash in a matter of seconds, should such an occasion arise, although we pray it will not.

Mr. President, a moment ago the Senator from Ohio indicated that he wished I would yield to him. I am glad to yield to him now.

Mr. YOUNG of Ohio. I thank the Senator from Mississippi.

May I say that I have listened with great admiration, approval, and agreement to the fine statement the Senator from Mississippi has made. I think his remarks in regard to manned bombers are very convincing, and of course I shall support that portion of the pending bill, making provision for such aircraft, for I believe such money will be well spent.

Mr. STENNIS. I thank the Senator from Ohio for his remarks.

Mr. YOUNG of Ohio. Following the reference the distinguished Senator from Mississippi made to our terrific power of instant retaliation, may I say that of course it seems evident to all of us that there can be no all-out atomic war, that the dictators of the Soviet Union know full well that their cities would be reduced to rubble and millions of their men, women, and children would be killed, and in a short time the Soviet Union would be a third-rate power—regardless of whether such a conflict were an all-out atomic war—and that the only power that would emerge as a great power from so unthinkable a conflict would be Red China.

So it seems much like the case of poison gas that the United States and England had stockpiled in quantity in World War II. Hitler, even in his last desperate year, would not resort to using poison gas, because he knew of the tremendous destruction that would result to his own country. Therefore, what the Senator from Mississippi has said about strengthening, by this huge appropriation, the power to wage conventional war, deserves the support of all of us.

I wish also to commend the Senator from Mississippi very much indeed for the fine reference he made to a distinguished native of my State, Gen. Curtis LeMay, who was born and reared in the neighborhood where I practiced law for many years. The Senator has very appropriately referred to Gen. Curtis LeMay as a great international authority on intercontinental ballistic missiles, and, in fact, on warfare generally.

I come now to a certain portion of the bill which I shall discuss later. It is so unimportant, compared to what the Senator from Mississippi has been talking about, that I am not going to direct any questions to the Senator about it. It is title 5, pertaining to the additional appropriation of $207 million on top of the $95 million that the Senate recently provided for the Office of Civil and Defense Mobilization. This is an unnecessary appropriation and I shall have more to say about it later.

Mr. President, I have in mind making a point of order against title 5, and I am confident the point of order will be well taken.

By the way, the distinguished senior Senator from Ohio has been here throughout this afternoon. It is worthy to note that when there was a vacancy in the U.S. Senate from the State of Ohio, I believe in 1945, during one of the five terms Senator LAUSCHE served the State of Ohio as its Governor, the then Governor LAUSCHE offered the appointment to Gen. Curtis LeMay. Curtis LeMay declined that appointment offered by Governor LAUSCHE. Today some 180 million Americans should be glad that, in the first instance, my colleague, then Governor LAUSCHE, offered the appointment to General LeMay to be a U.S. Senator, but they should feel satisfied and content that General LeMay declined that appointment and decided to remain in the Air Force.

I thank the Senator from Mississippi for yielding to me. May I point out that Gen. Curtis LeMay said recently:

> I don't think I would put that much money into holes in the ground to crawl into, that I would rather spend more of it in offensive weapons in the first place.

I am quoting General LeMay, as the Senator from Mississippi quoted him. I am quoting him also as an authority that our policy of instant retaliation, which will be so greatly augmented after we in the Senate appropriate the money we are asked to, that it will make holes in the ground unnecessary.

I am simply calling attention of the Senate to the fact that Curtis LeMay is an authority on the subject. We have already wasted over $1 billion on civil defense, and we might stop, look, and listen before we put more money into an unnecessary and expensive shelter program.

Mr. STENNIS. I thank the Senator from Ohio for his very kind remarks.

Mr. President, I have in my hand a table pertaining to "add-ons" in the military appropriation bill for the fiscal year 1961. The Senator from Mississippi mentioned some of them in the first part of his remarks, but not all, and I ask unanimous consent that the table may be printed in the RECORD at this point in my remarks.

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

Senate "add-ons" approved in conference and utilized by the administration, fiscal 1961

	Amount
FISCAL YEAR 1957	
Heavy bombers, tankers, and other essential Air Force weapons: "Aircraft and related procurement, Air Force"	$800,000,000
Overall Air Force research and development program: "Research and development, Air Force"	100,000,000
FISCAL YEAR 1958	
None.	
FISCAL YEAR 1959	
KC-135 tankers	55,595,000
"Aircraft, missiles, and related procurement, Air Force"	51,675,000
"Procurement other than aircraft and missiles, Air Force"	3,920,000
Strategic airlift aircraft	140,000,000
"Aircraft, missiles, and related procurement, Air Force"	136,100,000
"Procurement other than aircraft and missiles, Air Force"	3,900,000
FISCAL YEAR 1960	
Nike-Zeus anti-ICBM and/or Army modernization: "Procurement of equipment and missiles, Army"	[1] 200,000,000

[1] Represents amount used by Defense against total congressional "add-on" of $375,000,000. Specific portion added by Senate not determinable.

CAPTURE OF HIJACKERS OF CONTINENTAL AIRLINES PLANE

Mr. SALTONSTALL. Mr. President, I believe it would be of interest, in view of the discussion had earlier today, to know that at 1:53 p.m., the first criminal came out of the plane in Texas, and that at 1:55 p.m., the rest of them came out. No one was hurt.

Mr. STENNIS. That is an item of much interest. I thank the Senator from Massachusetts for making the announcement. I have looked with growing concern upon the menace of our planes being held up. I think it is dangerous to the welfare of the country and the prestige of our Nation. Some steps will have to be taken to curb such activities and to reassert the Monroe Doctrine and our other commitments to the Western Hemisphere.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. STENNIS. Mr. President, I do not expect or wish to keep the floor longer. I deeply appreciate the excellent contributions which have been made to the debate by the Senators who have intervened.

For emphasis, I wish to point out that the second major point in connection with the need for these funds for the B-52's—my first point was in regard to the continuity of production—is that bombers of this type are also the frontline of our defense in conventional warfare. I can hardly conceive—even though we do not know what the future holds—that any sane person would ever deliberately start a war. On the other hand, I do not think we are justified in believing that there will not be wars in the future, although I think the great probability, as of now, is that we shall never get into a nuclear war. Therefore, weapons prepared solely for that purpose will probably never be used. Of course, we pray they will not have to be used; and it seems likely that probably they never will be.

That brings us back to these bombers—to which I am not particularly wedded; the only relation Mississippi has to them is that sometimes they fly over that great State. But these bombers are now our frontline of defense. If war should come, the great probability is that bombers will be the weapon used; and the manned bomber, which can go and return, and even change its target, maneuver, and change its course, certainly is the most valuable weapon we have in our arsenal today.

On the other hand, even our test missiles cost a million dollars each.

With the air-to-ground Hound Dog missile that is carried under the wings of the big bombers—and with the new Skybolt missile that is coming along, these bombers are most effective. One bomber is just as effective as many, many ICBM's fired on target.

So how can we now take the chance of stopping the production within 12 months and failing to provide for continuity, so that by the touch of a button the President or the Secretary of Defense could start using some of them 3 months from now or 6 months from now or at any other time. Mr. President, certainly these funds should be provided.

I wish to refer at this time to the B-70. The Senator from Virginia has already explained the necessity for the funds for this mach 3 intercontinental bomber. On this floor a year ago additional funds were provided for the B-70. A few minutes ago I mentioned the figures in that connection. More money was then provided by the Congress for the B-70 than was requested. Certainly the B-70 is the bomber of the future; it will be our frontline weapon some years from now.

Mr. President, the additional money was found to be necessary, and part of it was used by the Eisenhower administration. When that administratiton made up its budget for the B-70, it included this added amount for this fiscal year, although it was later reduced by the revised budget of the present administration.

The pending bill proposes the restoration of sufficient funds to keep the research and development program of the B-70 bomber on schedule. It has already been put in motion, so that if it is decided to put such bombers into production, production can begin at the earliest reasonable time. This bomber flies at approximately three times the speed of sound. The question is, Can we afford to run the risk of coming out second best in regard to bombers? We are not second best now. We now have the means and the know-how for production. This bomber has been conceived, and many of the wrinkles or "bugs" have been eliminated, so that a flyby is near reality.

Can we now afford to add to the uncertainy of the future by withholding the appropriation of this money. I think not. I think we should include the amount of money required to put the production of this bomber on schedule and keep it there.

The question as to the number of B-70 wings to be produced will come before us later. But these funds are needed now in order to keep the development program going.

Mr. President, I need not reiterate the need for the staggering amounts of money encompassed by the pending bill. The amounts are great because the times are critical, and because we do not know what kind of a war we may be called upon to fight. Buying protection and deterrence, so that we may respond flexibly to the military demands placed on us, and increasing the size of our forces, so that we may honor our commitments, have resulted in a bill of these gargantuan spending proportions.

But who can say that the added expense to provide greater ability to fight conventional warfare should not bring a measure of comfort to us all? Does not it provide some measure of insurance against thermonuclear warfare, when we have not placed our entire reliance on our means of defense in one type of war—the kind that would have to engulf the world and perhaps destroy it for all practical purposes?

For many years we have heard bills described as good ones. A bill is a good bill if it accomplishes what it sets out to do. Judged by that standard, this is a good bill, for it incorporates a new approach to the terrible, the fearsome menace that confronts us. It provides the force that is needed in order to provide us with the ability to survive—as in the case of the added emphasis on the Polaris submarine, with its obvious antidetection potential. And, on the other hand, it provides the funds needed for improvements in our land forces, those who carry rifles, ride in tanks, and carry the flag 'neath pine and palm—from the northland to the tropics.

If we think we are spending vast sums of money, let us consider for a moment the amount of money the Soviets are spending and the benefits from their spending in increased manpower and materiel.

The recent Soviet budget increase of 34 percent was superimposed on a defense budget already approximately as large as ours in terms of dollars, although the gross national product of Russia is only about 40 percent of ours. Furthermore, during 1960 Russia recorded approximately 18 percent of its gross national product in its national defense budget, not to mention many items for national defense included in and covered up in other budgets. This contrasts to the approximately 9.3 percent we were spending.

This spending by Russia cannot be calculated in terms of dollars alone, inasmuch as the slave economy of that country permits the purchase of defense materiel at controlled depressed prices and also allows for the payment of a soldier at only 6 rubles, or $6.60 a month.

From these statistics and this analysis, we can realize the grim and unrelenting determination of the enemy, and the consequent need for matching effort on our part. Hence, the colossal defense appropriation bill we are now considering.

This bill is entirely responsive to the administration's proposals for spending. The bill gives the Defense Department everything it asks, and more, and provides flexibility for spending as contingencies arise, such as the exemption from antideficiency legislation spending in case of an increase in the size of our Armed Forces beyond the number for which funds are provided in the act.

This bill fairly exudes confidence in the administration, as it provides flexibility for transferring funds from one appropriation to another, and provides additional funds for emergency spending.

This bill which gives the administration the benefit of every possible doubt, resolves all questions in its favor, and makes restoration after restoration from the cuts made in the House.

Yes, by means of this bill we have responded to the administration in every way, we are demonstrating to the world that we are back of the President to the

I merely wish to add to what has been said that my own personal decision on this matter was made because we can appropriate money but we cannot force the Defense Department or the President or the administration to spend it. By appropriating money for the B–52's, which are our best bombers—as the Senator from Georgia has stated—we provide a bomber which can be turned around again and again and sent over the target, and can be changed, and can be used with a weapon like the Hound Dog or the Skybolt, as opposed to the use of a missile.

If the administration believes missiles have been developed to such a point that the production of B–52 planes is not needed, that is its decision. However, it would be a very nerve-racking decision for us to make, to prevent the administration from changing its mind if it wishes to. That is what influenced me in voting for the $525 million.

Mr. STENNIS. I thank the Senator from Massachusetts for his excellent statement.

Upon my responsibility as a member of the Committee on Armed Services, I wish to warn everyone now not to think of the ICBM missiles as our present effective deterrent force to prevent war. Not yet. Our present frontline, effective deterrent power is the B–52 bomber, especially when we add to it the weapon known as the Hound Dog. Also, the next weapon to be added shortly will be the Skybolt, which is a missile that can be fired from the B–52 bomber many, many hundreds of miles from its target. In effect, it is the discovery of a new and additional weapons system itself.

(At this point Mr. SMITH of Massachusetts took the chair as Presiding Officer.)

Mr. STENNIS. Mr. President, I now yield to the distinguished Senator from Nevada, who is eminently qualified to speak on this subject.

Mr. CANNON. I thank the Senator from Mississippi.

Mr. President, the Senator from Massachusetts stated forcefully the point I wished to make clear, namely, that the big danger now is the discontinuance of the production line. It takes time to get a production line into operation. As the Senator from Massachusetts has well said, many highly skilled, technical personnel are now engaged in the production of the B–52. Under present conditions, the production of B–52's will close, and the personnel will be out of employment, as of December 1962.

If we are to provide that the administration may continue it, if it so desires, we must take steps this year to enable the administration to be in a position to continue the production line of B–52's, which, as has already been adequately stated, is our most important single deterrent weapon today.

The other point I wished to make has been made by the distinguished Senator from Missouri [Mr. SYMINGTON]. If we are placed in a straitjacket, where we have no alternative other than to surrender or to engage in massive retaliation with nuclear weapons, we will not have either the flexibility to fight a limited war or the flexibility required in the important field of negotiation. If we stop the production of manned aircraft at this stage, when the Senator from Mississippi has stated that we are not prepared to rely entirely on the missile at this time, then we shall deprive ourselves of the required flexibility and shall place ourselves in the unfortunate position of either having to accommodate ourselves to surrender or to engage in the theory of massive retaliation with nuclear weapons, which I believe none of us wishes to do.

I thank the Senator from Mississippi.

Mr. STENNIS. I thank the Senator from Nevada for his remarks. We went into the preparedness hearings, in connection with the missile program, to determine the question of how far the missile program had progressed. It is a great program. We are proud of it. We expect much from it in the future. But we came out of the hearings with the unanimous opinion, I believe, that not yet could we consider missiles as the main deterrent. It is still the manned aircraft.

Mr. President, I now yield to the distinguished Senator from California.

Mr. ENGLE. Mr. President, I appreciate the Senator's yielding. I had intended to speak at some length on this subject, but it has been effectively and thoroughly covered by Senators more senior and more experienced on the Committee on Armed Services than I am. However, I would not wish the discussion to close without making it perfectly clear that I wholeheartedly support the position taken by the distinguished Senator from Mississippi, the distinguished Senator from Missouri, the distinguished Senator from Georgia, the distinguished Senator from Massachusetts, and other Senators.

I should like to add one last thought. We may never test a missile under actual combat conditions. That may never be done; it has not been done yet. We may never do it. Certainly it makes sense, until we have an operational missile, a missile which we are testing, and on which we can rely, to maintain a manned-bomber force.

I hope the amendment which is in prospect will not be adopted, and that the B–52 production provided for in the bill will be appropriated for by Congress.

I thank the distinguished Senator from Mississippi for yielding to me.

Mr. STENNIS. Mr. President, my yielding to the Senator from California is another illustration of how Senators to whom I have yielded have taken my speech and have made it. I am proud that they have. The Senator from California has made a major point.

Mr. President, I yield now to the distinguished Senator from Texas.

Mr. YARBOROUGH. Mr. President, I thank the distinguished Senator from Mississippi for yielding to me. I have been shocked at that part of the colloquy between the distinguished Senator from Mississippi and others, in which others—but not the distinguished Senator from Mississippi—have described our planes as "old and slow." The B–58 is the newest and fastest bomber we have. Until the Russians had their airshow, we had thought that the B–58 was the fastest bomber in the free world. It flies at twice the speed of sound. I think it would be a tragic error to have the RECORD show that all our bombers are "old and slow." The B–58 may not be as fast as we would like, but we are planning to make it faster and longer range. However, the planned B–70 will be bigger and faster, though it is not yet in production. Modifications being made in the B–58 will appreciably increase its present speed above mach 2, which is twice the speed of sound.

The B–58 is a long-range bomber. Other Senators have indicated that only the B–52 could carry the Skybolt or the Hound Dog missile; this is not accurate. At the time the B–58 was designed, there was built into the design a framework to enable the plane to carry those missiles. Plans for modifications which are now underway will enable the B–58 to carry the Skybolt and the Hound Dog, models of which were shown to the committee. I have had models in my office with the actual attachments on the models; and, with some modifications which will not be too expensive to make, the B–58 will be able to carry these air-to-surface missiles.

General LeMay testified before the subcommittee that the B–58 is a long-range bomber.

The Senator from Mississippi is one of the most knowledgeable men in the field of military affairs, and he knows that the B–58 is our one best hope as the only supersonic manned bomber. In the war games which were played, the planes came in at twice the speed of sound, directly over the target. Neither side has developed a means to shoot all of them down when they fly at twice the speed of sound. Is not that correct?

Mr. STENNIS. That is correct.

Mr. YARBOROUGH. I think the facts should be known.

With respect to the $525 million appropriation for bombers, numerous references have been made to money to keep the B–52 in production. Is it not true that the $525 million will cover both the B–52 and the B–58 production, if they have the Department of Defense approval?

Mr. STENNIS. I believe the law provides for long-range bombers. That is a question of fact to be determined by the military personnel. I have heard it argued both ways. That is a matter which cannot be decided on the floor of the Senate.

Mr. YARBOROUGH. Is it not true that, in response to a question asked by the distinguished Senator from Virginia [Mr. ROBERTSON] before the subcommittee, General LeMay said the B–58 was to be a long-range bomber?

Mr. STENNIS. The Senator has read the record. I am sure that is correct. I do not make any point to the contrary.

Mr. YARBOROUGH. I thank the Senator from Mississippi.

Mr. SALTONSTALL. Mr. President, will the Senator from Mississippi yield?

Mr. STENNIS. I yield.

Mr. PROXMIRE. Did I correctly understand the Senator to categorize the bomber as a 10-year-old bomber?

Mr. SYMINGTON. The first mockup of the B–52 which I saw was in 1949. I believe, therefore, the plane was probably first built about 1953 or 1954; and in the development of the art, inasmuch as it is a subsonic bomber and does not cross the speed of sound, it would be considered an obsolescent bomber.

However, with the addition of the Hound Dog, and later with the ballistic air-to-ground missile, the Skybolt, of course, the relatively long range of those air-to-ground missiles, aids the relative obsolete characteristics of the B–52 as against supersonic long-range bombers.

Mr. PROXMIRE. I think the Senator is correct.

Mr. SYMINGTON. Also the new engines in the B–52 will make a marked difference in its performance.

Mr. PROXMIRE. If the Senator will yield further——

Mr. STENNIS. The Senator from Mississippi wishes to yield to other Senators. But the Senator from Mississippi feels that he has held the floor long enough. Other Senators wish to speak on the subject. I shall merely yield for questions. I yield to the Senator from Wisconsin again if he has a question to ask.

Mr. PROXMIRE. I would like to finish my questioning of the Senator from Missouri. If this is a slow bomber, if it is a relatively old bomber, and if our bomber of the future is a bomber like the B–70, and having in mind our missile program, what is wrong with the amendment of the Senator from Wisconsin and the recommendation of the Secretary of Defense that we have plenty of these relatively old and slow bombers and that we will have them throughout the sixties, and that in 2 years from now we can take another look at the development of the missiles and at the development of the B–70, and at that time we can decide whether to restart the program? The Secretary has carefully and thoroughly explored the problem of restarting, and he specifically explains it in his letter.

Therefore, why is it not sensible for our country to follow the lead of the Secretary of Defense to get the most defense, with the most progressive weapons that we can get, instead of insisting that the Secretary, against his judgment, should spend $525 million on more slow and 10-year-old bombers?

Mr. SYMINGTON. It is true this airplane is old, but it will become more modern as we develop the newer weapons for it. If the able Senator from Wisconsin as a young man wanted to take his girl to a dance, he undoubtedly would have liked to take her in a Cadillac. But if no Cadillac was available, and all he could use was a farm truck, I am sure he would have been glad to use the farm truck rather than forgo the dance.

If the Senator knows of a better bomber we could build I wish he would tell me about it.

The second point refers to the B–70 bomber. Opposition to the full development as a weapons system by the Secretary of Defense of the B–70 is just as emphatic as it is to the building of any more B–52's.

From the standpoint of either present or future long-range combat aircraft, apparently he does not want to either eat his cake or have it.

Mr. PROXMIRE. Mr. President, the Senator says——

Mr. STENNIS. Many Senators have asked me to yield for questions. I will permit the Senator from Missouri to conclude his answer.

Mr. SYMINGTON. I thank the Senator. That was a rather long question the Senator from Wisconsin asked me. First, the B–52 may be a relatively old bomber, but it is the only long-range bomber we can build in production. Second, great emphasis has been placed on missiles. All those who listened to the testimony of recent weeks are quite concerned about the reliability of missiles.

Finally, as pointed out before, I do not believe we must necessarily rely for the defense of our country, exclusively on nuclear weapons. That is what missiles are for. But the B–52 can be used as a conventional defense weapon; and it can be used also for nuclear defense.

I do not admit that this country has only one of two alternatives—humiliation, or nuclear defense.

Mr. STENNIS. I have promised to yield to the Senator from Massachusetts. Then I shall yield to the Senator from Georgia, if he wishes to have me yield.

Mr. SALTONSTALL. The Senator from Georgia has not had his lunch, and I have. I would be glad to have the Senator from Georgia speak first.

Mr. STENNIS. I shall be glad to yield to the Senator from Georgia.

Mr. RUSSELL. I merely wish to emphasize what the distinguished Senator from Missouri has said, that the B–52 and the B–58 have a greater potential for conventional warfare, as well as for a more accurate delivery system for nuclear weapons, than any missile we have developed yet or any missile we know to be in existence in the world.

I have not been able to be present in the Chamber during all of the discussion of this subject, due to the fact that the Armed Services Committee was in session. However, I am sure that the distinguished Senator from Mississippi and other Senators on the committee have pointed out to the Senator from Wisconson the very great increase in value as a weapon which accrues to the B–52, by virtue of the fact that we possess the Hound Dog and Sky Bolt missiles. That is where the real value of that plane lies. Of course today, with ground-to-air missiles, a bomber of terrific speed has to have an altitude that is greater than what we have achieved, but we hope to obtain in the B–70, to be safe from these ground-to-air missiles. They are relatively simple and effective.

With the B–52 we get the advantage of more than one shot, because it can stand off 1,000 miles with the Sky Bolt, or 500 to 700 miles with the Hound Dog, and deliver its missile on the enemy's target, without the danger of being shot down by the ground-to-air missile. When one fires one of these missiles—and they are not inexpensive intercontinental ballistic missiles—whether it gets 10 miles off the ground or whether it explodes half way there, or goes all the way to its target, it is strictly a one-shot weapon, and one is through when the weapon has been fired.

However, the B–52, when equipped with the Hound Dog or the Skybolt, will return again and again and again to attack enemy targets, and should prove to be one of the most devastating and destructive weapons we have. I am sure the Senator from Missouri has pointed that out. I just came into the Chamber at this stage of the discussion.

Mr. STENNIS. I appreciate very much the remarks of the Senator from Georgia.

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

Mr. STENNIS. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. I cited some figures previously, and I merely wished to complete them for the benefit of the Senator from Wisconsin.

With respect to the B–52, under the present budget, the B–52 production line closes down in August 1962.

Using the $525 million for continuing B–52 production, 52 additional aircraft, at 4 per month, could be procured, ending production in March 1964. The cost per plane is about $10 million.

With reference to the B–58, under the present budget the B–52 production line closes down in October 1962.

Using the $525 million for continuing B–58 production, 58 additional aircraft, at 5 per month, could be procured, ending production in December 1963. The cost per plane is about $9 million.

B–52 and B–58: Applying the $525 million for continuing procurement of B–52's and continuing B–58 production to insure fiscal year 1963 reorder capability would require procurement of 36 B–58's with fiscal year 1962 funds totaling $365 million, with production at 3 aircraft per month ending December 1963.

These estimates are based on the assumption that production lines would not be closed down, and then reopened. Restoring production after a closedown would necessitate a 24-month leadtime for engines and bomb and navigation systems. Delaying the decision to go ahead until January 1962 would result in closing the lines down.

This information is taken from testimony by Secretary of the Air Force Eugene M. Zuckert and Lt. Gen. Mark E. Bradley, Jr., Deputy Chief of Staff, Material, of the Air Force, in the House on May 17, 1961, part 5, pages 467 to 470, House Defense Subcommittee hearings.

General LEMAY. The $525 million proposed—

This figure came from the Committee on Armed Services of the Senate, not from General LeMay. We had authorized the $525 million long before the testimony was taken on July 18.

I repeat:

General LEMAY. The $525 million proposed will allow us to buy 52 more airplanes. This will fit in for a reasonable production rate.

That is what he is interested in, a production rate, a continuity. I continue the quotation:

This will fit in for a reasonable production rate from an economical standpoint, four airplanes per month.

If you drop below that the unit cost will go up.

We could drop down to two per month, which would be a bare minimum to keep the line going, but the price per unit would go up, then.

(At this point, Mr. BURDICK took the chair as Presiding Officer.)

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

Mr. STENNIS. I will yield to the Senator, but I have only a few more lines to read. For emphasis I wish to continue.

We think this is a reasonable program to keep the bomber line open.

Senator ROBERTSON. Would that increase your number of B-52's or merely replace those which are worn out?

General LEMAY. We will not discard any B-52's if we buy another wing of them. We will keep all of them.

Senator ROBERTSON. Would you have to have additional bases if you had this expansion program?

General LEMAY. No, sir; we would not.

Senator ROBERTSON. Some weeks ago we saw in the press a statement that some structural defect had been discovered in the B-52. What can you tell us about that?

General LEMAY. We did have some trouble with the B-52 because there is a lot we do not know about fatigue in these modern, high-performance airplanes. We do have a fix for that difficulty and it is being incorporated in the airplanes now.

Senators will remember that a great many of our present B-52 bombers are being worn out every day through an airlift. We do not yet know what fatigue means.

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

Mr. STENNIS. I yield.

Mr. CLARK. Can the Senator from Mississippi inform us what is the difference between the production schedule of the B-52 and that of the B-58 which the Secretary of Defense has in mind following, and the production schedule which General LeMay is advocating?

Mr. STENNIS. I do not know about any proposed production schedules in that sense, but if the money is made available and is spent, first, in a short time it would prevent stoppage of the production that would otherwise occur. Naturally it would supply some additional airplanes for the present and strengthen our country that much more.

Mr. CLARK. So it is fair to say that the Secretary of Defense proposes to cut back drastically the production rate of the B-52.

Mr. STENNIS. Absolutely. Such a result would be inescapable. They would not be produced after a certain date in the calendar year 1962.

Mr. SALTONSTALL. Mr. President, will the Senator yield on that point?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. Under the present budget, the B-52 production line would close down in August 1962. Under the present budget, the B-58 production line would close down in October of 1962.

Mr. STENNIS. A year from now the production line that General LeMay is building up, as shown by the testimony brought in by the Senator from Missouri, would be closed.

I yield to the Senator from Wisconsin.

Mr. PROXMIRE. I should like to ask a question of both the Senator from Mississippi and the Senator from Missouri. I am sure that the Senator from Mississippi, who is a man of the greatest courtesy and considerateness, has a high regard for the Secretary of Defense.

Mr. STENNIS. Absolutely.

Mr. PROXMIRE. I am sure that there is nothing in the remarks of the Senator from Mississippi which would imply that the Secretary of Defense would make a judgment on out-of-date information which could possibly risk the defense of our Nation. It seems to me that what the Senator from Mississippi implied was that the Secretary of Defense was concerned about this problem some time ago, but because of other matters of very great importance, he has been away from the problem for quite a while. I should like to quote what the Secretary of Defense said in respect to a similar question earlier this year:

One of the issues in the 1961 hearings on the defense budget concerned a decision to strike from the Air Force estimates a project for a nuclear-propelled aircraft. In the midst of a long and highly technical discussion, a Congressman gently implied that Defense Secretary Robert McNamara had not been able to give the matter personal attention. He told the Congress:

"I am not accustomed to making recommendations on matters affecting the life of this Nation without personally investigating them to the fullest extent."

My letter to the Secretary was written on July 28. His letter to me is dated August 1. But I am sure that the Secretary of Defense would not give his opinion on the basis of an investigation he had made 6 months ago. The Senator from Mississippi knows that he is not that kind of man. He is an extremely able man. As the Senator has so well said, this is one of the most important elements, if not the most important element, in the entire defense structure.

Mr. STENNIS. If I may answer the question with two sentences, I will then let the Senator from Missouri give his answer to the question which was addressed to both of us. If there was any kind of implication left by the Senator from Mississippi with respect to the Secretary not making firm decisions and keeping up with things, I am glad that the Senator from Wisconsin has corrected it. But I certainly do not think there was any reasonable implication to that effect. The Senator from Mississippi said that he made the decision earlier, and he did not yet see fit to change it.

Mr. PROXMIRE. The Senator is correct.

Mr. STENNIS. It is a matter of judgment. I have emphasized that point. But I believe if we appropriate the money so that it will be available should the Secretary need it, and the world situation continues to develop as it is now, and the Secretary continues to review problems that we cannot publicly disclose with respect to other parts of the program, I believe the chances are that he will conclude that he should not let this assembly or production line close down or even prepare to close down.

Mr. PROXMIRE. I shall come to that point a little later.

Mr. STENNIS. Otherwise we shall have to wait until a year from now before we have another opportunity in ordinary channels to rescue the program. I yield to the Senator from Missouri.

Mr. SYMINGTON. Mr. President, I wish to clarify the point to which the Senator from Wisconsin directed his question. I do not think necessarily, based upon what I said——

Mr. PROXMIRE. I had another question I wished to address to the Senator from Missouri, rather than the one directed to the Senator from Mississippi.

Mr. SYMINGTON. I do not think any Senator has any idea except that the Secretary of Defense is acting to the best of his ability in the patriotic interest of the United States.

I do say, however, that I hope the Senate, which has respect for its Members, will consider the opinions of the great Senator from Georgia [Mr. RUSSELL], the Senator from Mississippi [Mr. STENNIS], the distinguished ranking minority member of the committee, the Senator from Massachusetts now on the floor [Mr. SALTONSTALL], and many others, who have studied this subject carefully over a long period of years.

I appreciate the opinions of Secretary McNamara as written to the Senator from Wisconsin, but I join, to the best of my knowledge, the position of every Member of the Senate Committee on the Armed Services in not agreeing with him.

Does the Senator from Wisconsin wish to ask me a question?

Mr. PROXMIRE. I have a question. The logic of the Senator from Missouri somehow escapes me. He indicated that the best bomber we have in production and the best bomber we have in operation——

Mr. SYMINGTON. The best long-range bomber.

Mr. PROXMIRE. The best long-range bomber is the B-52.

Mr. SYMINGTON. That is correct.

Mr. CLARK. The B-52, the B-58, and the B-70 are the aircraft in question before us at the moment. Are they not?

Mr. STENNIS. That is correct. I will not say that Admiral Burke expressly said that we should add money to the defense budget for bombers. I do not know that a statement like that could be found in the record. But he spoke of the importance of maintaining a balance between bombers and missiles. Missiles are not yet in existence in such quantities as are bombers.

Mr. CLARK. I share the Senator's admiration for Admiral Burke.

Mr. STENNIS. Another witness was General LeMay. General LeMay's connection with bombers is well known.

Mr. CLARK. He is the leading expert in this country, if not in the world.

Mr. STENNIS. And in connection with ballistic missiles.

Another one of the witnesses was General Power. General Power has charge of the SAC program directly, and, of course, he has a missile program. Another witness was Admiral Raborn, who has charge of the Polaris. Another witness was Admiral Hayward, who was directly connected with the program.

Mr. CLARK. Was there any witness from the Army?

Mr. STENNIS. I know there were high-ranking officers from the Air Force and Navy.

Mr. CLARK. Was there anyone from the Army?

Mr. STENNIS. We have not yet scheduled Army witnesses. We went into the missile program, to which the bomber program is related.

Mr. CLARK. I make the assumption that the testimony was available also to the Secretary of Defense.

Mr. STENNIS. I assume it was available to him, and I assume he is familiar with it. With great deference to the Secretary of Defense, I think his opinion on this subject was formed early in the calendar year, or early in February, perhaps.

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

Mr. STENNIS. Yes. I would like to read General LeMay's testimony to the Senator before he concludes.

Mr. CLARK. This will be my final question. I ask the Senator to comment on two paragraphs of the letter from the Secretary of Defense to the Senator from Wisconsin [Mr. PROXMIRE] which I read as follows:

> I repeat my previously stated opinion that it is not necessary for the Congress to appropriate funds in fiscal year 1962 above administration requests for B-52 and B-58 bombers. Inherent in this is my belief that the production of B-52's and B-58's is already adequately protected for the period of time involved in our further study of the bomber concept.
>
> Previous appropriations enable us to plan on a very high bomber inventory through the mid-1960's. In the operational inventory we will have over 700 B-52's and B-58's at the end of fiscal year 1966. Should it be decided later to maintain this level of heavy bomber aircraft beyond fiscal year 1966, the request for appropriations can be made several years from now.

Does the Senator from Mississippi disagree with that comment?

Mr. STENNIS. I do disagree, respectfully. I am familiar with the Secretary's reasoning.

This is a case, Mr. President, frankly, in which we do not have an effective substitute weapon for the B-52 as of today. Until we do have one, I do not think we can afford to take the risk of assuming anything for the future other than that we shall have to keep on using this weapon until the contrary fact is shown.

Mr. CLARK. Is that not what the Secretary says?

Mr. STENNIS. It is a question of timing on continued production. With all deference, I think the Secretary has his dates too far ahead. I think some of his reasoning is based on a calculation that perhaps the missiles will come into the inventory faster than we believe.

Mr. CLARK. That is not what he says.

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

Mr. STENNIS. I yield to the Senator from Missouri.

Mr. SYMINGTON. May I present to the Senator from Pennsylvania, as presented before the Senator came to the Chamber, if we plan a conventional defense we need many more aircraft. We had hundreds more bombers over Berlin in one night in World War II than the Secretary of Defense mentions in his letter to the Senator from Wisconsin [Mr. PROXMIRE]. If a person believes all we can do is surrender or go to nuclear war, following the theory of massive retaliation, then I believe there is great merit in what the able Secretary of Defense writes to the Senator from Wisconsin.

Now many of us have felt for a long time that the B-47, about a 1945 or 1946 airplane in concept is an obsolete aircraft. The first I saw fly was in 1949. It has a relatively short range. It has had a great deal of trouble. It is a tired airplane. As the Senator knows, it has slow speed. At the same time, the Russians are flying, in production quantities, a modern supersonic airplane which has a refueling nodule in the front, and very possibly carries a ballistic missile, judging from the looks of the belly. We do not have anything comparable at this time.

We are increasing our defense program. There is not only a necessity for increased defense as a result of the various crises around the world, but there is a necessity for building up capacity to fight a conventional war on the ground, which we are doing and with which I fully agree. The Senator and I have worked together for a better Army. However, we are answering the question of how to provide the necessary support for a conventional war, which would require strategic air support in the future as it has in the past by maintaining in a broad program the old B-47's instead of building new airplanes.

This country, with its income and its desire to stay free, can do better. If the Russians can afford to develop and produce an airplane such as was flown over Moscow, far better than the B-52, though the B-52 is the only long-range bomber we have in production, our policy should be to build more of the best bomber we have at this time.

Mr. PROXMIRE. Mr. President, will the Senator yield to me at that point?

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

Mr. STENNIS. I yield to the Senator from Pennsylvania first, because he was being answered by the Senator from Missouri.

Mr. CLARK. I am very much impressed by what the Senator from Missouri has said. I have talked with the Senator before, and I certainly agree with him, from my limited knowledge of this subject, that it would be wise to retire the B-47's and to step up production of the B-52's and B-58's. I wonder whether, implicit in the Senator's argument, there is the thought that we may be in a position that we shall have to fight a conventional war with long-range, high-speed bombers using conventional bombs and not nuclear weapons? Is this part of my friend's thinking?

Mr. SYMINGTON. That is correct, except that neither the B-52 nor the B-47 is anything but a slow bomber, because it is subsonic.

Mr. CLARK. Nevertheless, those planes can carry nuclear weapons?

Mr. SYMINGTON. That is correct.

Mr. CLARK. The point at which I might differ with the Senator, with whom I have discussed the problem before in friendly disagreement, is whether it is possible to really have an all-out battle and a conventional war which will not be turned, sooner or later, by the side which is losing that war, into a nuclear war. We shall not be able to settle that argument today on the floor of the Senate.

Mr. SYMINGTON. I would never want to see this country in such a position that it could only retaliate with nuclear weapons. Therefore I am certain in my own mind that we need more long-range bombers.

Mr. STENNIS. Mr. President, I should like to answer the Senator from Pennsylvania briefly, on the point he raised, if I may have his attention.

Mr. CLARK. Yes, indeed.

Mr. STENNIS. Mr. President, I think we have made it clear that this is a question of judgment, and we are turning to the men who are better qualified from the standpoint of operations and actual experience.

The Senator mentioned General LeMay. I wish to quote from the general's testimony. I think it is particularly applicable at this point. It is testimony given in open hearing.

The Senator from Virginia [Mr. ROBERTSON] asked:

> About the B-52, General, let us have a definite understanding. Do you think the B-52 production should be continued?

I ask Senators to note the word "production." It is a question of continuing production or cutting off that production.

> General LEMAY. I would like to see it continued during this critical period.
>
> Senator ROBERTSON. How much do you think should be added to the budget for procurement?

Mr. STENNIS. Yes, that is correct; and, in a way, that was the peak. That is when the situation really changed.

Mr. SYMINGTON. That is correct.

Is it not also true that at one time we had approximately 300 B-29's over Japan, during one night?

Mr. STENNIS. Yes; I remember the reports about those raids, too.

Mr. SYMINGTON. Mr. President, our country is wealthy. Today its income is well over $1,300 million a day. So it seems to me that even though we do have 700 of these aircraft on hand, the time may come when we would be very anxious to have more, unless we feel the only way we can hope to defend the United States is by massive nuclear missile retaliation.

It is also true, is it not, that this administration is going ahead full steam with the Polaris program. The Polaris is a great, new weapon for nuclear warfare; but certainly it is not a weapon for conventional warfare, whereas these proposed manned bombers can be used for either. Is not that correct?

Mr. STENNIS. The Senator from Missouri is entirely correct, and he has stated the matter very well.

Mr. SYMINGTON. Mr. President, I support the position of the Senate Armed Services Committee. To the best of my knowledge, it is a unanimous position; namely, that we should proceed with the production of at least some long-range bombers.

Certainly the Air Force now has some of the world's foremost authorities on the utilization of long-range aircraft in conventional war.

I ask this question: With all due respect to the experience of the Secretary of Defense in the manufacturing field—and I may add that some of us have had some experience there, also—would not it be tremendously expensive to go out of production on this plane, then later resume production, rehire the toolmakers the production engineers, the lathe hands, and those who work on the assembly? Would not that be a great and unnecessary additional cost to the American taxpayers?

Mr. STENNIS. The Senator from Missouri is entirely correct. The Senator is stating what is only commonsense; and this being also what we now believe to be the spearhead, the front line of power that we have, we do not know when there will be a complete or a better substitute.

Mr. SYMINGTON. I thank the able Senator from Mississippi.

I recall the B-36, conceived as long ago as 1940, at the time the Nazi troops went through France and Belgium, as a means of defending this country by attacking the enemy from our own shores. That plane, 21 years ago, expressed our apprehension over the future of foreign bases.

For other reasons—political, as well as military—we have a right to be increasingly apprehensive about keeping our defenses in foreign countries, using foreign bases.

But now—for reasons with which I do not understand, let alone agree with—we are now abandoning the production of any long-range combat airplane in the United States. Such production has long since been abandoned in the countries of our friends and allies. But at the same time the Russians only a few days ago showed a bomber in the air in production quantities which unquestionably is the most modern bomber in the world today. They showed 10 of them, and no one makes 10 prototypes. Incidentally, as I know the Senator from Mississippi will agree, we have been misled with respect to what the Russians were doing in plane production, as against what they said they were doing—but at the same time our country voluntarily gives up all production of any kind of long-range combat aircraft.

Mr. STENNIS. I appreciate his bringing out those points. I commend him highly for the work he did as Secretary of the Air Force on the B-36 bomber, which never fired a shot, which never went on an angry mission, but which did more good than perhaps any other weapon we have had since the end of World War II, and paved the way for our preeminence in that field today—that is, our preeminence with the B-52 bombers. The Senator from Mississippi thinks it would be the gravest kind of mistake to slow down or retard or in any way fix a date for the B-52 to be phased out of production.

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

Mr. STENNIS. I yield.

Mr. SYMINGTON. I agree here also with the distinguished Senator from Mississippi. No less an authority on world problems than Winston Churchill said, as far back as 1949, that the possession by this country of nuclear weapons, plus the capacity to deliver them, was the reason why the Communists were not at the English Channel.

I say again that I have great respect for Secretary McNamara, but we have testimony from the world's most renowned authorities on aerial warfare, that both for conventional and nuclear defense it is essential to have more of these long-range bombers.

I support the position of the Senator from Mississippi and congratulate him for presenting his position to the Senate this morning in his usually clear and convincing manner.

Mr. STENNIS. I thank the Senator for his remarks, and for his substantial contribution to the debate on this highly important subject.

May I add for emphasis, following the remarks of the Senator from Missouri, that we have just heard sworn testimony by the foremost authorities in the field of missiles. They are the men who know, more than anyone else on our side and in the Western World, what we have and what those weapons can do, and what they can do in the future. Their testimony shows honesty and fairness. It is not their programs that come first; it is their country that comes first.

We came out of the hearings with the confirmed conviction that we should not let down on our program for the B-52 bombers, with men in them, who can guide them, bring them back, change their course, and do the innumerable things which only men can do and which, intelligent as we are in the scientific field, it is not possible to do mechanically.

If it could be disclosed what one of those bombers could do, and its tremendous powers of destruction, perhaps it would close the debate and bring about a unanimous vote for the continuation of that program. However, the information is classified.

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

Mr. STENNIS. I yield.

Mr. CLARK. I have been very much impressed, as I always am, by the eloquent presentation made by the Senator from Mississippi.

Mr. STENNIS. I thank the Senator.

Mr. CLARK. And also by the Senator from Missouri. Yet I must admit that a doubt lingers in my mind, which perhaps the Senator can dispel by answering, if he will, a couple of questions.

It is my understanding that the Secretary of Defense does not approve of the proposed addition to the bomber program. Is that correct?

Mr. STENNIS. The Senator from Mississippi made that statement at the beginning of his remarks. He does not yet approve of it.

Mr. CLARK. It is my understanding also that his strong position in opposition to the stand taken by the Senator from Mississippi is based on secret testimony, not available to other Members of the Senate. Is that correct?

Mr. STENNIS. That is certainly a part of my thinking, but I am sure that testimony is available to the Secretary of Defense. I am sure he has been briefed on it.

Mr. CLARK. Am I correct in the thought that that secret testimony, which is not available to other Members of the Senate, was given by members of the Armed Forces of the United States, particularly Air Force officers, who were either summoned before the committee or voluntarily appeared in opposition to the position taken by the Secretary of Defense?

Mr. STENNIS. That is a good question. Let me make clear that I think this information is available to every Member of the Senate. It is not available to be disclosed on the Senate floor, as the Senator knows.

Mr. CLARK. I understand. However, is there objection to telling the Senate—and if there is I know the Senator from Mississippi will make it clear—whether the secret testimony did come through members of the Joint Chiefs of Staff and other high ranking officers in the Air Force?

Mr. STENNIS. I have stated these names before. The men who testified are Admiral Burke, a rugged character, as the Senator from Pennsylvania knows——

Mr. CLARK. But, the Senator will agree, not an expert in strategic bombers.

Mr. STENNIS He was Chief of Staff during the period the Polaris missile was developed. The Senator from Pennsylvania is correct—not on bombers, but that fact adds to his testimony in a way.

required for such deferments was justified. Nevertheless, it means that additional money will now have to be provided for a broad program of modernization of the fleet, because other absolutely essential operations of the Navy have been neglected, and must now be brought up to date.

I digress for a moment to commend highly the distinguished Senator from Virginia [Mr. ROBERTSON] for the excellent way in which he conducted the hearings and handled the multitude of problems which go to make up this tremendous bill. He has handled it as a veteran and with his usual enthusiasm. Much credit is due him. The recommendations he made on the floor of the Senate are sound, because the Senator from Virginia spent much extra time on the consideration of the bill.

At the same time, we miss the distinguished senior Senator from New Mexico [Mr. CHAVEZ], who ordinarily conducts the hearings and presents the bill to the Senate. We wish him a speedy recovery from his illness and a quick return to his colleagues and friends in the Senate, where he is missed so much.

I wish to say a word about the extra money for the bomber program provided in the bill. The Senator from Virginia and other Senators have already alluded to the fact that an extra $525 million is provided for long-range bombers. That is just about enough money to provide an additional wing of B-52 bombers.

The Secretary of Defense has an excellent grasp of the many problems which confront the Pentagon. No one has exceeded the record which Secretary McNamara has made in that respect in so short a time. I do not know of anyone who has yet equaled it. Nevertheless, he and the President of the United States, in a rather early decision in this calendar year, decided not to continue the B-52 bombers beyond December 1962 when the last one of the present planes will come off the assembly line, and not to accelerate to the utmost the B-70, which is still in the research and development stage. The B-70 is the bomber of the future. Nevertheless, with great deference to competent authority which has reached a decision, which, I believe, was a hurried conclusion, which the facts of life do not justify, we cannot afford to take the chance involved.

I have just come from rather extensive closed-door hearings held by the Subcommittee on Preparedness of the Committee on Armed Services concerning the missile program. We have not been investigating for waste or reasons for delay, or anything of that kind, but have been getting down to the nub of the question of survivability, reliability, and related matters. We heard from the great admiral who has recently retired, Admiral Burke. We heard the great Air Force general—and I use the word "great" advisedly—General LeMay, who is responsible for both the missile program and the basic Air Force program. We heard extensive testimony from General Power, who is now in charge of the Strategic Air Command program. We heard Admiral Raborn, who has been the guiding hand of the Polaris missile program. We heard Admiral Hayward, one of the foremost military men connected with scientific programs for many years, he having been one of the key men in World War II activities, including the dropping of the atomic bomb over Hiroshima. We heard many other witnesses. Certainly they are men in the front line of authority.

Those hearings inescapably led to the conclusion that the missile program is well advanced and there have been breakthroughs which have put the program beyond early expectations; the missile program is fast becoming a formidable force in our worldwide striking power. Nevertheless, as is so well known from the so-called failures in firings, and miscues, there are difficulties to overcome and hazards to run, so much so that now and for several years to come, the manned bomber unmistakably will be our chief weapon of that type—of this I have no doubt.

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

Mr. STENNIS. I am glad to yield.

Mr. YARBOROUGH. I am much interested in the statement the Senator made to the effect that the manned bomber will be our chief weapon of reliance for a period of time in the future. Is not the B-58 the only supersonic manned bomber now being manufactured in the free world?

Mr. STENNIS. The Senator from Texas is correct. However, I have never let myself be the judge as between the B-52 and the B-58. That is a military decision, entirely.

Mr. YARBOROUGH. I am not asking the distinguished Senator to express an opinion on that.

Mr. STENNIS. Well, I did not want to have any inferences left.

Mr. YARBOROUGH. I simply wish to emphasize that the B-58 is the only supersonic manned bomber now being manufactured in the free world; and not only is it supersonic, but it flies at Mach 2, or twice the speed of sound.

Mr. STENNIS. The Senator from Texas is correct.

It may be the one to buy; I do not pass at all on that point. But I want to be certain that we appropriate enough money by means of this bill to make it possible for the President of the United States to change his mind and to buy more than he now thinks he should, and to do so on the very shortest notice. Certainly, it will do little harm to provide the money at this time.

I think there is a great deal to be gained from continuity of producing these massive birds of the sky which carry a capability of destruction that cannot be matched in the world—a destruction too terrible to mention. I think the continuity of production—to keep the machinery going, to keep these planes coming off the assembly lines, certainly to the extent of replacing the ones that are necessarily worn out in connection with the air alerts—is worth a great deal of money and a great investment in time. It is good insurance to keep those assembly lines open, at least until it is conclusively proven that there is an all-out, effective substitute for this kind of defensive weapon. Certainly we must not now in any degree take the chief weapon—it is our chief weapon today and will be 2 years or 3 years from now—that we are depending upon as a deterrence and consider phasing out its production and stopping its production and ending the feeding of new bombers of this sort into the inventory. I do not think there is any way to put a dollar value on this continuity.

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

The PRESIDING OFFICER (Mr. HICKEY in the chair). Does the Senator from Mississippi yield to the Senator from Missouri?

Mr. STENNIS. I am glad to yield to the Senator from Missouri, who over so many years has done so very much in connection with the family of bombers, coming up to the B-70. In fact, he, rather than myself, should be speaking now on this subject; and that is why I shall be brief in my remarks. So I am glad to yield to the Senator from Missouri.

Mr. SYMINGTON. I thank the able Senator from Mississippi; but disagree with him about who should be speaking on this subject. He is one of the most painstakingly thorough people with whom I have every worked, in either business or government.

I have been listening with much interest to what he has been saying, and am impressed—as I have also been impressed with the statements of the distinguished Senator from Virginia [Mr. ROBERTSON], Acting Chairman of the Senate Defense Appropriations Subcommittee.

Mr. President, no Member of this body has supported more completely the new Secretary of Defense than have I. He is an able and intelligent man. But he has been on this job only a few months. The distinguished Senator from Virginia [Mr. ROBERTSON], the distinguished Senator from Mississippi [Mr. STENNIS], the Chairman of the Senate Armed Services Committee, the distinguished Senator from Georgia [Mr. RUSSELL], the able senior Senator from New Hampshire, the senior Senator from Massachusetts, and other Members have worked for many years on these matters. I believe we should respect their opinions as much as we respect the opinion of the Secretary of Defense.

Mr. President, in listening to the remarks of the Senator from Mississippi, I noticed a reference to a letter the Secretary of Defense wrote the distinguished Senator from Wisconsin. He pointed out that we already have 700 B-52's and B-58's. I hope that in the position the Secretary of Defense is taking, he is not even unconsciously reverting to the theory of mass retaliation. That theory was rejected by the American people many years ago, almost as soon as it was first offered—in January 1954. But there seems to be in our military development continuing characteristics of a theory that has been rejected by our diplomacy. I ask the able Senator from Mississippi, is it not true that at times during the European war we had a thousand of our longest range bombers over Berlin in one night.

allowances of enlisted personnel shall be available for payments under this Act.

The amendment would merely validate those payments which have been made, and would provide the medium whereby the Government would live up to its contract.

I have discussed the amendment with the Senator from Virginia [Mr. ROBERTSON] and the Senator from Massachusetts [Mr. SALTONSTALL], and I understand that they are willing to accept the amendment.

Mr. ROBERTSON. Mr. President, as I understand, the Air Force recruited men to work on radar towers called Texas towers with the promise of giving them oversea pay. Through negligence a number of those men were killed. There was a stoppage of oversea pay due them, on the ground that the work was not performed overseas and that it would be illegal to pay those men oversea pay.

I am willing to accept the amendment, because I think it would do simple justice to the heirs of those who were sacrificed through the negligence of a military organization. If anyone should lose the $60,000, it should be those who promised to pay the extra amount and then did not do so.

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

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. Together with the Senator from Mississippi, I looked into the Texas tower problem. It is not a new subject to us. When the subject was before us previously, it was in an indeterminate form. The Senator from Delaware has now put it in a determinate form, and I am very glad that the Senator from Virginia is willing to take the amendment to conference.

Mr. ROBERTSON. I am willing to take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

The amendment was agreed to.

Mr. STENNIS obtained the floor.

Mr. STENNIS. Mr. President, I ask unanimous consent that I may yield to the Senator from Wisconsin [Mr. PROXMIRE] for the purpose of offering an amendment and making it the pending business before the Senate.

Mr. PROXMIRE. Mr. President, I offer my amendment number "8–2–61—C" and ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

On page 21, beginning with "$3,223,444,000" in line 6, strike out all down through the colon in line 8, and insert in lieu thereof the following "$2,698,444,000:"

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin.

Mr. STENNIS. Mr. President, I expect to address the Senate for approximately 30 minutes on the pending appropriation bill for the Defense Department.

First, I wish to commend the Senator from Delaware [Mr. WILLIAMS] for the amendment he has offered, and the Senator from Virginia for his acceptance of the amendment, and the Senate on the adoption of it, providing for compensation for those in the service who were lost with the collapse of the Texas tower in January of this year.

There was a technical point involved in connection with accounting, and it was found that under a strict interpretation of the law this sum would have to be sought by way of repayment from the estates of these young men. It was certainly timely that the amendment be adopted to alleviate this situation, and I again commend the Senator from Delaware for his very fine work on this matter.

Mr. President, by way of review of some of the items which are involved in this massive appropriation bill for the Department of Defense, particularly with reference to some of the added items which the committee placed in the bill, I believe that some of the finest work being done in Congress is done by the Appropriations Subcommittee and the Appropriations Committee of the House which handle the military appropriation bill. At the same time, year after year, circumstances and facts have caused the Senate to feel that certain items should be added. Sometimes they totaled large sums of money. Sometimes they have not been included in the budget request. For that reason a good deal has been said about the Senate additions being extravagant and being too much and being an overstatement of the need. Therefore, I wish briefly to point out some of the actual figures of the bill adopted a year ago for the Department of Defense for fiscal year 1961, which has just closed, particularly with reference to some items that were added over and above the budget. I am not doing this in an effort to point an accusing finger or to place blame, but, rather, to point out the growing and continuing problems of the military with its huge programs and the necessary funds to operate them, and the increasing demands for funds to be considered as the Senate committee and the entire Congress adds the amount.

Last year we added $158 million over and above the budget request for Army modernization. We were accused by some individuals of being extravagant. Nevertheless, $113 million was used for that purpose; and I am using rounded figures always. That is the subject of continuing acceleration in this bill, in the regular budget, and in the more recent request of $3.5 billion, made by President Kennedy a short time ago.

Another amount that was added over and above the budget request was for the Polaris missile; $382 million extra was added to accelerate that program. It was a legislative determination, so to speak. The facts were that $345 million of that money was actually used during fiscal year 1961. That again is one of the programs that is being accelerated even further by the pending bill under both the so-called Eisenhower budget and the Kennedy budget.

Another illustration is antisubmarine warfare. Last year Congress added $105 million extra above the budget request for that purpose. Exactly $105 million, or the full amount of that added appropriation was used.

For airlift capability, which is still one of the great needs of our military services to be brought up to date, the Congress added last year $190 million over and above the budget request; $171 million of that amount was used. Again it was justified by subsequent events.

Last year we added $82,900,000 for the airborne alert capability and that sum was used for that purpose.

Last year, in the B–70 program—and this advanced bomber is still in the research and development stage—we added $184 million and $184 million was used, justifying the legislative judgment to meet changing events and new conditions as they arise. This same B–70 program is in the present appropriation bill for an added amount beyond that of the budget.

I hope that the added sum for this advanced bomber will be voted. I hope further that it is used, for reasons which I will give later. Certainly it would again be a case of legislative judgment, but facts developed in the meantime have already justified adding the money that we put in the bill last year.

I have before me figures for fiscal year 1959, when funds were added for the Polaris program; and I am actually quoting these figures from the RECORD. The Polaris is the submarine which fires missiles from under the sea. That sum was increased $308 million above the budget request, and $300 million of the $308 million additional appropriation was used for that purpose.

Today the Polaris submarine is still emphasized. There is a growing need for funds. Today it is entering into our arsenal of strategic weapons. Some are already on station and alert, and it will be one of the most powerful and most effective parts of our entire military program when the full complement of such weapon system becomes actually operational. When I say "operational," I mean capable of firing onto a target when the submarine is deployed. It will represent one of the frontlines of our strong positions. The Polaris program is running 2 years ahead of schedule. There have been many breakthroughs, and the additional money was needed to hasten the day when the Polaris would be ready.

In the same time period, fiscal 1959, we provided $90 million extra for the Minuteman, the solid propellant ICBM which, in time, it is thought will be a most versatile and a most effective missile system.

In the same fiscal year, fiscal 1959, $140 million was provided for additional airlift aircraft. All of that money was used.

In the same fiscal year, fiscal 1959, an additional sum of $311 million was provided for modernization of the Navy, and that amount was used.

Having commended the Polaris submarine program, I might add it has been a very expensive one. That is one of the reasons why some other essential and major parts of the Navy modernization program have been deferred and, from the standpoint of time, have suffered. But time has proved that the sacrifice

We have also increased the Naval and Marine Air Reserve fuel allowances by $1 million and the fuel and support allowance for Air Force C-124 troop carrier squadrons by $1,141,000—to support 12 rather than 8 squadrons.

For the National Guard, $10 million has been added to support an increased flying hour program as requested by expert witnesses. In general, we have supported all the Defense Department requests for the National Guard and have added funds for certain items which should serve to increase the capabilities and readiness of the guard. The defense dollars we spend on the National Guard and Reserve Forces buys preparedness at cutrate cost—the benefit secured through supporting the National Guard and Reserve is high in ratio to the expense to the taxpayer.

Mr. President, I do not wish to take up more time on a general review of the bill. All the members of the committee support this bill. We have worked hard and long on it. The various military officers and civilians representing the military services have been most cooperative and helpful in presenting their cases and answering our questions.

We have now the strongest, most diversified, and most modern military force of any country in the world. The Congress has a responsibility to the people of this country, and also to free peoples everywhere who have joined with us in common defense, to maintain our strong position and improve it in the face of possible aggression. I believe the bill before us provides the necessary funds and direction to do this job.

I hope the Senate will pass the bill unanimously.

Mr. WILLIAMS of Delaware. Mr. President, I offer an amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment of the Senator from Delaware will be stated.

The LEGISLATIVE CLERK. At the appropriate place in the bill, it is proposed to add the following:

That all payments of additional pay for foreign duty made prior to the date of enactment of this Act to enlisted members of the United States Air Force who served on any of the artificial islands (known as Texas towers) located off the coast of the United States on the Outer Continental Shelf are hereby validated. Any such member or former member who has made repayment to the United States of any amount so paid to him as additional pay for foreign duty is entitled to have refunded to him the amount repaid.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve disbursing officers, including special disbursing agents, of the United States from accountability or responsibility for any payments described in the first section of this Act, and shall allow credits in the settlement of the accounts of those officers or agents for payments which are found to be free from fraud and collusion.

SEC. 3. Appropriations available to the United States Air Force for the pay and allowance of enlisted personnel shall be available for payments under this Act.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware.

Mr. WILLIAMS of Delaware. Mr. President, I shall be very brief in explaining the amendment. The purpose of the amendment is to validate foreign duty payments which have already been made to enlisted personnel and former enlisted personnel of the U.S. Air Force for service on artificial islands known as Texas towers located off the coast of the United States.

When these men were asked to volunteer for or were assigned to this duty they were told by the military authorities that they would be paid an oversea allowance for all service on these Texas towers.

I quote from an article written in this connection by Capt. Lionel V. Patenaude, Otis Air Force Base, Mass., as appearing on page 8 of the Airman of October 1958:

Would you like to spend 30 days on an island where the fishing is good, food is excellent, housing quarters are modern, and free movies are shown every night? All this with your full salary, plus an oversea allowance? If you're really interested, apply for duty with the 4604th Texas Tower Support Squadron, with headquarters at Otis Air Force Base, Mass.

For this organization, commanded by Maj. James Phelan, is unique; it controls activities of three of the strangest looking installations in the Air Force.

One hundred miles out in the Atlantic, off the coasts of Massachusetts and New Jersey, this trio of steel and concrete monuments are grim reminders of the most important problem of our time—survival. As stationary radar platforms, these towers are part of the North American Air Defense Command's elaborate radar network scattered throughout the North American Continent. The three Texas towers, No. 2, 3, and 4 (one never was built), provide a seaward extension of this system. They provide extended early warning and control capabilities enabling SAGE equipment to detect aircraft far in advance of shore station, thereby providing some extra minutes of advanced notice to the Norad warning system.

After these men had been recruited to this service they were paid the additional oversea allowance, but last year as the result of a ruling by the Comptroller General further payment of this oversea allowance was stopped and steps were taken to recover from those men the amounts which had previously been paid.

Altogether it is estimated that these additional oversea allowances for all the men assigned on these so-called Texas towers amounted to approximately $70,000.

I am not entering the question as to whether these oversea allowances should have been authorized in the first place or whether the Comptroller General is correct in his ruling. Nor am I entering into the question as to whether such allowances should be granted in the future. That is a decision which should be made by the military authorities, but I am questioning the propriety of the Air Force's demand for a refund from these men for oversea allowances which they had been promised prior to their recruitment and which had been accepted by them in good faith.

To show the harshness of this retroactive ruling I call attention to the fact that 10 of the 13 men who were lost in the recent collapse of one of these towers were still paying back to the U.S. Government these previously collected oversea allowances. In fact, the Government deducted from the final checks to the widows or survivors of these men a total of $388.88, representing the final settlement of their repayments to the Government. The other three men either had paid the Government's claim in full or were new men who had been assigned to the towers after these payments had stopped.

The amounts deducted from the final checks sent to the survivors of these 10 men were as follows:

No. 1	$61.50
No. 2	17.10
No. 3	18.83
No. 4	56.54
No. 5	69.87
No. 6	85.33
No. 7	15.80
No. 8	16.64
No. 9	39.47
No. 10	7.80
Total	388.88

I recognize that Government expenditures need to be controlled, but the U.S. Government is not so hard up that it has to renege on a contract with the men serving in our Armed Forces.

I repeat again the promise made by Captain Patenaude of the Otis Air Force Base, Mass., in 1958 at a time when the Air Force was recruiting these men. This statement appeared in the Air Force magazine the Airman in 1958.

Would you like to spend 30 days on an island where the fishing is good, food is excellent, housing quarters are modern, and free movies are shown every night? All this with your full salary plus an oversea allowance? If you're really interested, apply for duty with the 4604th Texas Tower Support Squadron, with headquarters at Otis AFB, Mass.

If the amendment is adopted no further collections would be made on previously paid allowances and those members who have already made repayment to the United States would be eligible for refunds.

The amendment is in no way intended to interfere with the question of what the future payments should be. It merely provides that the U.S. Government live up to its contract.

The amendment reads as follows:

That all payments of additional pay for foreign duty made prior to the date of enactment of this Act to enlisted members of the United States Air Force who served on any of the artificial islands (known as Texas Towers) located off the cost of the United States on the outer continental shelf are hereby validated. Any such member or former member who has made repayment to the United States of any amount so paid to him as additional pay for foreign duty is entitled to have refunded to him the amount repaid.

SEC. 2. The Comptroller General of the United States, or his designee, shall relieve disbursing officers, including special disbursing agents of the United States from accountability or responsibility for any payments described in the first section of this Act, and shall allow credits in the settlement of the accounts of those officers or agents for payments which are found to be free from fraud and collusion.

SEC. 3. Appropriations available to the United States Air Force for the pay and

bomber, in response to testimony by Gen. Curtis LeMay that the Air Force can use that amount of money.

Five hundred and twenty-five million dollars has been added to the Department of Defense budget request for procurement of long-range bombers, with language in the committee report expressing our intent that this money be used to keep the production lines of long-range bombers open. Failure to use this money—the closing of production lines as scheduled for next year, would be a very final decision., as up to 24 months would pass after voting funds for restarting production before the first bomber could be completed.

I think continued usefulness of long-range bombers in modern warfare was demonstrated when the Defense Department included plans to continue use of several B-47 bomber wings that had been scheduled for deactivation in its new amendments sent to the committee in response to the Berlin situation. If this now obsolescent bomber can, in the judgment of our highest military and civilian defense planners, satisfy a functional need for our defense today, then how much more suitable must it be to continue production of our most modern bombers as we simultaneously move ahead with missile development?

ADDITIONAL MANPOWER

As the Senator from Virginia [Mr. ROBERTSON] has noted, the original fiscal year 1962 defense budget submitted by former President Eisenhower contained funds for 2,493,000 active duty personnel. The amendments to the budget submitted in March and May requested funds for an additional 25,000 men, and on July 26—following the President's address on the Berlin situation—a request for funds for an additional 225,000 men was added. Thus, the end-strength requested for all the services is 2,743,000. This breaks down to 1,008,000 men for the Army, 657,000 for the Navy, 190,000 Marines, and 888,227 in the Air Force.

Over one-half of the additional manpower requested on July 26 is for the Army. The largest proportion of this increase would serve to fill out the three Army divisions in the continental United States now engaged in training recruits. These divisions would be brought up to strength and made ready for immediate redeployment, as are the other three Army divisions stationed in the United States.

A little over one-fourth of the additional 133,000-man increase in Army manpower would be assigned to Europe to beef up our five divisions and supporting units assigned to NATO. In particular, this would serve to strengthen the U.S. 7th Army in Europe.

An increase of 15,000 men in the Marine Corps has been requested in earlier amendments, bringing our total Marine strength to 190,000 men.

The July 26 amendment requested funds for a 29,000-man increase in the Navy to provide manpower for the additional ships that will be taken out of mothballs or not deactivated as previously planned.

The July 26 amendment also requested an increase of Air Force manpower by 63,327 to man additional planes in almost all categories. An increased air alert is called for, as well as strengthened airlift capacity and tactical air-support for the increased number of ground troops. The Air Force now plans to retain certain bomber and reconnaissance squadrons and tactical fighter squadrons which were to be phased out.

MANPOWER (EXCEPTION FOR EMERGENCY)

Language is included in the bill upon the recommendation of the Department of Defense to permit the President of the United States to authorize an increase in the number of military personnel on active duty beyond the total number for which funds are provided in this bill. This authority is similar in intent and scope to that for airborne alert costs contained in this bill and in the Appropriation Acts for fiscal years 1960 and 1961.

Of course, any such ordering to active duty of personnel that goes beyond this bill must be done under current congressional enactments, or under a declaration of national emergency.

First. To increase substantially the strength and readiness of our conventional or nonnuclear forces.

Second. To prepare for the further mobilization of reserve forces, if this should become necessary.

Third. To increase further our ready strategic and air defense capabilities.

Fourth. To initiate a new program of civil defense.

These amendments would add to our forces more than 225,000 active duty military personnel, raising the total to approximately 2,743,000 by the end of fiscal year 1962. This compares with an actual strength of about 2,480,000 at the end of fiscal year 1961.

SENATE COMMITTEE ACTION

The committee accepted all of the July 26 amendments and has incorporated them in the bill, including a total of $207,600,000 for civil defense.

The committee has also restored to the bill certain amounts deleted by the House and subsequently rerequested by the Department of Defense. First, the committee added to the bill $58,439,000 deleted by the House in a 25-percent across-the-board reduction in amounts requested for repair and alteration of real property, and in a 10-percent reduction in a Navy contingency item for the same purpose. Second, the committee has eliminated the language in the bill as enacted by the House, which limits to $25,000 per project the amount which may be spent for repair and alterations.

The committee is sympathetic with the House's effort to eliminate the misuse of such funds, but with the increase in personnel now provided for in this bill, the Department will have to undertake a substantial amount of repair and alterations of facilities to ready them for the expanded forces. The $25,000 limitation and the reduction of funds would seriously hamper that effort, and in a critical period. Nevertheless, some action must be taken to preclude abuses in this area. Accordingly, a new section, 637, has been included in the bill which limits to $25,000 per project the amount of facility maintenance and repair funds which may be used for the acquisition of new facilities or expansion, extension, or addition to existing facilities.

I believe the committee would have put in the traditional travel funds limitation this year, but with approval of the July 26 amendments building up the Military Establishment, the resulting uncertainty as to how quickly and to what extent our military forces would be increased obviated any opportunity to arrive at a workable travel limitation. A set-aside of at least $7,500,000 to be used only for commercial sea travel was retained. Prices submitted by U.S.-flag lines for commercial sea travel now compare favorably with MSTS cost figures. It is hoped that, particularly in dependents' travel, the Army and other services will make use of our merchant marine to the extent called for in the bill and more.

The last item I wish to mention in regard to language changes concerns a limitation placed on the repair or modification of facilities. The House had fixed a limit of $25,000 for repair items and had reduced all repair and modification accounts by 25 percent. We have recommended restoration of these funds which total $58.5 million, as requested by the Department of Defense in its reclama. Also, we have revised the limitation of $25,000 to make it apply instead to acquisition of new facilities and expansion of or additions to existing facilities so that all such items in excess of $25,000 will require authorization by the Armed Service Committees prior to appropriations.

In January and June 1961, new Defense Department directives on the subject of construction, repair, and modification came into effect which more precisely define confusing terminology used in the past and specifically provide for the disposition of construction, maintenance, and operations funds. In view of these directives, the language change should be acceptable to those who desire greater control over construction and repair funds, and should be workable for the Department of Defense.

RESERVES AND NATIONAL GUARD

As is evident from press reports and Executive action of the past few days, some Reserves and National Guardsmen are to be called to active duty. The funds in the bill for the Reserve Forces will support an end strength of 1,072,965 men in paid status. This is approximately the same number of men as provided for in the 1960 and 1961 budgets. The chart on page 10 of the committee report gives a breakdown of past and planned Reserve Force levels in paid and drill pay status.

Our committee added to the House bill $4 million for pay for 48 drill periods a year for Air Force Reserve category A units. Many of these units, who have been paid for only 24 drills per years, have actually been performing 48 drills. Of particular priority is the Air Force Reserve recovery program which adds a postattack, residual support and recovery capability in the event of all-out attack on the United States.

time, despots have miscalculated the strength of that determination. Forty-four years ago another despot, in another place, misinterpreted the peaceful aspirations of the American people as a lack of determination to guard their liberties. That miscalculation finally led to our entry into World War I. On a grim day in April, a great Virginian came to these Chambers to place before the Congress and the world the American cause. He said:

> We shall fight for the things which we have always carried nearest our hearts—for democracy, for the right of those who submit to authority to have a voice in their own governments, for the rights and liberties of small nations, for a universal dominion of right by such a concert of free peoples as shall bring peace and safety to all nations and make the world itself at last free. To such a task we can dedicate our lives and our fortunes, everything that we are and everything that we have, with the pride of those who know that the day has come when America is privileged to spend her blood and her might for the principles that gave her birth and happiness and the peace which she has treasured. God helping her, she can do no other.

I fervently hope and pray that the events which gave cause to the statement which I have just read will not be repeated; but, should they do so, they will find America ready and able. With this in mind, I ask for the speedy enactment of this important bill.

As I said in opening this discussion, we cannot within the foreseeable future hope to match the army of the Soviet Union, but members of our Senate breakfast group will recall how I delight to tell how a superior ground army of the Philistines was overcome during the reign of King Saul. The Philistine Army was encamped on one hill, the Israelites under King Saul on the other. Day after a day a great bully named Goliath would parade between the two armies, denouncing the Israelites as cowardly dogs and daring anyone to come out and fight him. No one in Saul's army could match the armament of Goliath, and no one had the courage to accept his challenge, until the day a shepherd boy named David appeared before King Saul and asked the privilege of doing so.

David had no armament—only a slingshot, which was a throwback to the stone age, plus a few round pebbles. Goliath watched the approach of David with great scorn, saying perhaps to himself, "With one stroke of my right arm, off goes his head." But David said to Goliath:

> Thou comest to me with a sword and with a spear and with a shield; I come to thee in the name of the Lord of Hosts.

That was the difference, but it was the winning difference.

The unseen forces of a mighty God are on our side, and we can go confidently forward in the power of His might if we will take Him at His word when He says:

> If my people, which are called by my name, shall humble themselves, and pray, and seek my face, and turn from their wicked ways; then will I hear from heaven, and will forgive their sin, and will heal their land.

Mr. SALTONSTALL. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. The distinguished Senator from Virginia mentioned former Virginians who were great orators. I am certain that besides the great orators who have come from Virginia during the history of our country, there are two outstanding examples in the Senate today, and we have heard one of them this morning.

Mrs. NEUBERGER. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. I yield.

Mrs. NEUBERGER. We have listened to a most impressive speech delivered by the Senator from Virginia. I wish to add my compliments to those of the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I should like to call attention to some of the items in this bill which I consider particularly important. First, I wish to commend very heartily the Senator from Virginia [Mr. ROBERTSON], the acting chairman of our defense appropriations subcommittee. Senator ROBERTSON was called upon to serve as chairman of the subcommittee after we had completed about one-half of our hearings and studies of the 1962 defense budget. I know all of the members of the committee will join me when I say that he has provided remarkable leadership to the committee. It has been an extreme pleasure to serve with him and under him in working on this legislation.

I should also like to say—and I shall speak for myself, although I know this view is shared by all other members of the committee—that we have very much missed the great contribution that Senator CHAVEZ, as chairman of the committee, was making during our consideration of the bill. I hope he will soon return to active duty, if I may use a military phrase.

Mr. President, I wholeheartedly support this bill which, as reported, has the unanimous consent of the Senate Appropriations Committee.

This year the committee has approached the Defense Department budget request from a wartime—not a peacetime—point of view. Our approach to the defense budget request has been influenced by the crisis in which we live. We have made every effort to help the Department of Defense give us the security we need and should expect. We have recommended a $47 billion budget, which will give us greater all-round fire power, greater nonnuclear war capabilities, greater nuclear deterrent capabilities, and greater flexibility of our whole military system.

Ships will be coming out of mothballs, other ships and many bombers will not be deactivated as originally planned, and Reserve forces and National Guardsmen will be called to the active duty for which they have been trained.

None of us would choose to spend such a large amount of money on a defense bill if we were free to so choose. As has been noted before, it is the largest peacetime military bill in the history of the United States. The taxpayers of America are being called upon to spend $7 billion more on defense this year than we spent last year.

It may be that a review of the total U.S. budget and our economic planning is now, or will be, mandatory, in order to determine whether we can support such an increase in defense spending and still maintain a viable economy. I submit that, of necessity, such an economic consideration must at this time be viewed a separate subject. Although voting additional funds for our Military Establishment does not in itself assure us of either peace or victory, I am convinced that it is now necessary substantially to increase our military force levels, our stockpile of weapons, and our overall defense readiness. Otherwise, we cannot fulfill our responsibility to freedom in the face of new crises. Otherwise, we cannot improve our opportunity to achieve the peace we seek.

Mr. President, I shall now comment on some of the items in several categories in the bill.

As I have said, these are the principal items for which increased funds have been provided, due to the President's message and due to the exigencies of the present situation.

PROCUREMENT

The July additions to the budget request for procurement amounted to $1,753 million for weapons, equipment, and ammunition to increase nonnuclear capabilities. The items requested are urgently needed should our forces be committed to combat. The additions include equipment for our Reserve forces which may be ordered to active duty later, as well as for the forces on active duty now.

It should be noted that the additional hardware requested will eventually be needed by our military forces in any event; and the Department of Defense has assured the committee that if it is not required immediately, it will be credited against future needs.

The increase in requested procurement funds over the original January Defense budget request breaks down approximately as follows:

Army: originally $1.8 billion; 40-percent increase to $2.5 billion.

Navy: originally $4.4 billion; 50-percent increase to $6.4 billion.

Marine Corps: originally $140 million; 90-percent increase to $265 million.

Air Force: originally $7 billion; 6-percent increase to $7.4 billion; $220 million for the B–70 was deleted from this appropriation and put in "R. & D., Air Force"; $525 million was added for long-range bombers.

BOMBERS

The issue of continuing development and procurement of long-range bombers in the light of projected missile systems capabilities has been much discussed in the Senate and elsewhere.

We simply cannot choose to gamble in this field—we must continue to provide the protection of a strong and modern manned-bomber force, while we push ahead with development of our missile systems capabilities.

We have provided $448 million to move ahead as rapidly as possible with research and development of the B–70

NEED FOR ECONOMY

Now I would like to say a word to the taxpayers of the United States, and address myself to every responsible official, both military and civilian in the Defense Establishment. We all know that it is one of the tenets of the Soviet philosophy that the capitalistic system will destroy itself. For 185 years that system has belied this belief. Instead it has been one of the major factors in providing America with the strong and healthful economy which it has enjoyed. Under that system we have been provided with blessings which no other country at no other time in history has ever enjoyed.

On the other hand, there is undoubtedly the possibility that any nation, no matter how richly endowed, no matter how courageous, can spend itself into ruin, economically—if not physically. We are all well aware of the deleterious effects of unchecked inflation. The history of nations is studded with examples of the chaos which has resulted from unbridled expenditures and devaluated currencies.

I am not one who believes that this will happen to America. But I do wish to point out that the impact of vast outlays of Government spending could provide impetus to inflationary tendencies unless proper steps are taken to check such possibilities.

One such area is undoubtedly in the field of defense spending. The committee is well aware of this and in its report on the Defense Department appropriation bill has repeatedly stated the need for a belt tightening in that branch of the Government. In one point the committee has stated:

> The committee and the American people would be encouraged if there were more evidence of cost consciousness on the part of both civilians and uniformed personnel in the Defense Establishment and a more objective determined effort made at all levels of the Defense Establishment to effect savings in the use and expenditure of monetary, human, and materiel resources.

At another point the committee reiterated the grave concern it has expressed in the past over the numerous and admitted examples of waste and duplication in the areas of procurement and supply management and has repeated its call to the Department of Defense to integrate its procurement, supply, and service activities in order to provide maximum utilization of the defense dollar. The committee has gone further than this in directing the Secretary of Defense to insure that existing facilities and installations both at home and abroad are used to the fullest extent practicable before any new construction is permitted.

I wish to state also that the committee has in its report commended the Secretary of Defense for the efforts that he has already made to bring order into the activities of the Department and to effectuate economies in all possible areas. I believe that he has done a remarkable job in the limited time in which he has been in office. I hope that this is but a portend of future accomplishments.

But one man, however endowed, cannot alone hope to accomplish fully the type of economy which the country demands and must have if our Nation is not to be subjected to financial stress.

On behalf of the committee and the Nation, I call upon every military man, every civilian associated with the defense effort, every defense contractor, every patriotic American, to support a program of cost-conscious, penny-pinching, purse-clutching economy—to realize that every dollar spent is his dollar; that every dollar wasted lessens our defense effort, that every extravagance is a blow to our economy stability. What I have said about defense expending, is also applicable to all areas of Government financing. It is equally as important that we defer all nonessential domestic spending. If this is done, we can then hope that Federal expenditures will not materially affect the economic stability of the Nation.

Mr. President, the Senate Committee on Appropriations has provided in this bill all the funds requested by the Defense Department—and more. We have relieved the Defense Department, at its request, from a number of limitations imposed by the House. We have provided in the bill the additional flexibility requested by the Defense Department—both with respect to the authority to expend funds on a deficiency basis and the authority to transfer funds from one appropriation to another. We have done everything in our power to place the Department of Defense in a position to take whatever steps are necessary to prepare our military forces to meet the gathering crisis.

NATO PARTNER OBLIGATIONS

Now we look to our friends and allies abroad, particularly our NATO partners, to take parallel measures to enhance the collective military strength of the free world, to withstand the threatened Communist onslaught.

We hope, indeed we expect, that our European NATO partners will move promptly and decisively to meet their obligations for the common defense. It is obvious that the defense of Western Europe must be primarily the responsibility of the nations of Western Europe. We intend and are prepared to share with them this burden, but it must be a truly collective effort. Indeed, there is no practical way in which the United States could defend Western Europe alone. We shall do our part as evidenced by the bill now before us; I am confident our allies will do their part.

TRIBUTE TO MEMBERS

As we all know for a number of years the Senate supervision of this bill has been under the highly capable guidance of the senior Senator from New Mexico [Mr. CHAVEZ]. Day after day, month after month, year in year out, he has injected his boundless energy and experienced thinking into the formulation of this measure. During his most regrettable incapacitation, I have attempted to act in his stead, but the formulation of this measure, as it is presented to the Senate today, is a tribute to all the members of the Senate Appropriations Committee. The distinguished chairman of the committee, the Senator from Arizona [Mr. HAYDEN], the ranking majority and minority members, the Senator from Georgia [Mr. RUSSELL] and the Senator from New Hampshire [Mr. BRIDGES]; the chairman of the Military Construction Subcommittee, the Senator from Mississippi [Mr. STENNIS], and the ranking minority member of the Defense Subcommittee, the Senator from Massachusetts [Mr. SALTONSTALL], and many other, have all unselfishly given of their time, experience, and effort.

Without their wholehearted support and guidance, this bill would not reflect the sound approach which I believe it provides.

I also wish to thank publicly the Secretary of Defense, Mr. McNamara, the Assistant Secretary of Defense, Mr. Gilpatric, the Assistant Secretary of Defense, the Comptroller, Mr. Hitch, and their respective staffs, including Maj. Gen. R. S. Moore, for the wholehearted cooperation and assistance which they have provided in expediting this bill.

I would be remiss if I did not mention the members of the staff of the Senate Appropriations Committee, who have worked overtime to expedite the present consideration of this bill. I wish particularly to thank Mr. Everard Smith, whose unflagging devotion to duty and expert guidance have for many years been of such invaluable assistance. In addition, I wish to thank Mr. Thomas Scott, the assistant clerk of the committee; Mr. Francis Hewitt, Mr. Vorley M. Rexroad, Mr. Leonard Edwards, Mrs. Elizabeth Brantley, Mrs. Gloria Butland, and Miss Judy Atwell. To those other individuals, too numerous to mention here, including a number in the Department of Defense, who have given valuable assistance, I publicly express my gratitude, which I shall convey personally at a later time.

COMMITTEE UNANIMITY

I wish to stress the unanimity of purpose in thinking exhibited by the committee's action. Including the officio members from the Senate Armed Services Committee, there are 30 members of the Senate Appropriations Committee who had opportunity to review and recommend the provisions found in this bill. Obviously, in a bill of this magnitude there were minor differences of opinion, all of which have been resolved amicably and with the national interest at heart, but I wish to stress that all of the major aspects of the bill represent the unanimous thinking on the part of its members.

This is not a political bill. There are no party-line distinctions in matters of national defense. From both sides of the aisle came wholehearted support of the President's revised budget. No dissension marked our deliberations. I hope that the Soviet leaders and their pawns are fully aware that this committee, Congress, and the Nation stand firm in their resolve to back the President in his efforts to deter further aggression.

CONCLUSION

The enactment of the bill by the Senate will put Premier Khrushchev on notice that this Nation is determined to safeguard freedom in the world at whatever cost. Thrice within my own life-

full amount requested by the Defense Department. These funds provide for the procurement of ordnance, ammunition, antisubmarine warfare detection equipment, electronics and communications equipment, and so forth.

For "Procurement, Marine Corps," the committee recommends $265,940,000, the full amount requested by the Defense Department. This amount is not far from being double the funds requested for this purpose in the January budget and is almost three times the amount appropriated for fiscal year 1961.

AIRCRAFT PROCUREMENT

The committee recommends a total of $3,223,444,000 for "Aircraft procurement, Air Force." Although the amount recommended is apparently only about $100 million more than the amount requested by the Defense Department, the actual increase proposed for this purpose is about $545 million.

This increase comes about as a result of the following changes. First, the committee reduced this account by $448,840,000 and increased the "Research, development, test, and evaluation, Air Force," account by the same amount. The purpose of this transaction is to make available to the Defense Department a total of $448,840,000 for the accelerated development of the B–70 bomber as a full weapon system. The January budget had requested $358 million for this purpose. The March amendments to the Defense budget reduced this amount to $220 million. The House designated $448,840,000 of the funds made available for "Aircraft procurement, Air Force," to be used for the production of long range bombers and/or the acceleration of the B–70 program.

Second, the committee is convinced that the amount provided by the House is inadequate for these two purposes. Accordingly, we recommend the entire $448,840,000 be made available for the accelerated development of the B–70 and an additional sum of $525 million be included in "Aircraft procurement, Air Force," for the continued production of long range strategic bombers. Neither the January budget nor the subsequent budget amendments provided any funds for this purpose. Nevertheless, the committee is convinced, on the basis of extensive testimony taken from authorities in this field, that it would be entirely premature to terminate the production of these tried and true strategic weapons.

We have every confidence that our tremendous expenditures for strategic ballistic missiles will pay off, but we cannot afford to take any risks in so vital an area of our defense structure.

Moreover, the committee and the Senate have always fully supported the mixed-force concept. We believe that even in the 1970's there will still be a vital role for the manned bomber. I therefore, strongly urge the Senate to support the recommendations of the committee and provide the additional funds both for the continued production of the present manned strategic bombers and the accelerated development of the manned strategic bomber of the future; namely, the B–70.

Third, the committee has also restored $19.1 million for the procurement of utility jet transport aircraft. The Defense Department did not request restoration of these funds, but it is apparent that the Air Force must, sooner or later, begin the modernization of its inventory of mission support utility transports. These funds would permit the beginning of that effort.

For "Airlift modernization, Air Force," the committee recommends $403,256,000. This is the full amount requested by the Defense Department for this purpose and provides for a substantial increase in the procurement of airlift aircraft both over the amount appropriated last year and the amount requested in the January budget. In fact, the $403 million recommended by the committee is more than 2½ times the amount requested in the January budget.

Altogether, the appropriations recommended for "Aircraft procurement" and "Airlift modernization" will enable the Air Force to buy almost 700 airplanes during the current fiscal year.

MISSILE PROCUREMENT

The committee recommends a total of $2,744,960,000 for "Missile procurement, Air Force," the full amount requested by the Defense Department. These funds will virtually complete the 13-squadron Atlas program, continue procurement on the 12-squadron Titan program, and initiate the first major buy of the Minuteman intercontinental ballistic missile. Included in the amount recommended by the committee are funds to expand substantially production capacity for Minuteman, if it should later become necessary to increase the rate of production on this ICBM.

The funds will also provide for additional procurement of Hound Dog air-launched strategic missiles for the B–52 heavy bombers, and Bullpup tactical air-to-surface missiles for the Air Force's F–105's.

For "Other procurement, Air Force," the committee recommends $1,103,374,000, the full amount requested by the Department of Defense. These are the funds used for the procurement of conventional weapons and ammunition, air-to-air rockets, automotive vehicles, ground communication and electronics equipment, and base maintenance and support equipment of all types.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For "Research, development, test, and evaluation," the committee recommends a total of $5,294,140,000. This is the full amount requested by the Department of Defense plus the $448,840,000 added to "Research, development, test, and evaluation, Air Force," for the acceleration of the B–70 development program. Included in the $5.3 billion is $2,739,000 deleted from the appropriations under this title by the House in its reduction of funds for minor construction and rehabilitation of facilities. The committee has acceded to the Department's request for the restoration of these funds, and has added $1 million in "Research, development, test, and evaluation, Army"; $1,063,000 in "Research, development, test, and evaluation, Navy"; and $676,000 in "Research, development, test and evaluation, Air Force."

The amount recommended by the committee also includes $186 million for the Advanced Research Projects Agency—the same amount requested in the amended Defense budget and provided by House action.

Also included is $150 million for the Department of Defense emergency fund plus an additional $150 million of transfer authority. These are the same amounts provided last year to permit the Department of Defense to exploit promptly unexpected technical breakthroughs or to handle late developments regardless of the military department in which they occur.

The committee again recommends the continuation of the general provision which permits the Secretary of Defense to transfer an additional $150 million for the acceleration of strategic or tactical missiles or satellite programs, should he deem it advantageous to the national defense.

CIVIL DEFENSE

Included in this bill for the first time are funds for civil defense. Responsibility for this function was transferred to the Department of Defense from the Office of Civil and Defense Mobilization by Executive Order No. 10952 on July 20, 1961. The President included in his amendments to the defense budget, transmitted to the Senate on July 26, 1961, a total of $207,600,000 for this purpose. This request is in addition to the $104,200,000 requested in the January budget for the Office of Civil and Defense Mobilization upon which the House has already acted. However, the House has not acted on this new request, inasmuch as it had already completed action on the defense bill at the time of the President's order.

Almost half of the $207.6 million—$93 million—is for a national program for identification and marking of available community shelter space in existing buildings. Another $10 million is for the improvement of existing shelter space in Federal buildings; $7.5 million is to cover the additional cost of planning and constructing shelters in new Federal buildings, and $58.8 million is to stock shelters with a 5-day ration of food, a 2-week water supply, first-aid kits, radiation meters, and other essential supplies.

Under the heading of "Civil defense warning and detection," $10 million is included to initiate a new household warning system which operates on an electrical impulse put through the regular powerlines. Another $5 million is included to correct basic deficiencies in the emergency operational capabilities and other elements of the system, including communications, and $9.3 million is included for radiological detection equipment.

Finally, $13.5 million is provided for research and development to devise new low cost methods of providing protection.

The Secretary of Defense estimates that the planned program will provide protection for roughly 50 million Americans at the cost of about $4 per person.

In other words, if it should become necessary during the current fiscal year to increase the number of military personnel either under the authority of the joint resolution recently enacted by the House and the Senate, or under a national emergency declared by the President, or otherwise, the Department of Defense could pay for such an increase by expending funds on a deficiency basis. Of course, the executive branch would be required under the law immediately to inform the Congress of such deficiency spending and request the additional funds required. The committee recognizes the broad nature of this authority, but believes that in the present situation the Defense Department must be given the necessary flexibility to react promptly to any further adverse developments in the international situation.

For similar reasons the committee recommends the inclusion in the bill of a new section, 640, which would permit the Secretary of Defense, if he deems it vital to the security of the United States to transfer, with the approval of the Bureau of the Budget, not to exceed 3 percent of any appropriation available for the military functions of the Department for the current fiscal year to any other such appropriation, provided that no appropriation shall be increased thereby by more than 6 percent. The new section also provides that the Secretary of Defense shall notify the Appropriations Committees of the Congress of all transfers made pursuant to this authority.

There is one other change in the general provisions which merits comment and that is the proviso added to section 623. This proviso would require that so far as practicable all contracts shall be awarded on a formally advertised competitive-bid basis to the lowest responsible bidder.

MILITARY PERSONNEL

I would now like to turn to the substance of the bill.

For "Active-duty military personnel," the committee recommends an appropriation of $11,255 million plus the transfer of $470 million from the revolving and management funds of the Department of Defense in lieu of new appropriations. Included in these funds is $40 million for "Military personnel, Army," to permit liquidation of obligations incurred prior to July 1, 1961. The executive branch had requested the $40 million in the fourth supplemental appropriation bill, 1961, but because of the lateness of the date of transmittal, it was decided to provide the funds in the regular 1962 bill. The amount recommended by the committee would support an active duty strength of 2,743,227 at the end of fiscal year 1962—1,008,000 for the Army, 657,000 for the Navy, 190,000 for the Marine Corps, and 888,227 for the Air Force.

For "Reserve personnel," the committee recommends a total of $670 million for the support of a total of about 1,073,000 reservists on paid status, including about 1,006,000 3- to 6-month trainees and reservists engaging in regular paid drills.

The committee has provided for a drill pay strength of 300,000 in the Army Reserve and 400,000 in the Army National Guard, recognizing that a significant number of these reservists may be ordered to active duty during the current fiscal year. For this reason, the committee has not inserted in the bill language which would make mandatory the maintenance of these strengths during the current fiscal year, but the Department of Defense has given the committee assurance that the strength, for which funds have been provided, would be maintained. The full amount of the funds provided, however, may still be required inasmuch as the Department of Defense plans to extend the training of certain selected high priority reserve units beyond the usual 2 weeks of summer training as authorized in the joint resolution. If the funds provided are insufficient for this purpose, the Secretary of Defense can rely on the transfer authority provided in section 640 of the bill.

With respect to "Reserve personnel, Air Force," the committee has added $4 million, and the necessary language, to assure that if Air Force base support and recovery-type units are required to train a minimum of 48 drills per year in order to achieve the necessary operational readiness, they will likewise receive pay for these 48 drills.

In the case of "Reserve personnel, Navy"; "Reserve personnel, Marine Corps"; and "National Guard personnel, Air Force," the amounts recommended for appropriation are the same as the amounts requested by the Defense Department.

Nine hundred and twenty million dollars is recommended for retired pay, the same amount requested by the Department of Defense.

OPERATION AND MAINTENANCE

For "Operation and maintenance," the committee recommends a total of $11,771,996,000, about $21 million less than the budget estimate as amended through July 26, but almost $16 million more than the amount requested by the Department of Defense of the Senate Appropriations Committee. As I indicated earlier, the committee has restored the amounts deleted by the House for major repair and alteration of facilities, for the education of dependent children overseas, and for the Government's contribution to State retirement funds on behalf of civilian employees of the Army and Air National Guards.

The committee has also restored $2½ million of the $3 million deleted by the House as a savings resulting from the shift in Navy pay periods for certain of its employees from a weekly to a biweekly basis. Even if the Navy made the change to biweekly pay periods, the actual savings which could be realized in the current fiscal year would amount to only a half million dollars. Considering the hardships this change would work on the workers involved, the committee hopes the Navy will find it possible to continue its present practice of paying its wage board employees on a weekly basis.

The committee has also added to the "Operation and maintenance, Navy," appropriation $1.4 million for certain minor repairs at the Naval Academy and $1 million for the Naval Air Reserve and Marine Corps Reserve for aviation fuel.

In the case of "Operation and maintenance, Air Force," the committee has also restored the $12 million deleted by the House as savings from a reduction in the number of four-engine transports operated by Air Force commands other than MATS, SAC, and TAC. In the present situation, the committee believes no reduction should be made in the airlift capacity.

The committee has also included in this appropriation $1,141,000 to support a larger number of C–124 Reserve troop carrier squadrons.

In "Operation and maintenance, Army National Guard," the committee has added $1.1 million for three aviation maintenance battalions required to support the growing number of Army National Guard aircraft.

In "Operation and maintenance, Air National Guard," the committee has added $10 million to support an increased flying hour program, and $1 million for stepped-up conversion of C–97's and for maintenance and spare parts.

In the remaining appropriations under the "Operation and maintenance" title, the committee recommends the adjusted amounts requested of the committee by the Department of Defense.

PROCUREMENT

For "Procurement" the committee recommends a total of $16,729,556,000, about $30 million less than the 1962 budget estimate as amended July 26, but about $95 million more than the amount requested by the Department of Defense of the Senate Appropriations Committee.

For "Procurement of missiles and equipment, Army," the committee recommends the adjusted amount requested by the Department of Defense plus $282,000 for ammunition and rifles for the National Board for the Promotion of Rifle Practice, for a total of $2,543,642,000. This is about 40 percent more than the amount requested for this purpose in the January budget, and about 70 percent more than the amount appropriated for this purpose last year.

For "Procurement of aircraft and missiles, Navy," the committee recommended $2,691,760,000, the adjusted amount requested by the Defense Department. This will provide for the procurement of nearly 800 aircraft plus large quantities of a variety of guided missiles—ship-to-air, air-to-air, air-to-surface, and Polaris.

For "Shipbuilding and conversion, Navy," the committee recommends $2,897,860,000, the adjusted amount requested by the Defense Department. These funds will support a shipbuilding program of 36 new construction vessels and 22 major modernizations or conversions. The new construction includes 10 Polaris submarines; 3 nuclear-powered attack submarines; 7 guided missile frigates, 1 of which is to be nuclear powered; 6 escort ships, 3 of which will be armed with guided missiles; 4 amphibious ships, and 6 miscellaneous ships.

For "Other procurement, Navy," the committee recommends $855,320,000, the

action on the bill. The purposes of these amendments were:

MANPOWER ($40 MILLION DEFICIENCY)

An item under "Military personnel/Army," page 2 of the bill, lines 13, 14, provides $40 million for increased costs of travel and subsistence in fiscal year 1961 that was first presented to the Congress in the fourth supplemental appropriation bill fiscal year 1961. The Senate Appropriations Committee suggested during the hearings on this supplemental bill that this request for $40 million be considered within the regular defense bill for fiscal year 1962, rather than separately in a supplemental bill. Appropriation of this $40 million will permit the Army to liquidate obligations incurred prior to July 1, 1961.

FLEXIBILITY

On July 26 the Department of Defense requested the authority to transfer up to 5 percent of any appropriation for military functions to any other such appropriation. Added to the sum of $300 million available in transfer authority under other sections of the bill, it was decided that something less than 5 percent in transfer authority would be adequate in this very large budget.

The committee attempted to strike a balance between the flexibility desired by the Department of Defense and the maintaining of reasonable congressional control over the budget. We therefore recommend that transfer authority up to 3 percent of any appropriation be granted, and that not more than 6 percent may be added to any appropriation for military functions. This provision should allow sufficient flexibility while not unduly weakening Congress control and direction over the military budget.

LANGUAGE CHANGES

There have been several important language provisions proposed in this bill, and I shall comment on only three of them.

The House language would have virtually eliminated chargeability of advertising by defense contractors as a part of their costs in cost-reimbursable-type contracts. The committee heard extensive testimony in open hearing on this issue, and felt that the House language was too preclusive.

The committee bill language now retains the tenor of the original House provision, but adds on the following exceptions to the House prohibition against chargeability: advertising for recruitment of personnel; for procurement of scarce items; for the disposal of scrap; for subcontractors; and for costs of participation in exhibits upon invitation of the Government.

The committee has also restored a total of $1,525,000, deleted by the House, for the education of children of military personnel overseas, and has raised the per-pupil limitation from $275, in the bill as passed by the House, to $285. We believe the increase of teachers' salaries as required by law and the rising cost of textbooks and other educational material fully justifies these increases for fiscal year 1962.

The House deleted funds for the payment of the Government's contribution, as an employer, to State retirement systems for civilian personnel of the Army and Air National Guards. This action was taken on the ground that no specific authorization for such payments exists in the law. The committee believes there is ample legal authority and that civilian employees of the Army and Air National Guard organizations should not be penalized simply because they are paid by the Federal Government. Accordingly, the committee recommends that $4,100,000 be restored to the appropriations involved and that a new section, 638, be added to the bill restricting such payments to 6½ percent of the compensation on which such contribution is based. This is the same amount as the Federal Government contributes to the retirement funds for its own employees.

The committee also gave careful consideration to the restoration of about $308,286,000, deleted by the House, based on a 2-percent across-the-board reduction in all procurement accounts. We do not believe that this type of reduction can in itself enforce good procurement and production practices. Experience has shown that such cuts tend simply to reduce the size of the procurement program. However, both the Secretary and the Deputy Secretary of Defense have indicated to the committee that they are willing to try to achieve this reduction, since they feel that there are opportunities for realizing further economies in the procurement area. Accordingly, the committee does not recommend the restoration of these funds to the bill.

COMMITTEE ACTION ON GENERAL PROVISIONS

The committee has accepted a number of other Defense Department recommendations with regard to the general provisions of the bill. These are in addition to those general provisions—related to the restoration of funds—which I have already discussed.

First, the committee has eliminated section 533 in the bill as enacted by the House. This section set a limit of $701 million on the amount of funds available for travel expenses in connection with temporary duty and permanent change of station of military and civilian personnel. Obviously, with the substantial increase in military personnel provided for in the third amendments to the 1962 defense budget and the potentially large troop movements involved in the present situation, it would be impracticable at this time to establish any specific limitations on travel funds. The committee, however, has retained the proviso that not less than $7,500,000 of the funds made available in this act for travel expenses shall be available only for the procurement of commercial passenger sea transportation services on American-flag vessels. This proviso was incorporated in the bill as section 633. We believe that a healthy merchant marine is also an important element of our national security and is entitled to at least this measure of support.

The committee considered carefully the Department's request for relief from the limitation on the hire of motor vehicles. The bill as enacted by the House limited to $12 million the amount of funds which could be used for that purpose in the current fiscal year. The committee retained this language but added a new provision which would authorize the Secretary of Defense, under circumstances where the immediate movement of persons is imperative in the national interest, to hire motor vehicles without regard to such limitation. We believe the Department of Defense needs some flexibility in this regard, since large numbers of men will have to be moved within the United States to duty stations or training camps at certain periods in the year and it would not be practical to provide the necessary transportation capacity on a permanent basis.

The committee also recommends the deletion of section 534 of the bill as enacted by the House. This section limits the number of officers who may receive flight pay. Inasmuch as the Department is now planning to order to active duty certain Air Force and Naval Reserve and Air National Guard squadrons, and otherwise build up its air strength, it would be impractical to set any limit on the number of officers who may receive flying pay during the current fiscal year.

The bill, as enacted by the House, contains a very restrictive provision on the allowance of advertising costs in Defense contracts. We agree wholeheartedly with the intent of the House to eliminate unwarranted advertising as part of the cost of performing Defense contracts. We see no reason why the taxpayer should pay for advertising of products for which the Government is the sole buyer. But there are certain advertising costs which are a necessary part of the performance of Defense contracts. These include advertising required to recruit personnel, to procure scarce items, to dispose of scrap and surplus materials, and so forth. Accordingly, the committee has deleted section 537 from the bill as enacted by the House and has introduced section 636, a somewhat less restrictive limitation on the payment of costs for advertising in the performance of Defense contracts.

NEW AUTHORITY GRANTED

As I stated earlier, one of the principal purposes of the third amendment to the fiscal year 1962 budget is to prepare for the further mobilization of the Reserve Force, if future developments should make that necessary. In order to provide for this contingency, the committee recommends the inclusion of a new subsection in this bill. Subsection (c) to section 612 would authorize the Secretary of Defense, upon determination by the President, that it is necessary to increase the number of military personnel on active duty beyond the number for which funds are provided in this act, to provide for the cost of such an increase, as an excepted expense in accordance with the provisions of Revised Statute 3732. This subsection is similar to subsection (b) of section 612 which authorizes the Secretary of Defense, upon determination by the President that such action is necessary, to provide for the cost of an airborne alert as an excepted expense.

members of the committee had privately confided to me the necessity for a further consultation with those high-ranking military officials responsible for the defense of our country, with a view to bolstering our defenses.

On Saturday, July 8, prior to his planned appearance before our subcommittee on the following Monday, Under Secretary of Defense Gilpatric sent to me a statement of the testimony that he would present the following Monday.

The Department of the Army had previously testified that their original budget submission was for $2.5 billion for procurement of equipment and missiles. The budget estimate as approved by the Bureau of the Budget and the Department of Defense brought this down to $1,803 million, which was subsequently raised in two budget revisions to $2,012 million, leaving approximately $550 million in required Army hardware yet unfunded.

In Mr. Gilpatric's statement prepared for submission on July 10, there was no request for any increases in procurement or for restoration in the procurement cuts of 2 percent made by the House for all of the armed services.

So I phoned the White House liaison officer and requested that he immediately notify the President, who was then at Hyannis Port, Mass., that I felt the provisions for the Army in the pending appropriation bill were hopelessly inadequate and I, therefore, wanted his permission for Gen. Maxwell D. Taylor, the Presidential adviser, and Gen. L. L. Lemnitzer, the Chairman of the Joint Chiefs of Staff, to join with General Decker, the Chief of Staff of the Army, in presenting to our committee their uncensored views on what provisions should be made immediately for the Army to better prepare itself for brush war, and especially with respect to the crisis developing over Berlin. There was no direct response to that request, but there was an indirect reply by Under Secretary of Defense Gilpatric when he appeared before our subcommittee on the following Monday.

Subsequent to this, I was informed that the Commander in Chief—that is, our President—and his defense officials were reconsidering the amounts requested. Thereupon I stated that the Defense Subcommittee was willing to suspend its hearings, deter our call for further witnesses, and await any proposed supplemental requests by the President. In those areas in which the budget revisions would serve to implement our strength to a sufficient degree concomitant with committee belief, we refrained from calling Generals Lemnitzer, Taylor, and Decker. However, in other areas wherein the revised budget was still deemed inadequate, we carried out our original resolve and conferred with the authorities in the field, who substantiated our doubts.

The resulting actions are well known to every one. The revised estimate, providing an additional $3,454,600,000, was submitted on July 26. Since then, the committee has acted, I believe, with expedition in approving that request, as well as all restoration requests, and has, in fact, added substantially to the bill in certain other vital areas.

I make this statement in all humility, and not from the standpoint in any personal pride. The action of the committee was the consensus of the members, not a matter for which any individual would wish to take sole credit. However, I want to point out that we acted in the tradition of the Senate and the Senate Appropriations Committee in providing the impetus and foresight we needed to improve our military posture.

I believe it was this committee in 1939 which foresaw the need for a substantially increased Defense Establishment and on whose recommendation increased funds were provided. Again in 1948, the committee first recognized the need for a greatly strengthened bomber force which was subsequently provided and which has played so large a part in deterring the forces of the aggressor ever since.

Repeatedly, this committee has urged and provided funds for a sizable increase in the Regular Army and Marine Corps. Repeatedly, this committee and the Senate have provided the funds and mandatory language for the Army National Guard and the Army Reserve so that their strength would not be curtailed. Only last year this committee provided funds above the budget for a speedup of the Samos, Discoverer, and Midas satellite programs, for increased funds for the modernization of the Army, for the procurement of additional Polaris submarines and for the maintenance of the Army Reserve and the Army National Guard at the established strength. At the time there was some question in the executive branch as to the need for these additional funds. I wish to point out that, as of today, every single cent of these additional appropriations has since been utilized.

So again this year, the committee has foreseen the necessity for increased forces prior to any such determination by other responsible sources. It is our hope that the additional funds provided above the budget will be utilized by the Department of Defense for the necessary force buildup.

COMMUNIST THREAT WORLDWIDE

Let us remember that it is not only the Soviet challenge to us in Berlin that endangers the peace, it is also Communist pressure to subvert freedom and extend the rule of communism throughout the world. This in itself is not new; what is new is the increasing belligerency of the Communist leaders backed up by the recently announced substantial increase in Soviet military forces and defense expenditures.

It must be clear to anyone who has the will to face the facts that the Soviet leadership is deliberately and systematically challenging the position of the United States in the world. The showdown may well be in Berlin, but it could be elsewhere. Regardless of when or where it comes, the United States must be prepared to meet the test politically, diplomatically, economically, and, if necessary, with military force. We must take, now, every measure necessary to ready our military forces for whatever tasks they may be called upon to perform. The bill which we are recommending today is another token of our determination to maintain our rights and the rights of free people everywhere in the world. It is notice to Premier Khrushchev that the American people will pay any price to defend their freedom. It is notice to Mr. Khrushchev that the United States intends to support fully its commitments to its friends and allies abroad. And it is notice to Mr. Khrushchev that we intend to be ready to meet the test when it comes.

BUDGET AMENDMENTS SUMMARIZED

Incorporated in the bill are three amendments transmitted to the Congress by the present administration. The first amendments, totaling $1,913 million in new obligational authority and $320 million of additional transfer authority in lieu of new appropriations, were transmitted to the Congress on March 28. The principal purposes of these amendments were:

First. To shift the emphasis in our strategic forces to weapon systems which could ride out an all-out nuclear attack. It was in these amendments that the present administration recommended a doubling of the Polaris program, a large increase in the number of manned bombers to be maintained on 15-minute ground alert, and an acceleration of the Minuteman program.

Second. To provide for an improved command and control system so that our military forces would at all times be under the full control of the constituted authorities, even under conditions of all-out nuclear attack.

Third. To improve and modernize our conventional or nonnuclear capabilities. Principal emphasis in this area was on modernizing equipment and on accelerating research and development of conventional weapons, rather than on increases in numbers of military personnel. A total of 13,000 military personnel were added by these amendments—5,000 for Army, 3,000 for Navy, 3,000 for the Marine Corps, and 2,000 for the Air Force.

The second amendments, totaling $225 million in new obligational authority, were transmitted to the Congress on May 26. These amendments were designed to improve further the modernization of Army weapons and equipment in connection with the reorganization of the Army combat divisions; to round out the manning of the 3 division air wings of the Marine Corps and to form a nucleus of a fourth Marine division by increasing authorized strength from 178,000 to 190,000; and to initiate the Defense Department's portion of the national project for the exploration of outer space.

These two amendments were considered by the House and were incorporated in H.R. 7851, the bill now before the Senate.

The third amendments, totaling $3,454,600,000 in new obligational authority, were transmitted to the Congress on July 26, after the House had completed

On page 45, line 21, to change the section number from "536" to "635".

On page 46, after line 9, to strike out:

"SEC. 537. No part of the funds appropriated herein shall be available for paying the costs of advertising by any defense contractor, and such costs shall not be considered a part of any Defense contract cost."

And in lieu thereof, to insert the following:

"SEC. 636. No part of the funds appropriated herein shall be available for paying the costs of advertising by any defense contractor, except advertising for which payment is made from profits, and such advertising shall not be considered a part of any defense contract cost. The prohibition contained in this section shall not apply with respect to advertising conducted by any such contractor, in compliance with regulations which shall be promulgated by the Secretary of Defense, solely for (1) the recruitment by that contractor of personnel required for the performance by the contractor of obligations arising under a defense contract, (2) the procurement of scarce items required by the contractor for the performance of a defense contract, (3) the disposal of scrap or surplus materials acquired by the contractor in the performance of a defense contract, (4) the procurement of subcontractors required for the performance by the contractor of his obligations under a defense contract, or (5) costs of participation in exhibits upon invitation of the Government."

On page 47, line 7, to change the section number from "538" to "637", and in line 9, after the word "for", to strike out "repair and alteration projects,", and insert "acquisition of new facilities or expansion, extension or addition of existing facilities".

On page 47, after line 15, to insert:

"SEC. 638. No appropriations available for payment of the expenses of State civilian personnel of the Army National Guard and the Air National Guard shall be available for employers' contributions to retirement systems at a rate in excess of 6½ per centum of the compensation on which such contribution is based."

On page 47, after line 21, to insert:

"SEC. 639. None of the funds appropriated herein shall be available for paying the cost of official representation on any continent in excess of the amount programed by the Department of State for that continent."

At the top of page 48, to insert:

"SEC. 640. During the current fiscal year, the Secretary of Defense may, if he deems it vital to the security of the United States and in the national interest, transfer, with approval of the Bureau of the Budget, not to exceed 3 per centum of any appropriation available for military functions of the Department of Defense for the current fiscal year, to any other such appropriation, but no appropriation may be so increased by more than 6 per centum, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation to which transferred: *Provided*, That the Secretary of Defense shall notify the Appropriations Committee of the Congress promptly of all transfers made pursuant to this authority."

On page 48, line 14, to change the section number from "539" to "641".

Mr. ROBERTSON. Mr. President, in 1932 I was elected to the House of Representatives on an economy platform. That and other outstanding planks of the Democratic platform of 1932 had been written by my distinguished predecessor, Carter Glass. It was the best platform of any political party in the present century. Unfortunately, the economy plank was soon abandoned by our party leaders; but it has never been abandoned by me. For the past 28 years, first in the House and then in the Senate, I have spoken and voted for economy. Throughout that period, in spite of the efforts of a small economy group, expenditures have continued to rise from about $4 billion, when I entered the House in 1933, to a possible $85 billion for the current year.

There is, therefore, a bit of irony in the fact that today I am cast in the role of the biggest spender of all time. The bill I am presenting to the Senate, and for which I ask its approval, is the biggest peacetime bill in our history, and authorizes more expenditures than the total of all expenditures from the days of George Washington through the end of World War I. But I justify this action in the firm belief that our Nation faces the greatest crisis in its history, and that no man dares to place a price tag upon our survival.

There is no necessity for me at this time to dwell upon the horrendous destruction of a nuclear war. It would wipe out all of Europe, including the area under Soviet control, as well as the area under the control of our NATO allies. It would destroy all of the big cities of Russia and all of its major military installations, as well as the big cities and major installations in this country.

That there could be no victor in such a war, Khrushchev knows as well as does anyone in this country. Needless to say, he does not want such a war. I am convinced that he will not deliberately start it. But he could misjudge our military capability and that of our NATO allies; he could misjudge the irrefragable courage of the free world that echoes the sentiment expressed less than two centuries ago by Patrick Henry at old St. John's Church in Richmond:

Give me liberty or give me death.

We do not assume that Khrushchev will be intimidated merely by adding 250,000 men to our Military Establishment or even by calling up all our National Guard and Army Reserve units. So far as fighting a brush war over Berlin with conventional arms is concerned, Khrushchev could send into such a war four divisions to our one. But Khrushchev knows that if such a war over Berlin were to start with conventional weapons, we would inevitably resort to nuclear weapons, rather than see our brave men in Western Germany overwhelmed; and Khrushchev knows that when a limited war develops into an all-out nuclear war, there can be, as I have already indicated, no victor.

The addition to our manpower and military hardware recommended to the Nation by its Commander in Chief will, of course, strengthen our military posture. But it will do far more than that—it will indicate to the world our willingness to fight for freedom, should there be no other alternative. But there is another alternative, and the diplomats of the chancelleries of the world will fail their day and generation if they do not discover it.

BALANCE OF FORCES

I have been asked how I would describe this bill as recommended by the committee. I would state, in reply, that this is essentially a "balance of forces" bill, both for the immediate and the foreseeable future. It is a bill designed to protect America and the free world; a bill designed to renew the hopes of the oppressed of the world everywhere; a bill designed to give warning to the forces of aggression that we are prepared to negotiate through strength and, if need be, to call upon that strength in time of crisis. Reduced to its barest essentials, it will substantially strengthen our defense posture in both conventional and nuclear capabilities.

THE BERLIN CRISIS

The $47 billion recommended in this bill is admittedly a very large sum of money to appropriate for defense in a period of nominal peace. But the course upon which Premier Khrushchev has embarked the Soviet Union has made that peace very tenuous indeed. He has deliberately provoked a crisis over West Berlin, knowing full well the extent of our commitments to the people of that divided city. He has gone as far as to challenge our rights in that city, rights which we and our allies have won through force of arms in a long and costly war. We have had Berlin crises before, but this time Premier Khrushchev seems intent on a showdown.

I asked Deputy Secretary Gilpatric, when he appeared before our committee on July 10, 2 days after Khrushchev announced a one-third increase in the Soviet defense budget:

Again, I would like you to give us your appraisal of the Berlin situation, stating whether you think the people should look with complacency upon it, or whether it is a grave situation which could require some real increases.

Mr. Gilpatric replied:

We regard it very gravely, very gravely. The President has asked the Defense Department, in company with other agencies of the executive branch, to report to him very promptly what our needs are in addition to those which would be provided under the present law.

I am not prepared today to tell you what recommendation the President will make, or what action he will take, as a result of those recommendations.

Now we know what these recommendations are. We have heard from the President the actions which must be taken to meet that crisis.

ACTION LEADING TO INCREASED REQUESTS

At this point, I wish to make a statement regarding the events which led up to the change in the appropriation bill as it is now before us. Not from a standpoint of personal pride, nor because I am honored to be a member of the Senate Appropriations Committee, but because of the historical significance involved, I wish the record to show clearly the exact chain of events which has led to the bolstering of our defense posture in the past few weeks.

Throughout the hearings on this bill, which began on April 18, Senators will find the pages replete with questioning as to the adequacy of the size of our defense forces.

It had long been clear in my mind that serious consideration should be given to increasing our defenses in certain areas, which I regarded as inadequate. I was not alone in this; other

On page 12, at the beginning of line 18, to strike out "$4,299,740,000" and insert "$4,498,541,000".

On page 13, line 16, after the word "aircraft", to strike out "$169,900,000" and insert "$173,300,000".

On page 14, line 20, after the word "Bureau", to strike out "$193,600,000" and insert "$206,400,000".

On page 16, line 14, after the word "title", to strike out "10" and insert "32".

On page 18, at the beginning of line 8, to strike out "$1,991,360,000" and insert "$2,543,642,000".

On page 18, at the beginning of line 21, to strike out "$2,148,160,000" and insert "$2,691,760,000".

On page 20, line 6, after the word "plants", to strike out "$689,920,000" and insert "$855,320,000".

On page 20, line 14, after the word "only", to strike out "$198,940,000" and insert "$265,940,000".

On page 21, line 5, after the word "things", to strike out "$2,916,684,000" and insert "$3,223,444,000", and in line 7, after the word "than", to strike out "$448,840,000" and insert "$525,000,000".

On page 21, line 19, after the word "plants", to strike out "$320,656,000" and insert "$403,256,000."

On page 22, line 12, after the word "things", to strike out "$2,736,160,000" and insert "$2,744,960,000".

On page 23, at the beginning of line 4, to strike out "$981,274,000" and insert "$1,103,374,000".

On page 23, after line 16, to strike out:

"For expenses necessary for basic and applied scientific research, development, test, and evaluation, including lease of facilities and equipment, as authorized by law, $830,000,000, to remain available until expended; and in addition, $372,700,000, which shall not be available for obligation after June 30, 1962, for expenses necessary for maintenance, rehabilitation, and operation of installations and facilities and other expenses in accordance with applicable provisions of the appropriation, 'Operation and Maintenance, Army'."

And in lieu thereof, to insert the following:

"For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, $1,203,700,000, to remain available until expended."

On page 24, after line 7, to strike out:

"For expenses necessary for basic and applied scientific research, development, test, and evaluation, including lease of facilities and equipment, as authorized by law, $853,400,000 to remain available until expended; and in addition, $447,537,000, which shall not be available for obligation after June 30, 1962, for expenses necessary for maintenance, rehabilitation, and operation of installations and facilities and other expenses in accordance with applicable provisions of the appropriation, 'Operation and Maintenance, Navy'."

And in lieu thereof to insert the following:

"For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, $1,302,000,000, to remain available until expended."

On page 24, after line 23, to strike out:

"For expenses necessary for basic and applied scientific research, development, test, and evaluation, including lease of facilities and equipment, as authorized by law, $1,555,200,000, to remain available until expended, of which $185,800,000 shall be available only for the Dyna-Soar program; and in addition, $447,724,000, which shall not be available for obligation after June 30, 1962, for expenses necessary for maintenance, rehabilitation, and operation of installations and facilities and other expenses in accordance with applicable provisions of the appropriation, 'Operation and maintenance, Air Force'."

And in lieu thereof, to insert the following:

"For expenses necessary for basic and applied scientific research, development, test, and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law, $2,452,440,000, to remain available until expended."

On page 27, after line 3, to insert a new title, as follows:

"TITLE V—CIVIL DEFENSE, DEPARTMENT OF DEFENSE

"For expenses, not otherwise provided for, necessary for carrying out civil defense activities, including the hire of motor vehicles and the providing of fallout shelters in existing or new Government-owned or leased buildings, as authorized by law, without regard to sections 3648 and 355 of the Revised Statutes, as amended (31 U.S.C. 529; 40 U.S.C. 255), $207,600,000, to remain available until expended: *Provided*, That such amounts as may be approved by the Director of the Bureau of the Budget for transfer from appropriations for the Office of Civil and Defense Mobilization, including appropriations available for allocation to other agencies, may be merged with this appropriation to be available for the same purpose and time period: *Provided further*, That such amounts as may be determined by the Secretary of Defense may be transferred, with the approval of the Director of the Bureau of the Budget, to any appropriation available for military functions under the Department of Defense which is available for programs related to civil defense, or may be allocated or transferred to other Federal agencies to carry out such civil defense activities as may be assigned to them and any such transferred amounts shall be merged with and be available for the same time period as the appropriations to which transferred."

On page 28, line 6, to change the title number from "V" to "VI".

On page 28, line 8, to change the section number from "501" to "601".

On page 28, line 22, to change the section number from "502" to "602".

On page 29, line 3, to change the section number from "503" to "603".

On page 30, line 6, to change the section number from "504" to "604".

On page 30, line 14, to change the section number from "505" to "605".

On page 30, line 18, to change the section number from "506" to "606", and on page 31, line 1, after the word "of", to strike out "$275" and insert "$285".

On page 31, line 15, to change the section number from "507" to "607".

On page 32, line 7, to change the section number from "508" to "608".

On page 32, line 23, to change the section number from "509" to "609".

On page 33, line 19, to change the section number from "510" to "610".

On page 33, line 22, to change the section number from "511" to "611".

On page 34, line 16, to change the section number from "512" to "612".

On page 35, after line 2, to insert:

"(c) Upon determination by the President that it is necessary to increase the number of military personnel on active duty beyond the number for which funds are provided in this Act, the Secretary of Defense is authorized to provide for the cost of such increased military personnel, as an excepted expense in accordance with the provisions of Revised Statutes 3732 (41 U.S.C. 11)."

On page 35, line 10, to change the section number from "513" to "613".

On page 36, line 15, to change the section number from "514" to "614".

On page 37, line 10, to change the section number from "515" to "615".

On page 37, line 22, to change the section number from "516" to "616".

On page 38, line 4, to change the section number from "517" to "617", and at the beginning of line 9, to strike out "521" and insert "621".

On page 38, line 10, to change the section number from "518" to "618".

On page 38, line 17, to change the section number from "519" to "619".

On page 39, line 13, to change the section number from "520" to "620".

On page 39, line 20, to change the section number from "521" to "621".

On page 40, line 3, to change the section number from "522" to "622".

On page 40, line 9, to change the section number from "523" to "623", and on page 41, line 7, after the word "dislocations", to insert a colon and *"Provided further*, That none of the funds appropriated in this Act shall be used except that, so far as practicable, all contracts shall be awarded on a formally advertised competitive bid basis to the lowest responsible bidder."

On page 41, line 11, to change the section number from "524" to "624".

On page 41, line 19, to change the section number from "525" to "625".

On page 41, line 24, to change the section number from "526" to "626".

On page 42, line 5, to change the section number from "527" to "627".

On page 42, line 16, to change the section number from "528" to "628".

On page 42, line 21, to change the section number from "529" to "629".

On page 43, line 10, to change the section number from "530" to "630".

On page 43, line 19, to change the section number from "531" to "631".

On page 44, line 6, to change the section number from "532" to "632", and in line 8, after the word "vehicles", to insert a colon and the following proviso:

"*Provided*, That the Secretary of Defense under circumstances where the immediate movement of persons is imperative, may, if he deems it to be in the national interest, hire motor vehicles for such purpose without regard to this limitation."

On page 44, after line 12, to strike out:

"SEC. 533. Not to exceed $701,000,000 of the funds made available in this Act shall be available for travel expenses in connection with temporary duty and permanent change of station of civilian and military personnel of the Department of Defense: *Provided*, That $7,500,000 of the foregoing amount shall be available only for the procurement of commercial passenger sea transportation service on American-flag vessels."

And in lieu thereof, to insert the following:

"SEC. 633. Not less than $7,500,000 of the funds made available in this Act for travel expenses in connection with temporary duty and permanent change of station of civilian and military personnel of the Department of Defense shall be available only for the procurement of commercial passenger sea transportation service on American-flag vessels."

On page 45, after line 2, to strike out:

"SEC. 534. Effective January 1, 1962, no part of any appropriation contained in this Act shall be used to provide flight pay at the rates prescribed in section 204(b) of the Career Compensation Act of 1949 (63 Stat. 802), as amended, for more than 93,446 officers (other than Reserve officers on active duty for training and officers receiving flight pay pursuant to section 514 of this Act and flying student officers)."

On page 45, line 11, to change the section number from "535" to "634".

My conviction that this procedure can do much to eliminate needless and unwarranted strikes is premised on a fundamental faith in the good sense and sound judgment of the average American trade union member.

It is neither the intent nor the purpose of this bill in any way to limit the fundamental right of employees to engage in a concerted refusal to work when, because of terms and conditions of employment, they feel such action is required. The right to strike is carefully and fully preserved and protected.

This bill, however, merely seeks to establish a guaranteed democratic procedure, whereby the individual employee will be assured the right to participate, free from coercion or intimidation, in the collective determination by which a proposed strike action is approved or disapproved. And, it assures each member that his decision and desires will be exercised by a secret vote.

LABOR BOSSES CONTROL ACTION IN CALLING STRIKES

This right of the individual member to participate in the authorization of a strike is guaranteed by the constitution and bylaws of certain unions. However, the constitutions and bylaws of a great many unions, representing several million workers in the aggregate, contain no such provisions protecting the economic rights of the individual union member.

In all too many cases the important strike decision is made by a handful of union officers or a collective bargaining committee. This is both an unwholesome and an undemocratic situation. I am certain that, as a result, many strikes are called each year which do not in fact represent the majority will of the affected employees.

In 1959 the Congress of the United States did much to insure greater democracy in the internal affairs of labor organizations through the passage of the Landrum-Griffin Act. Democratic guarantees contained in that act were proposed in measures a number of us supported as a new bill of rights for union members. The secret ballot bill, which I have introduced, is in complete harmony with the spirit and intent of the bill of rights for union members.

This bill is by no means an attempt to deal with the entire range of potential strike situations which occur in American industry each year. The language of the bill specifically limits its applications to those situations where a collective bargaining agreement is in effect.

While this limitation is far from foolproof, it has been included in an effort to limit the procedures required by the bill, so far as is practicable, to those labor-management disputes arising out of contract negotiations. For, it is this type of dispute which has, in the main, given rise to the protracted work stoppages—so costly to employee and employer alike and so detrimental to the total national interest.

In this framework of circumstances our bill provides that strikes must be authorized by the affirmative approval of a majority of the employees affected and subject to the collective bargaining contract expressed through the process of an impartial secret ballot.

Briefly, our bill would operate in the following manner: Under existing law the duty to bargain collectively requires that either party desiring to modify or terminate an existing contract must serve written notice on the other party to the contract of the proposed modification or termination 60 days prior to the expiration date of the existing contract. As a practical matter, this allows the parties a 60-day period for negotiation of the proposed changes prior to the expiration of the existing agreement.

Our bill provides that no strike ballot shall be taken during this 60-day period, but that, if a labor organization desires to obtain authorization for a strike, a strike ballot shall be taken on the 60th day or as soon thereafter as is practicable.

This procedure will allow approximately 60 days of honest collective bargaining negotiations in an atmosphere free from strike threats since there will be no authorization on which to base such threats. Also it is fairly certain that by the 60th day the issues between the parties will be clearly drawn, which means the employee will be able to make his decision on the basis of well-defined contentions and specific counterproposals.

Any strike ballot taken on or after the 60th day will be supervised by a three-member election committee. One member will be selected by the labor union, one member will be selected by the employer, and the third member will be selected by the union and employer members. If they cannot agree on such third member, he will be selected by the Director of the Federal Mediation and Conciliation Service.

The bill requires the voting to be by secret ballot, and the committee is directed to count and process the ballots in such a way that the identity of the voter will be unknown to the election committee and to all other persons.

Wherever appropriate, the strike ballot will be stated in terms which will reflect a choice, by the employee, between a strike and an acceptance of the employer's final offer in settlement as presented by him.

ALTHOUGH STRIKE IS VOTED, WAY LEFT OPEN FOR NEGOTIATION

If in the balloting a majority of the affected employees vote in favor of a strike, then the union representative has full authority to call a strike. He is, however, under no legal obligation to call a strike immediately; and if he desires to negotiate further, on the basis of the new power which is his because a strike has been officially called, the authorization granted by the balloting has another 60-day duration.

If a majority of the affected employees vote to accept the employer's final offer in settlement, the employer is then legally obligated by the requirements of good-faith bargaining to sign a contract incorporating the terms and conditions as stated by him in his final offer.

Our bill further provides that the costs of the entire balloting procedure will be borne equally between the labor organization and the employer. Additionally, the bill contains effective sanctions which may be invoked against violators of its provisions and a judicial remedy for any party injured by reason of a violation.

If this bill is adopted, I hope there will never be an occasion requiring the invocation of these sanctions, for it is not its purpose to penalize or punish but rather to further secure the democratic rights of the rank and file members of organized labor—and to avert unnecessary strikes.

I dare say that the average worker faces few economic questions during his employment career that are of any greater magnitude or moment than the one raised by a proposed strike action. This decision touches directly on the fundamental right of every man to the pursuit of happiness. It is therefore a decision which the affected employee should be guaranteed the right to make in his individual capacity, as a citizen, in an atmosphere free from coercion, intimidation, or mob hysteria. I sincerely feel that this bill establishes a fair and workable procedure to guarantee him that right.

I should like to express my thanks and gratitude to Maurice Franks, president of the National Labor-Management Foundation, of Chicago, and Charles Hook, honorary chairman of the Armco Corp., for the assistance and advice they have given to me in the development of this bill.

Mr. Franks and Mr. Hook have both had decades of practical experience in the field of labor-management relations and both of these men are vigorous and dedicated advocates for the cause of union democracy. Other Senators joining with me in introduction of this bill are JOHN MCCLELLAN, of Arkansas; WALLACE BENNETT, of Utah; FRANCIS CASE, of South Dakota; JAMES EASTLAND, of Mississippi; ANDREW SCHOEPPEL, of Kansas; and STROM THURMOND, of South Carolina.

I firmly believe that the enactment of this legislation will further secure the rights of individual workers, as well as protect the legitimate interests of the employer and the general public. In my opinion, this is a very simple and reasonable democratic device to assure that the worker, whose livelihood is involved, will have an opportunity to express his personal views on the very important economic question raised by a proposed strike, a strike so meaningful to him and his future and his family.

I earnestly hope that the 87th Congress will approve this modest step in the direction of further strengthening of democratic processes within organized labor. I urge all of you concerned or interested to write to your individual Congressman and to your two Senators expressing your conviction on this proposed legislation.

Dean MANION. Thank you, Senator MUNDT. My friends, do you not agree that the workers themselves should be consulted before they cripple the country with critical strikes? Then send this speech to your Senators and Congressmen and tell them to vote for Senator MUNDT's proposed legislation.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

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

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

The committee amendments agreed to en bloc are as follows:

On page 2, line 12, after the word "case", to strike out "$3,202,000,000" and insert "$3,737,000,000, of which $40,000,000 may be used to liquidate obligations incurred under this head prior to July 1, 1961,".

On page 3, line 4, after the word "case", to strike out "$2,600,000,000" and insert "$2,692,000,000".

On page 4, line 5, after the word "case", to strike out "$4,033,000,000" and insert "$4,197,000,000".

On page 5, line 12, after the word "duty", to insert "including not less than forty-eight paid drills for reservists participating in base support and recovery type units", and at the beginning of line 16, to strike out "$52,000,000" and insert "$56,000,000."

On page 8, line 17, after the word "Government", to strike out "$3,330,460,000" and insert "$3,747,710,000".

On page 10, line 5, after the word "Government", to strike out "$2,695,885,000" and insert "$2,896,900,000".

On page 11, line 3, after the word "salaries", to strike out "$186,700,000" and insert "$187,900,000".

Mr. President, I ask unanimous consent to have the editorial, the statement, and an excerpt from Mr. Bryan's letter printed in the RECORD. To their arguments I would like to add my observation that the Register is a very useful document in my office and, I imagine, in the offices of many others in Congress.

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

[From the Washington Post, Aug. 2, 1961]

NOT SO DULL

Without the Official Register of the United States it is not quite impossible, but it is certainly a good deal more difficult, to keep track of the people who run the Government. Congress cut off its appropriation last year, claiming that no one read it. But the Register is not so dull as Congress claimed. It is the only complete list of all the Government's ranking officials, with their salaries and their home congressional districts. It is the best of guides to the Federal labyrinth, and a handy check-list of patronage appointments. It is a very useful book in these days of big government, and well worth the $30,000 the Senate voted this week to resume it. If Senator MAGNUSON can persuade the House conferees of this as quickly as he was persuaded by Senator JAVITS, then it will be only a matter of time before the book is back on thousands of desks throughout the city.

As chairman of the Freedom of Information Committee of the American Society of Newspaper Editors, I would like to endorse Senator JAVITS' amendment to the appropriations measure to reconstitute authorization for printing of the Official Register.

This publication has a long history of useful service. It is an extremely valuable source of information for newspapermen and its value is proportionately greater whenever there is a change of administration in Washington. A directory of Government personnel, with assigned positions and pay scales, permits the public to keep a check on those in Government service.

An argument can be made that this information is available through the Government Manual or through departmental sources. This argument is more theoretical than real. From your own experience, you know how difficult it is to trace information on personnel when there is official reluctance to disclose such information. This is especially true when there is no official publication to check against the statements of Government public information officials.

This would be particularly true also of someone in Washington attempting to check on personnel assignments in the many Government agencies located outside of the District of Columbia.

As a strong advocate of economy, I would like to suggest that the $30,000 saved annually by not printing the Official Register is not a true saving and furthermore is false economy in that there is a genuine need for the Register. It is not a net saving because the time expended by the various agencies in tracking down requests for personnel information and locations has not been taken into consideration.

With the Federal Government expanding, as it has been in the past decade, this is a time to economize all along the line. However, I firmly believe that the public interest would be better served through restoration of the Official Register and that diligent pruning will provide comparable savings in day-to-day operations.

I respectfully suggest that these views be submitted to the Subcommittee on Appropriations at the hearing on Friday, June 23.

Sincerely yours,

JOHN H. COLBURN.

I should like to respectfully ask that consideration be given again to resuming publication of this very important library tool. It is true that with great effort the information can be found in other forms, but I know that each year this library is saved hundred of dollars worth of time because of the availability of the Official Register. When one considers that there are over 13,000 libraries in the United States, and when one considers all of the other State and local government offices which refer to the Register, I think it can readily be seen that while it may cost the Federal Government $30,000 or $40,000 to republish the Register, it literally saves the citizens and their agents, such as libraries, hundreds of thousands of dollars in time.

Very truly yours,

JAMES E. BRYAN, *Director*.

SENATOR MUNDT WOULD STRIKE HANDCUFFS FROM LABOR UNION MEMBERS

Mr. THURMOND. Mr. President, the distinguished senior Senator from South Dakota [Mr. MUNDT] has recently presented over the Manion Forum a very eloquent discussion on the importance of democratic procedures being assured to labor union members. Fortunately, his remarks over the Manion Forum have been reprinted in a publication of the Manion Forum under the headline "South Dakota Senator Would Strike Handcuffs From Labor Union Members." Senator MUNDT has served with distinction as a member of the Senate Committee for Investigation of Improper Activities in Labor-Management Relations. In this capacity he has had an excellent opportunity to study in detail efforts by labor union leaders and others to deny to union members democratic procedures which would enable them to govern the activities of their particular unions and their unions' leadership.

I ask unanimous consent, Mr. President, that the distinguished Senator's remarks be printed in the RECORD at this point in my remarks.

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

[From the Manion Forum, July 30, 1961]

SOUTH DAKOTA SENATOR WOULD STRIKE HANDCUFFS FROM LABOR UNION MEMBERS

Dean MANION. For years, the select Senate Committee for the investigation of improper activities in labor-management relations has been making big headlines. Much of this news has been demoralizing and some of it has been disgraceful.

For instance, last April 29 (Chicago Tribune, p. 1) the Senate committee investigated a strike that had paralyzed the Cape Canaveral missile base for 4 weeks. It was charged that labor racketeers had deliberately delayed this vital defense work in order to get fabulous overtime pay.

When the Senators asked the responsible labor leader if he was working for the Communist conspiracy he took the fifth amendment.

In this strike, as in ever so many others, the public interest and the wishes of the workers themselves were ignored.

What does the Senate committee propose to do about this flagrant disregard for democratic processes in such critical work stoppages? I have asked a charter member of the committee to take over this microphone now and answer this question. It is a pleasure to present my distinguished friend, the senior Senator from South Dakota, the Honorable KARL E. MUNDT.

Senator MUNDT. Thank you, Dean Manion. For the past several years there has been a growing awareness that strikes and work stoppages arising out of disputes between labor and management can seriously impair our national economy and our national security.

Public concern over this problem was widespread 2 years ago during the major strike in the steel industry. As a result of that strike it will be recalled that numerous recommendations were advanced for the amendment and modification of the national emergency provisions of the Labor-Management Relations Act.

Some recommended outlawing strikes in our basic industries. Others believe compulsory arbitration provisions should be written into the Federal labor laws. Still others favor the mandatory establishment of factfinding groups.

Again this year, we were all shocked to learn that our vital missile program was seriously delayed because of work stoppages and overcharges at Cape Canaveral and other places. Our Senate Permanent Investigations Committee, on which I serve as ranking Republican member, revealed that millions of dollars of unnecessary costs resulted from wildcat strikes, walkouts, various forms of featherbedding, and other unconscionable abuses.

And just recently we have had another major costly strike, this time in the maritime industry, one of the vital cogs in our transportation and shipping system.

I know that the maritime dispute, the missile base work stoppages, as in the case of the steel strike, are giving rise to new demands for Federal legislation aimed at lessening the occurrence of strikes in basic industries.

The dangers, as I see it now, stem from the fact that as a result of these strikes, the demands will grow for not only remedial legislation, but for punitive measures which are not in concert with our past traditions.

All of us want a workable solution to this perplexing national problem, and it is certainly the obligation and duty of Congress to give consideration to the various proposals for solution which have been advanced, and to take some action now in the current session of Congress.

My fear is that in the determination to remedy an admitted problem, proposals may be adopted which are contrary to our traditional private enterprise concepts—proposals which in their practical operation will make the Federal Government a third party at the collective bargaining table and possibly encroach further upon the rights of the individual labor union member, rights which already have been abused as demonstrated amply, in instances by some labor union leaders who have assumed dictatorial powers.

In an effort to provide a constructive remedy by Congress in this delicate area of collective bargaining, and with the support of several of my colleagues, I have introduced a proposal that has as its sole objective the reduction of needless work stoppages. We propose to help prevent these costly strikes from occurring rather than trying to develop new authorities or procedures for ending them once they have begun.

This bill does nothing more than to establish in the law a thoroughly democratic procedure for the authorization of strikes.

This latest operation is just another routine gambit for the silver lobby. But I think it presents a real test for the administration. That test is whether this callous juggling of the national interest is to be tolerated at so grave a time in our history by an administration that has dedicated itself to turning down the outrageous demands of private self-seekers in the interest of the national welfare.

The silver manufacturers and the 40,000 working men and women who depend upon this industry for useful and productive employment have a right to be treated as more than pawns in a game of political logrolling.

Their industry, their jobs, their future can be destroyed if we permit another chapter to be written in this silver farce.

All that the silver manufacturing industry asks is to be let alone to do its useful work, without help or hindrance from the Government.

This industry would prefer to have the Government get out of the silver-purchasing business altogether, and let silver seek its proper value on the world market, uninfluenced by Treasury Department props.

But so long as the Treasury Department is the principal purchaser of silver, the industrial users must be allowed to continue purchases from the Treasury Department. And so long as Government, in effect, sets the price of silver—and over the years has forced that price up and up—the long-suffering users of silver reasonably request that the price line be held where it is.

This is little to ask, and I do not see how the administration, in conscience, can do less.

THE SOUNDEST WAY FOR THE STATES TO HANDLE THEIR EDUCATION PROBLEMS

Mr. MILLER. Mr. President, after the unsuccessful but praiseworthy efforts yesterday by the supporters of a continuation of Federal assistance for school districts under the federally impacted areas program, I ask unanimous consent to have printed in the RECORD a timely editorial entitled "All or Nothing," published in the July 24 issue of the Wall Street Journal. The article makes a significant point: that tying in the impacted areas legislation with the administration's type of Federal aid to education is an "unwitting confession of the weak case" for this program.

In view of the controversy over such matters as Federal control, segregation, and aid to private schools, arising out of the administration's program, it is evident why additional leverage was felt necessary in order to pass it. I repeat what I have said many times: that the soundest way to enable States to handle their problems of education is to return to the States revenue sources, such as was provided by the amendment offered by the Senator from New Hampshire [Mr. COTTON] and me, thus enabling the States to have the wherewithal to handle problems of education that are rightfully theirs. This is no time, Mr. President, for legislation which contains the seeds of unrest and controversy that will split our people.

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

ALL OR NOTHING

In an attempt to force passage of its all-but-dead program of Federal aid to education, the administration is resorting to political muscle.

The strong-arm strategy consists of jamming together two things that ought to be separate and distinct. Locked into the administration's new aid to education package, which the House Rules Committee shelved last week, is the familiar program of aid to schools in so-called federally impacted areas. The administration insists on passage of the whole package.

Unlike the rest of the education measures, aid to impacted areas, by definition, isn't a blanket Federal subsidy to all schools and all communities. It is designed to render special help to 3,500 school districts in meeting special problems created by the Government's special demands on given communities.

Usually such a community is near a military installation; its schools are crowded by dependents of military personnel. Yet Uncle Sam pays no local taxes. Even though there may be some questioning of particular instances of aid, and some questioning of specific amounts, an argument can be made that, as a matter of practical justice, the Government should pay its share of costs arising from its coming.

All too clearly, the administration's intent in tying the two together is to apply pressure to those 313 Members of the House whose districts include such areas. Many of them oppose the President's broad plan of Federal aid to education. But the administration's insistence that the bills be treated as a "unit" places these men in a position where they cannot uphold proper Federal aid to their constituents without accepting the dubious scheme to subsidize all the Nation's schools.

Perhaps it is an unwitting confession of the weak case for Federal aid to education in general that the administration feels it must throw its weight around.

PROCUREMENT OF LONG-RANGE BOMBERS

Mr. MILLER. Mr. President, I am opposed to an amendment which will be offered by the distinguished Senator from Wisconsin, to delete from the pending appropriation bill, H.R. 7851, several hundred million dollars for the purpose of procurement of long-range bombers.

I have studied the committee report on the bill, and I think it is significant that the committee has said:

> The committee was impressed by the testimony of authorities in this field, and believes that this is no time to curtail or cease the production of strategic bombers already proved, nor to fail to expedite as rapidly as possible, the development of future strategic bombers.

For this reason, Mr. President, I trust that the amendment of the distinguished Senator from Wisconsin will be rejected.

BLOCKADE ON WAR MATERIEL TO CUBA

Mr. MILLER. Mr. President, this morning the news media, the wires, and the radio carried an account of a further hijacking of a U.S. commercial airliner. I refer to the hijacking of a Continental Air lines jetliner from the El Paso Airbase.

Mr. President, a year ago I advocated that a blockade be established on Cuba, to keep out all war materiel. Let everything else—medical supplies, agricultural products, and industrial equipment—move either in or out, but not war materiel.

I think the news this morning is further evidence that we must take some action along these lines if we are to protect our citizens and our industries from further hijacking and further illegal activities of people from Cuba.

OFFICIAL REGISTER OF THE UNITED STATES

Mr. WILLIAMS of New Jersey. Mr. President, the Senate Appropriations Committee has voted $30,000 for resumption of printing of the Official Register of the United States. Since the House Committee has not voted similar authorization, the matter will be resolved at a conference meeting, possibly tomorrow.

It seems to me that we should make every effort to restore a useful reference publication of very vital information to persons within Government, to newspaper reporters and editorial writers, to students of government, and to librarians.

Ever since the decision to discontinue this publication was made last year, we in the Senate have heard from persons directly affected by the loss of an invaluable publication. They have made it quite clear that there is no other directory which so adequately and conveniently lists persons occupying administrative and supervisory positions in the legislative, executive, and judicial branches of the Federal Government.

This roster, in one form or another, had been available since the days of Thomas Jefferson. In 1961, when we spend many hundreds of thousands of dollars every year in the departments of our Government for information programs, it seems to me that the expenditure for the Official Register is modest but essential.

Recently, we have had several statements on how essential it really is.

Yesterday's—August 2—editorial in the Washington Post, for instance, described it as "the best of guides to the Federal labyrinth."

Mr. John H. Colburn, managing editor of the Richmond (Va.) Times-Dispatch and chairman of the Freedom of Information Committee for the American Society of Newspaper Editors, described additional journalistic arguments for the Register in a statement I recently forwarded to the Senate Subcommittee on Independent Offices Appropriation.

Another statement has come to me in a letter from James R. Bryan, director of the Public Library of Newark, N.J. Mr. Bryan vividly describes the Register as "a vital library tool."

through the sound barrier of their economic development.

The third prong of our foreign policy offensive should be the prompt enactment of the President's recommendations for the creation of a disarmament agency and a U.S. initiative to strengthen the U.N. through sound revision of the United Nations Charter. This would enable that body to perform its proper role in enforcing world peace through world law, and in following the lead given by that distinguished American, Mr. John McCloy, in setting forth to the Russians the absolute necessity of strong international peace-keeping machinery, if agreement is to be reached on general disarmament under effective controls. I think we can take a grain of comfort in the report made by Mr. McCloy when he returned to this country a few days ago, to the effect that the Russian position with respect to disarmament appeared to be not so far removed from the United States position as it had been in the past. I hope that straw in the wind will turn out to be a prognosis of a possibility of agreement.

In any event, I, as one Senator, hope very much that when the United Nations General Assembly meets in New York next month, the President of the United States will go to that General Assembly and propose to it a plan—an American plan—for achieving general and complete disarmament under effective international controls and a strengthened United Nations capable of maintaining peace under the rule of law. I can think of nothing which would rally the uncommitted parts of the world to the support of U.S. foreign policy more effectively than such action on the part of the President of the United States.

Mr. President, I yield the floor.

SUBSIDIES TO SILVER MINERS

Mr. DODD. Mr. President, the American industry which manufactures silver products is today at a critical stage in its uphill struggle for survival. The danger facing this industry over the years has been due to the Government subsidy of the silver mining industry, which has so inflated the price of silver and so threatened the availability of silver that the industrial users have barely managed to keep going.

Now the advocates of the silver mining interests are ready to go to the next plateau. Not content with a law that requires the Government to buy every ounce of domestically produced silver at a price that has been historically far above the market level, they now want to raise that price still higher by Government fiat and prevent any of that silver from finding its way back into the hands of industrial users, the only people that have a practical use for it.

My interest in this matter arises initially in the fact that among the silver manufacturing concerns that are threatened with destruction if the Government yields further to the demands of the silver miners, are the International Silver Co. and Wallace Silversmiths, which have plants in Meriden and Wallingford, and employ thousands of people in my State.

But beyond my concern with these Connecticut working men and women, and beyond my interest in millions of consumers who must purchase silver products at inflated prices, there is a question of basic public philosophy involved here: Shall the U.S. Government subsidize one group of Americans at the cost of destroying another group who ask, not for Government help, but only for the right of engaging in free enterprise without being wantonly destroyed by politically motivated Government action.

For 70 years the silver lobby has been a textbook example of a special interest group raiding the public treasury through the exercise of political pressure and getting away with it. I would not attempt to spell out the long and dazzling history of the silver bloc in subsidizing the silver mining interests, but I shall mention certain facets that affect us now.

The problem of the silver miners, prior to Government intervention, was essentially the problem of many other businessmen. They had a product to sell, but it was a product for which there was little need, and one which could not bring a price anywhere near what they wanted. The market was too small; the price was too low; the practical use for their product was severely limited.

So what did they do about it?

They got the Government to solve their problem to a degree which must have exceeded their fondest hopes.

They got a law passed requiring the Government to buy every ounce of silver that was mined in this country that silver miners wanted to sell. That took care of the market problem.

They got the Government to fix an arbitrary price for silver, high above the normal market value. That took care of the price problem.

And by selling their product to the Treasury, where it was only piled up in warehouses, they were taking it off the market, instead of satisfying the market demand. The more they produced and sold, the scarcer the product became on the free market.

And they worked out a bookkeeping scheme which, to the unconcerned public, actually made it look as though the Government was making money on the deal, although the simple facts of the case which I have related prove this to be an absurdity.

All the subtle and delicate tactics in the art of logrolling, porkbarreling, backscratching, and featherbedding reached their apogee in the operations of the silver lobby. It has become a sort of legend.

This is a fortunate and rich country which has been able to afford this sort of nonsense, and so it has gone on and on for decade after decade without damaging any large group potently enough to cause a public uproar.

But one group in this country has been damaged severely by this, and could be ruined; and that, strangely enough, is the very group that seeks to make some practical use of silver, by making silver products which people want and need.

During an era in which Government had advanced the interest of such competing materials as steel and aluminum, it has directly intervened against silver manufacturers. For a long time the Treasury Department was required to buy all silver at a price far higher than the world market and was prohibited from selling that silver to industrial users; thus the Congress dealt the silver industry a crushing one-two punch which, first, destroyed their domestic source of supply, and second, forced them to buy their silver from abroad, in a market that had been inflated by U.S. Government action.

Since 1946 the Treasury Department has been selling a small portion of its vast hoard of raw silver to industrial users. This has made an almost intolerable situation bearable.

But now the silver miners' lobby wishes to prohibit the Government from doing this. They not only want the Government to buy up all the silver they can produce, but they also want the Government to prevent legitimate users from getting any of it. And they insist on jumping the price which the Government must pay, thereby touching off another upward spiral of silver prices all over the world. Any further increase in the price of raw silver, whether through Government decree or through Government-induced scarcity of silver for industrial users, will make silver so uncompetitive with other metals as to threaten the very survival of the industry.

All of the surface arguments advanced by the proponents of the silver mining interests are based upon the assumption that silver is an important part of our currency. This is all nonsense. There is not, and has never been, any sound monetary reason for including silver along with gold as the basis of our currency.

Silver has always been a fifth wheel, so far as our currency is concerned—in fact, worse than a fifth wheel, because it has had a harmful inflationary effect which has been limited only by the insignificance of silver in the total monetary picture. Not a single major country in the world uses silver as the basis of its currency. If we dropped silver tomorrow, the effects upon the country's currency system would be negligible, and even wholesome. Economists and monetary experts have long looked upon the activities of the silver bloc as a sort of grotesque fiscal joke upon the American people.

The only effect of dropping silver as a part of our currency base would be to bring to an end the unwarranted subsidies and support prices which the mining interests have received for 70 years. I do not ask today that we do this, but I do ask that we forbear from new follies and resist new demands that will destroy an industry that is standing on its own feet and performing a useful service.

rious weakness this entails has been made abundantly clear in the U.N. operations in the Congo; various member nations have sent troops to the Congo and later, when they disagreed with U.N. policy there, withdrawn those forces summarily. Surely we should take a hard look at this problem.

Seventh, world legislation and jurisdiction over individuals. The United Nations is unable, under the existing charter, to promulgate effective international laws against the use of force or threat thereof, and has no authority whatsoever over individuals.

Studies called for by the resolution would enable our Government to take the lead in determining how world peace through enforcible world law could be implemented through the United Nations.

Eighth, the various organs of the United Nations permitted under the existing charter are listed in article VII. The list precludes the formation of a world equity tribunal, a conciliation board, a development authority, or a permanent disarmament agency, each of which deserves serious consideration in connection with plans for eliminating violence as a method of settling international disputes.

Ninth, a bill of national rights. The present charter does not contain a bill of rights similar to the first 10 amendments to the U.S. Constitution. It occurs to me that this is a subject in which the United States should be prepared to take the lead. Certainly if a Bill of Rights is good for the freedom of American citizens, it should be equally good for the freedom of the citizens of other nations.

Tenth, ECOSOC membership. Membership in ECOSOC is limited by the charter to 18. Many of the newer nations which have joined the United Nations are desirous of having the number increased to enable them to participate in the deliberations and recommendations of ECOSOC. This is particularly important so far as underdeveloped countries are concerned. I believe studies should be made in this regard to enable the consideration of proposed changes.

I emphasize again that I am speaking entirely for myself in this part of my remarks, and not for the other 27 Senators who have cosponsored the concurrent resolution I have just submitted.

There are two other parts to the resolution. One calls for high level studies in the executive branch to determine what changes the United States shall advocate in the charter to promote a just and lasting peace through the development of the rule of law within the limited field of war prevention. Our Government has no up-to-date position papers on charter review.

Clearly the President's proposed new Disarmament Agency would be well equipped to undertake such studies.

I hope very much before we adjourn this fall, the Senate, under the leadership of the chairman of the Committee on Foreign Relations [Mr. FULBRIGHT] and the majority whip, the Senator from Minnesota [Mr. HUMPHREY], will bring to the floor the President's recommended agency for peace and disarmament. The President has given strong support to this proposal, which is backed by Secretary of State Rusk, and which was drafted largely under the auspices of that very able American, Mr. John McCloy. The White House is making earnest efforts to move us toward meaningful disarmament negotiations through the creation of an agency which will form a needed addition to our existing Government structure.

The final purpose of the resolution is to urge that the United States should propose specific measures to strengthen the United Nations at future international conferences concerning general disarmament and future disarmament discussions at the United Nations.

This section of the resolution will merely be giving congressional support to the administration's policy, as expressed by the President. The Chief Executive has repeatedly recognized that strengthened peacekeeping machinery is an essential part of any disarmament process. I refer to the statement in the inaugural address of President Kennedy:

> Let both sides for the first time formulate serious and precise proposals for the inspection and control of arms, and bring the absolute power to destroy other nations under the absolute control of all nations. * * * Let both sides join in creating a new endeavor, not a new balance of power, but a new world of law, where the strong are just and the weak secure and the peace preserved.

I refer also to President Kennedy's letter to Congress covering the Disarmament Agency bill, the letter dated June 29, 1961.

Mr. President, I ask unanimous consent that excerpts from that message be printed at this point in my remarks.

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

> We need to make intensified efforts to develop acceptable political and technical alternatives to the present arms race. * * * Peace cannot be brought about by concentrating solely on measures to control and eliminate weapons. It must also encompass measures to sustain and strengthen international institutions and the rule of law. A disarmament program * * * should drive toward the creation of a peaceful world society in which disarmament, except for the forces needed to apply international sanctions, is the accepted condition of international life.

Mr. CLARK. One way to implement the sound policy set forth in the eloquent words of the President would be for our Government to take the initiative by advocating charter review to strengthen the U.N., as suggested in this resolution. I urge that it be reported favorably and enacted by the Senate.

Mr. President, I submit that the concurrent resolution is timely. In the 16th General Assembly, starting on September 19, 1961, the United Nations will come under renewed and serious attack by the Communist-bloc representatives. The U.S. reaction to these attacks should be more than a mere defense of the status quo, which all recognize to be less than ideal.

A U.S. initiative to strengthen the United Nations through the charter-review process would demonstrate, for all to see, our determination to advance the rule of law in international relations nad our belief in the effective role the United Nations should play in the future in maintaining peace and supervising disarmament.

We should put forward concrete proposals to make the United Nations more effective, not less effective, as the Communists would like to see it.

Mr. President, the concurrent resolution which I am submitting today is identical with Senate Concurrent Resolution 83, which I submitted in the 86th Congress, and which was then cosponsored by President Kennedy as a Senator from Massachusetts. The President has indicated his approval of the ideas set forth in the concurrent resolution submitted in the last Congress by strong statements in support of strengthening the United Nations and of implementing the ideal of achieving world peace through the rule of law in the two statements I have quoted from addresses made by him since he became President.

There has been a common argument against any U.S. initiative in this area on the ground the Soviets will never agree to any of the changes we may seek. The Soviets did not hesitate to submit their troika proposal, even though they knew we would reject it. Why should we refrain from proposing sound measures for world peace merely because the Soviet Union may not agree with them? As I said in a speech on the floor earlier this month, let us put the Soviets to the test. Let us call Khrushchev's bluff. Let us see if he really wants to have world peace and disarmament. If he does, he must admit that strengthened international agencies will be necessary to enforce them.

In my opinion, there should be three prongs to the search by the United States for peace and security. The first should be a strong National Defense Establishment. I am prepared to vote today, as I have in the past, in support of a substantially increased appropriation to strengthen our military forces. "We arm," as Winston Churchill has said, "not for war, but to parley." We must negotiate from strength, not from weakness. Therefore, I can see no inconsistency whatever in the concurrent resolution I am proposing and the building up of our military strength. I am confident that this view is concurred in by all the other cosponsors of the concurrent resolution. I feel certain that they, too, support the President in the building up of our defenses.

The second prong of our offensive for peace should be the prompt passage of the administration's foreign-aid bill, which will shortly come before the Senate. Just as our new strength in the military aspects of our policy will afford protection against direct Soviet aggression, so will the foreign-aid bill enable us to rally to our side in the cold war the forces of the uncommitted but friendly nations whose own economies are so poor that they cannot afford the necessary domestic expenditures to break

Whereas there can be no such peace without the development of the rule of law in the limited field of war prevention; and

Whereas peace does not rest on law today but on the delicate balance of terror of armed force; and

Whereas the United Nations General Assembly at its fourteenth session unanimously adopted "the goal of general and complete disarmament under effective international control" and called upon governments "to make every effort to achieve a constructive solution of this problem"; and

Whereas a just and lasting peace would not be assured even if nations lay down their arms unless international institutions for preventing war were strengthened; and

Whereas the United Nations constitutes an important influence for peace but needs to be strengthened to achieve the rule of law in the world community; and

Whereas the United Nations General Assembly at its tenth session resolved that "a general conference to review the charter shall be held at an appropriate time"; and appointed a "Committee consisting of all the members of the United Nations to consider, in consultation with the Secretary General, the question of fixing a time and place for the conference, and its organization and procedures"; and

Whereas the United Nations General Assembly at its fourteenth session resolved "to keep in being the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter, and to request the Committee to report, with recommendations, to the General Assembly not later than at its sixteenth session": Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the United States position at the next meeting of the Committee on Arrangements for a Conference for the Purpose of Reviewing the Charter should be that the Committee recommends to the United Nations General Assembly that a charter review conference be held not later than December 31, 1962, and that member governments be requested to prepare recommendations and to exchange views with respect to United Nations Charter review and revision in order to facilitate the organization of the said conference and to further the chances of its success.

SEC. 2. The President is hereby requested to initiate high-level studies in the executive branch of the Government to determine what changes should be made in the Charter of the United Nations to promote a just and lasting peace through the development of the rule of law in the limited field of war prevention. The President is further requested to report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, within twelve months after the date of approval of this resolution, the results of such studies.

SEC. 3. It is further the sense of the Congress that the United States should present specific proposals, to strengthen the authority of the United Nations to prevent war, at future international conferences concerning general disarmament and to the United Nations Disarmament Commission.

Mr. CLARK. Mr. President, the purpose of the concurrent resolution is to show that there is strong Senate support for a U.S. initiative this fall to strengthen the United Nations authority to prevent war as the best answer to the Soviet efforts to weaken, if not to wreck, the United Nations.

The concurrent resolution has three principal parts. The first is to urge an affirmative position by the United States at the September meeting of the United Nations Committee of the Whole on Arrangements for a Conference for the Purpose of Reviewing the United Nations Charter. The Committee on Arrangements was established in 1955 after the United Nations resolved by a vote of 43 to 6, with the United States voting with the majority, that "a Charter Review Conference shall be held at an appropriate time."

In 1957 and again in 1959 the Committee decided, with U.S. approval, not to recommend the convening of a conference, because international circumstances were not appropriate, and it was recessed for 2 years. The same thing will happen next month unless the United States exerts positive leadership.

To date, the State Department has done virtually nothing to prepare for the U.N. Charter Review Committee meeting in the fall or to explore the timeliness of a Western offensive designed to strengthen the United Nations.

Among the sponsors of the resolution is the senior Senator from Wisconsin [Mr. WILEY], who, as chairman of the Subcommittee on the United Nations Charter of the Senate Foreign Relations Committee in 1954 caused to be published in one volume a collection of documents reviewing the United Nations Charter, and pointed out in a preface to that volume that parts of the U.N. Charter had become completely useless.

I ask unanimous consent that there may be inserted in the RECORD at this point in my remarks a paragraph from the preface to the document to which I have just referred, in which Senator WILEY emphasizes the importance of considering seriously changes in the United Nations Charter.

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

But I must emphasize that charter change is not to be viewed lightly. We need expert thinking on the subject. We need that expert thinking tempered by an informed public opinion. The charter is an instrument that was developed over a period of years. It has an 8-year history of some successes and some failures. The charter is not the instrument it was at San Francisco. Just as our Constitution has changed over the years under the impact of court interpretation and practice, so has the United Nations Charter changed. Some parts of the charter have worked well, others have proved useless. Some of the fundamental assumptions upon which the charter was built have not proven accurate in practice.

Mr. CLARK. Mr. President, if Senator WILEY was correct then, as I believe he was, he is even more correct now, because the number of matters in which the U.N. Charter has become obsolete has multiplied many times over since that time.

The 28 cosponsors of the concurrent resolution may not all agree as to what changes in the charter should be made. Accordingly I speak only for myself in suggesting 10 areas in which I believe serious consideration should be given by the State Department to advocating specific items of review and revision in the charter.

The charter was drafted in the preatomic age, and it was based on the false assumption of the continued existence of the wartime anti-Hitler alliance, which collapsed shortly after the charter became effective.

In spite of the cold war, the U.N. has proven to be a vital influence for peace in the postwar period. The availability of a forum to air international grievances at times of international crises and to permit most of the nations of the world to express their views on the equities of the matters in controversy, has more than once prevented war and stopped limited hostilities. The U.N.'s considerable successes in maintaining order in the Congo, in preserving the Arab-Israel truce, and, most recently, in bringing about a cease-fire in the Bizerte affair, are known to all.

But the U.N.'s successes cannot obscure its inherent limitations, as illustrated by its current inability to achieve a French withdrawal at Bizerte. While parts of the charter have grown by interpretation, and others offer possibilities of growth without charter revision, many provisions in the charter pose obstacles which cannot be circumvented, and these provisions should be reviewed and revised.

I suggest the following 10 points as appropriate for consideration in connection with charter review.

First, the veto power presently lodged in the five permanent members of the Security Council, and used 99 times by the Soviet Union, to prevent Council action, clearly should be reviewed.

Second, the U.N. budget is entirely inadequate. Steps should be taken to make it more adequate by revision of the fiscal provisions of the Charter. The organization faces a critical budget crisis in October, largely due to the fact that the Communist bloc has not paid its assessments. The penalty provisions of the charter are entirely inadequate to require those nations in areas to pay their due shares.

Third, there is the matter of representation. About a billion persons, a third of the world's population, reside in countries or areas not represented in the U.N. The charter makes no provision for even limited or partial representation of peoples living in non-self-governing areas or in countries with inadmissible regimes. This is a matter which deserves careful consideration.

Fourth, there is the Security Council membership problem. Latin America, Africa, and large parts of southeast Asia, including India and Pakistan, are not assured of permanent seats on the Security Council. This, I suggest, is an important defect, and indeed we ought to give some consideration as to whether or not a new charter should not provide for a unicameral body, instead of a bicameral body, as at present.

A fifth point deals with voting procedures. The 50 smallest member nations, with less than 200 million people can outvote the 49 largest nations with 1.8 billion people under the one-vote-per-nation rule in article XVIII. The dictator of Albania has equal voting status in the General Assembly with the United States.

Sixth, the existing charter makes it impossible to form a permanent U.N. force of individual recruits, not national contingents subject to recall. The se-

peditiously in the full committee with hearings on the proposed legislation.

I thought it particularly important that this announcement on proposed education legislation be made today because of the great concern in the Senate in regard to what, if anything, we shall do on education legislation this session.

NOTICE OF HEARING ON NOMINATION OF J. CULLEN GANEY, OF PENNSYLVANIA, TO BE U.S. CIRCUIT JUDGE, THIRD CIRCUIT, A NEW POSITION

Mr. JOHNSTON. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Thursday, August 10, 1961, at 10:30 a.m., in room 2228 New Senate Office Building, on the nomination of J. Cullen Ganey, of Pennsylvania, to be U.S. circuit judge, third circuit, a new position.

At the indicated time and place persons interested in the hearing may make such representations as may be pertinent.

The subcommittee consists of the Senator from Mississippi [Mr. EASTLAND] chairman, the Senator from South Carolina [Mr. JOHNSTON], and the Senator from Nebraska [Mr. HRUSKA].

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. FULBRIGHT. Mr. President, as chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Frank A. Southard, Jr., of New York, to be U.S. Executive Director of the International Monetary Fund.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 3279) to increase the maximum rates of per diem allowance for employees of the Government traveling on official business, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 7208) making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes; that the House receded from its disagreement to the amendment of the Senate numbered 44 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 52 to the bill, and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

AGRICULTURAL ACT OF 1961—CONFERENCE REPORT

Mr. MANSFIELD. Mr. President, the distinguished minority leader and I would like to propound a question of the outstanding chairman of the Committee on Agriculture and Forestry.

Is there a possibility that the conference report on the farm bill will be brought before the Senate today for consideration?

Mr. ELLENDER. I intend to do so. The report was filed last night and agreed to by the conferees. It will be ready for action between 1:30 p.m. and 3 p.m. today.

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

Mr. MANSFIELD. I yield.

Mr. DIRKSEN. Are there any substantial items that were in disagreement?

Mr. ELLENDER. No. Every conferee signed the report.

Mr. MANSFIELD. Then the Senate should be on notice that between 2 o'clock and 3 o'clock the conference report on the farm bill will be brought up.

MEMORIAL TO THEODORE ROOSEVELT

Mr. KEATING. Mr. President, yesterday, the Theodore Roosevelt Association offered to the Government the home in which Theodore Roosevelt was born as well as his Sagamore Hill residence in Oyster Bay, Long Island. I am certain that the necessary approval of the administration and the Congress will be given very quickly.

I suppose that no shrines or mementos can fully commemorate the vigor and enthusiasm of our 26th President. His love of life and country, his vigor for physical and mental activity made him a legend long ago. Theodore Roosevelt's birthplace in New York City at 20th Street below Broadway and Park Avenue where he was born on the eve of the Civil War in 1858 will commemorate for generations the zest with which in his early life Roosevelt overcame frailty and developed his eager, blustery love of activity.

Even more than his birthplace, Sagamore Hill at Oyster Bay, Long Island is a living memento of the spirit of "T.R." During his 8 years as President, Roosevelt entertained countless dignitaries at Sagamore Hill and here inculcated them with his enthusiasm for his country and State. The big game trophies at Sagamore Hill, the furnishings, the various mementos are all a vital part of the history of the Roosevelt administration at the turn of the century and the impact which he made upon his country in the years following.

As a Senator from the great State of New York, I am happy today to call attention to the gifts of the Theodore Roosevelt Association. These two homes will, I am sure, add immeasurably to our Nation's historical shrines. I commend the Theodore Roosevelt Association for their generosity, and express my hope that legislation will be introduced as soon as possible and that the Congress will take speedy action to establish both of these sites as national shrines to our 26th President.

This is indeed an appropriate day to honor "T.R." I refer to the report this morning about another attempted Cuban airliner hijacking in El Paso, Tex. We know what "Teddy" would have done with Castro. Long ago, he would have stopped playing tiddly winks with this two-bit heckler. He would have gotten down to brass tacks very early in the game, and he would have done it all with his big broad grin that said, "Watch out for me. I mean business."

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

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

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

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the unfinished business (H.R. 7851) be laid before the Senate and made the pending business.

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

There being no objection, the Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

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

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

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

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

REVISION OF UNITED NATIONS CHARTER

Mr. CLARK. Mr. President, on behalf of myself, the senior Senator from Minnesota [Mr. HUMPHREY], and Senators BARTLETT, BEALL, BURDICK, BYRD of West Virginia, CARROLL, CHURCH, ENGLE, GRUENING, HART, JAVITS, KEFAUVER, LONG of Missouri, LONG of Hawaii, MCCARTHY, MCGEE, MORSE, MOSS, MUSKIE, NEUBERGER, PASTORE, PELL, PROXMIRE, RANDOLPH, WILEY, WILLIAMS of New Jersey, and YOUNG of Ohio, I submit, for appropriate reference, a concurrent resolution to strengthen the authority of the United Nations to prevent war.

The VICE PRESIDENT. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 37), was referred to the Committee on Foreign Relations, as follows:

Whereas the basic purpose of the foreign policy of the United States is to achieve a just and lasting peace; and

in the air punishable to the same degree as piracy on the seas.

If the current wave of hijackings is to be stopped, one step must be to make it clear that our law enforcement authorities have whatever legal powers are necessary to deal with this problem. The lack of adequate and specific authority invites the commission of such crimes.

It is imperative that Congress act quickly and decisively to meet this problem; and for that reason I urge that hearings be held as soon as possible on this bill.

Mr. President, I ask unanimous consent that the bill be printed in the RECORD.

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

The bill (S. 2374) to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce, introduced by Mr. BENNETT, was received, read twice by its title, referred to the Committee on Commerce, 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 section 902 of the Federal Aviation Act of 1958 is amended by adding at the end thereof the following new subsections:

"INTERFERENCE WITH FLIGHT CREW IN PERFORMANCE OF DUTIES

"(i) Whoever, while on board an aircraft in flight in air commerce, assaults, intimidates, threatens, or interferes with any flight crewmember of such aircraft while engaged in the performance of his duties or in any way lessens the ability of such flight crewmember to perform his duties, shall be fined not more than $10,000 or imprisoned not more than twenty years, or both. Whoever in the commission of any such acts uses a deadly or dangerous weapon shall be imprisoned for life.

"CARRYING OF CONCEALED WEAPON

"(j) Except for employees or officials of municipal, State, or Federal governments who are authorized or required to carry arms, and except for such other persons as may be authorized by the air carrier involved, whoever, while a passenger aboard an aircraft being operated by an air carrier in air transportation, carries on or about his person a concealed deadly or dangerous weapon shall be fined not more than $1,000 or imprisoned not more than one year or both.

"CRIMES ABOARD AIRCRAFT IN FLIGHT IN AIR COMMERCE

"(k) Whoever, while on board an aircraft in flight in air commerce, commits an act which, if committed within the special maritime and territorial jurisdiction of the United States, would be in violation of sections 113, 114, 1111, 1112, 1113, or 2111 of title 18, United States Code, shall be punished as provided therein.

"PIRACY ABOARD AIRCRAFT IN FLIGHT IN AIR COMMERCE

"(l) Whoever, while on board an aircraft in flight in air commerce, commits an act which if committed aboard a vessel on the high seas would constitute piracy as defined by section 651 of title 18, United States Code, shall be imprisoned as provided therein.

EXTENSION OF AUTHORITY TO MAKE TEMPORARY APPOINTMENTS AND PROMOTIONS IN COAST GUARD

Mr. MAGNUSON. Mr. President, by request, I introduce, for appropriate reference, a bill to amend the act of July 23, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard. I ask unanimous consent to have printed in the RECORD a letter from the Secretary of the Treasury, requesting the proposed legislation.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2376) to amend the act of July 23, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Commerce.

The letter presented by Mr. MAGNUSON is as follows:

THE SECRETARY OF THE TREASURY,
Washington, D.C., July 28, 1961.

Hon. LYNDON B. JOHNSON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: There is transmitted herewith a draft of a proposed bill, to amend the act of July 23, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard.

The purpose of this proposal is to extend for 2 years the existing authority of the President to make original temporary appointments of commissioned officers in certain grades and to promote temporarily commissioned officers on active duty.

Currently, approximately one-half the commissioned officers in the Coast Guard hold temporary appointments. Nearly all these appointments stem from temporary promotions made under the authority of the law now sought to be extended. The rights and benefits of these officers may be adversely affected if this law is permitted to expire on January 1, 1962. There is a continuing need for officers with temporary appointments on active duty in view of the special programs of a quasi-permanent nature assigned the Coast Guard. These programs sponsored by other agencies have generated a need for temporary service officers with requirements varying from year to year. Moreover, the national requirement for maintaining a trained reserve for use in the event of mobilization necessitates the retention of a substantial number of Reserve officers on extended active duty. This also compels the use of temporary appointments and temporary promotions to provide equitable promotion opportunity to Reserve officers on active duty. As a result of these circumstances approximately 600 temporary service officers and 600 Reserve officers are carried on active duty. These officers generate temporary promotions. The procurement of officers from the Coast Guard Academy and from among those Reserve officers and temporary service officers qualifying for permanent appointment has not been sufficient to bring the officer corps in the Coast Guard up to its required strength. The need for temporary appointment and temporary promotion of officers will continue until such time as present sources are able to produce sufficient officers qualified for permanent appointment or until the quasi-permanent programs of the Coast Guard are discontinued.

The Coast Guard's need for authority to appoint and promote officers temporarily during peacetime parallels that of the other Armed Forces who have this authority on a permanent basis.

An exhaustive study embracing various officer promotion matters within the Coast Guard, including the need for permanent authority to make temporary appointments and promotions, is nearing conclusion. In view of the limited time available prior to the expiration of present authority, it is more prudent from an administrative viewpoint to submit now this request for a temporary extension of this authority rather than to delay until such time as the recommenations for remedial legislation resulting from this study have been thoroughly reviewed and examined by all echelons of the Coast Guard.

It would be appreciated if you would lay the proposed bill before the Senate. A similar proposed bill has been transmitted to the Speaker of the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection from the standpoint of the administration's program to the submission of this proposed legislation to the Congress.

Sincerely yours,

DOUGLAS DILLON.

ANNOUNCEMENT OF HEARINGS ON BILLS RELATING TO FEDERAL AID TO HIGHER EDUCATION

Mr. MORSE. Mr. President, as chairman of the Education Subcommittee of the Senate Committee on Labor and Public Welfare, I wish to advise the Senate that hearings on S. 1241, S. 585, S. 635, and S. 1140, bills relating to Federal aid to higher education, will be held in room 4232, New Senate Office Building starting Tuesday, August 8, at 10 a.m.

It is anticipated that following the testimony of the Secretary of Health, Education, and Welfare, the Honorable Abraham Ribicoff, administration witnesses will be heard that day. The committee will, of course, be delighted to hear at times suitable to their convenience testimony from such Senators as may wish to communicate their views to the committee. Organizations concerned with the problems of the financial needs of higher education and those interested in the scholarship provisions of the proposed legislation will be heard starting August 9, 10, and such further dates as may be set at a later time.

Under the committee practice, all those except Senators desiring to testify should supply to the committee in room 4230, New Senate Office Building, 75 copies of the written statement by August 8.

One of the bills is the Hill Federal-aid-to-higher-education bill. It is the plan of the subcommittee to complete its hearings in the next few days, to have an early executive session, and to report the final conclusions of the committee to the Committee on Labor and Public Welfare. I am sure the Senator from Alabama will make perfectly clear that it is the intention to proceed ex-

real problem. The real problem is an individual by the name of Fidel Castro, who has now achieved a one-party government in Cuba, according to the dispatches, under the hammer and sickle, for all common purposes.

We have now come to the time when I think we cannot afford to delay any longer in dealing with Mr. Castro and this government which is going to infect the Western Hemisphere. The time for polite diplomacy, the time for any Fabian policy is gone, because the aggravation can only become worse and more intense as time goes on.

I think we lost a precious opportunity in connection with the pirating of a plane last week, when an ultimatum was not served on Mr. Castro forthwith.

Can anyone imagine that Mr. Khrushchev would delay as much as 10 minutes being on the front page and telling what he was going to do under similar circumstances? We are dealing with that same kind of virus in this hemisphere, and the time has come for decisive action.

Mr. SALTONSTALL. Mr. President, may I add my own very brief remarks to the remarks which have been made on this subject, that the time has come for more decisive action than we have had in the past in relation to the Castro government and its criminal hijacking actions in this country. We must move promptly and effectively if we are to accomplish the results that we believe ought to be accomplished in connection with the situation in Cuba and to maintain our prestige and the dignity of the United States of America.

Mr. BUSH subsequently said: Mr. President, I wish to express my indignation over this most recent hijacking of an American airplane, which now appears to be grounded at El Paso, Tex. I believe that the newspaper account of the incident has already been placed in the RECORD today, but I wish to associate myself with those Senators who have expressed indignation over the event. I wish to say I think the Federal Government had better get into the situation right away down there and find out whether the Cuban Government is directly or indirectly responsible for this act. It is obligatory upon our Government to find out right now whether the Cuban Government has any responsibility for this outrage. If the Cuban Government is involved, decisive action should be taken at once.

I recall to the Senate the fact that I introduced, in January of 1960, and again in January of 1961, a resolution which would in effect reactivate the Monroe Doctrine. The whole purpose of the resolution was to deal with this Cuban situation. I ask unanimous consent that a copy of the resolution, Senate Concurrent Resolution 5, be printed in the RECORD following these remarks.

Again I urge that the Foreign Relations Committee of the Senate consider the resolution. It has been taken up with the State Department, and the State Department has asked that it be laid aside. I hope, as events have been developing, that the resolution, or something very nearly like it, may have the attention of the Foreign Relations Committee.

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

Whereas intervention by the world Communist movement directly or indirectly in the affairs of any of the independent nations of the Western Hemisphere would threaten the sovereignty and political independence of that nation and other such nations; and

Whereas the free and independent nations of the Western Hemisphere have long since ceased to be objects for domination, control or colonization by other powers; and

Whereas the direct or indirect intervention by the world Communist movement, by whatever means such intervention might be disguised, in any American nation, would constitute in effect such domination, control or colonization by a non-American power, and would violate the sovereignty and political independence of an American nation; and

Whereas any such intervention by the world Communist movement in the affairs of any nation situated in the Western Hemisphere would constitute a threat to the peace and safety of the United States and the other nations of that hemisphere;

Whereas the American Republics have condemned emphatically intervention or the threat of intervention even when conditional from an extra-continental power in the affairs of the American Republics, and

Whereas the intervention of the Sino-Soviet powers in the American Republic of Cuba is threatening hemispheric unity and jeopardizing the peace and security of this hemisphere, and

Whereas in the rapidly evolving atomic age the threat presented by any such intervention might develop with such rapidity that there would not be time to assemble a meeting of the Inter-American Organ of Consultation to provide for joint action to repel the danger: Therefore be it

Resolved by the Senate (the House of Representatives concurring), that (a) if one or more of the high contracting parties to the Inter-American Treaty of Reciprocal Assistance should be threatened in any manner with domination, control, or colonization through the intervention of the world Communist movement, any other such party would be justified, in the exercise of individual or collective self-defense under article 51 of the Charter of the United Nations, in taking appropriate steps to forestall such intervention and any domination, control, or colonization of any nation of the Western Hemisphere by the world Communist movement.

(b) If any such defensive measures are taken by any defending nation of the Western Hemisphere, such nation should report promptly the action so taken to the Inter-American Organ of Consultation, to the end that an emergency committee, established in the manner provided by the Convention of Havana of 1940, may be organized to provide for the provisional administration of the nation so defended, pending its restoration to a government of the people, by the people, and for the people.

PROPOSED AMENDMENT TO FEDERAL AVIATION ACT OF 1958 TO PROHIBIT THE FORCEFUL SEIZURE OF AIRCRAFT IN AIR COMMERCE

Mr. YARBOROUGH. Mr. President, I introduce, for appropriate reference, a bill to amend the Federal Aviation Act of 1958 to prohibit the forceful seizure of aircraft in air commerce.

The bill provides that whoever, while on board an aircraft operated by an air carrier in air commerce, seizes or otherwise takes control of, or attempts to seize or otherwise take control of, such aircraft through the use of firearms or other deadly or dangerous weapon shall be punished by death, or by imprisonment for life or for such term of years not less than 5 as the jury may direct.

Mr. President, I ask unanimous consent that the bill be printed in full in the RECORD.

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

The bill (S. 2373) to amend the Federal Aviation Act of 1958 to prohibit the forceful seizure of aircraft in air commerce, introduced by Mr. YARBOROUGH, was received, read twice by its title, referred to the Committee on Commerce, 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 section 902 of the Federal Aviation Act of 1958 is amended by adding at the end thereof a new subsection as follows:

"SEIZURE OF AIRCRAFT BY FORCE

"(i) Whoever, while on board an aircraft operated by an air carrier in air commerce, seizes or otherwise takes control of, or attempts to seize or otherwise take control of, such aircraft through the use of firearms or other deadly or dangerous weapon shall be punished by death, or by imprisonment for life, or for such term of years not less than five, as the jury may direct.

Mr. YARBOROUGH. Mr. President, I suggest that the Federal Aviation Agency consider the adoption, or the feasibility of adoption of regulations which would require the installation of devices to determine whether or not passengers boarding planes bear firearms. Of course, that question could be determined without personally searching the body, by proper devices, such as electronic devices that would reveal the presence of a metal weapon. Also, if necessary, photographic devices might possibly be used, but electronic devices primarily would be used which would reveal whether passengers are armed or have arms in their briefcases, as they board planes.

AMENDMENT OF FEDERAL AVIATION ACT TO PROHIBIT FORCEFUL SEIZURE OF AIRCRAFT IN AIR COMMERCE

Mr. BENNETT. Mr. President, today we have seen one more example of the wave of airplane hijackings which is now sweeping the country. And we have become increasingly aware of the inadequacy of our present laws concerning piracy in the air. Our piracy laws, intended to prevent and punish piracy on the seas, are not applicable where an airplane is involved.

I introduce, for appropriate reference, a bill to prohibit the carrying of concealed weapons aboard an airplane, and providing criminal punishment for interfering with a flight crew in the performance of duties on board an aircraft. The bill also would make inflight crimes a Federal offense, and would make piracy

Mr. President, it is my sincere hope, as the author of this legislation, that the wheels of Congress will move quickly on this bill. I believe its early passage is absolutely necessary in order to avoid repetition of the horrendous incident now in progress in El Paso.

Under my bill, any air carrier may require that a passenger submit to a reasonable search as a condition of passage. This would not be a constitutional violation. If the passenger objects, he need only seek passage elsewhere. In my judgment, such a law might well have prevented the two incidents to which I have referred.

In the case of the jetliner hijacked this morning, I believe there is a distinct possibility that the so-called Lindbergh kidnaping law may have been violated. I surely hope it will be possible to apprehend the individuals responsible for the hijacking and to prosecute them under this Federal statute.

In the meantime, it is incumbent upon the Congress to take affirmative action to prevent these incidents in the future. I appeal to my colleagues to consider the legislation which I now propose, to perfect it if possible, and, above all, to act on it quickly and affirmatively.

I may say that the Senator from Kansas [Mr. SCHOEPPEL], the ranking minority member of the Commerce Committee; and the Senator from Delaware [Mr. WILLIAMS], join me in sponsoring the bill.

Mr. President, this is a very serious situation. Every time we pause and vacillate, we simply aggravate the situation. We should have dealt firmly, and at once, when Castro seized American marines and sailors, before he came into power. But, instead, we closed our eyes to that. Later, when he came to this country, we wined and dined him, and bowed and scraped to him. Then we closed our eyes when a Cuban gunboat fired on an American submarine, and also when Castro seized millions of dollars worth of American property. We have closed our eyes again and again in the face of such acts. Certainly it is time for the agencies of this Government to proceed to take action.

Mr. KEATING. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. KEATING. I wish to associate myself completely with the remarks of the senior Senator from New Hampshire and with the observations made by the Senator from California.

Let me ask whether the bill has been referred to the Judiciary Committee.

Mr. BRIDGES. I assume that the bill will be referred to the Commerce Committee.

Let me ask the Presiding Officer to what committee the bill has been referred.

The VICE PRESIDENT. The bill has been referred to the Committee on Commerce.

Mr. KEATING. Mr. President, I think much legislation is very much needed. Certainly if anyone in this Government thinks we are making a good impression on Latin American countries by our soft attitude toward Castro, he is very much mistaken.

We are losing the respect of other Latin American countries, who are becoming less and less sympathetic to this man. The more rope we give him, and the more we permit him to do this sort of thing, the less respect, not the more respect, do we gain from other Latin American countries. Mr. President, it is about time for us to take definite action, with the OAS or unilaterally to put a stop to this international piracy and as soon as possible also to cut out the root of the infection—the Communist regime of Fidel Castro.

Mr. ENGLE. Mr. President, I wish to take only a moment to say to the Senator that there is legislation pending, before the Aviation Subcommittee of the Senate Committee on Commerce, of which I am the author. I am delighted to observe the Senator has introduced similar legislation. We shall have hearings starting tomorrow morning on this legislation, and we shall be glad to include the consideration of his bill and have his sponsorship. We hope to move very expeditiously to make piracy and the hijacking of planes a serious criminal offense.

Mr. SCHOEPPEL. Mr. President, I associate myself with the remarks of the Senator from New Hampshire and the remarks of the Senator from California. As ranking member of the minority of the Committee on Commerce, I wish to say to the Senator from New Hampshire, as well as the Senator from California, that we will move forward on these matters consistent with the cooperation of the majority membership of the committee. I think it is a very fine position we are taking here in showing this positive action.

I wish to associate myself with the remarks of the Senator from New York [Mr. KEATING], as well as the Senator from New Hampshire and the Senator from California.

TIME TO PROTECT AMERICAN LIVES ON AMERICAN PLANES FROM CASTRO'S BANDITS

Mr. YARBOROUGH. Mr. President, I wish to commend the Senator from California [Mr. ENGLE] for having proposed legislation on the subject of the hijacking of airplanes, and I agree with what the Senator from New Hampshire has said.

The people of the United States have been very, very patient with Mr. Communist Castro, but patience ceases to be a virtue when it permits the practices of international piracy and banditry in the United States, on American planes, on American airports, and in American skies, with the lives of American passengers and pilots the dice Castro's bandits roll. We as a people can no longer tolerate this driving of American passengers off American planes in the skies of the United States.

This banditry, if continued, will ultimately ground the American air fleet, because passengers will simply refuse to ride planes if Communist bandits are permitted to seize them at will.

I recommend the passage of a law to make hijacking of planes at gunpoint a crime punishable by death, and I support the pending legislation on that point.

It has become apparent that such legislation is badly needed, whether the planes are seized by Cubans, or Americans, or anybody else. Whoever seizes a plane with firearms ought to go on trial in a court where the crime is punishable by death.

I strongly urge that the U.S. Government demand the return of the hijacked Eastern airliner in Cuba within 48 hours, and if it is not returned, I recommend an embargo and blockade be imposed on Communist Castro, and that all means of transport entering Cuba be stopped and searched for war material and anti-American propaganda.

It is a gross mistake for American policymakers to think that we make friends anywhere in the Western Hemisphere by this weak kowtowing to a bunch of Communist executioners. The time is late, but it is never too late to start, and we should protect the lives and property of our people here at home in the United States today.

In the Old West, if a bunch of bandits came out of their caves and holes in the hills, and raided ranchers and towns, the people did more than just defend an individual ranch. They organized posses and went into the bandits' dens and eliminated the outlaws. It is time for the people of all the Americas to start organizing a posse to outlaw the outlaws.

When civilized nations began to hang ship pirates, piracy disappeared from the high seas. When civilized nations begin hanging air pirates, piracy will disappear from the airlanes.

I know sociologists believe that punishment does not deter crime, but the historical facts are that, so long as pirates were subsidized by some nations in the world and split their profits with sovereign rulers, piracy flourished; but when countries started hanging them, piracy on the high seas stopped in nothing flat. And in this instance, when we start hanging air pirates, that kind of piracy, too, will stop.

Recent news over the wire states that the persons who seized the plane at El Paso, my old hometown, where I lived for 3½ years, are not Cubans. It does not make any difference who they are. I think the law should provide a death penalty for seizing a plane at gunpoint or seizing a plane by the use of firearms.

Pirates on the high seas could capture a ship and the lives of the passengers still would not be risked; but every time a man puts a gun to the head of an airplane pilot there is a danger that every passenger on that plane will die. It is too great a peril to tolerate in this country any longer.

Mr. DIRKSEN. Mr. President, in the first news dispatches today it was a team of armed Cubans that attempted to hijack the plane. We had another misadventure in this field a few days ago. One can hardly escape the conviction that there is involved a concert of effort and a conspiracy to carry on these aggravating and difficult happenings that only irritate the American people and the American Government and diminish our prestige.

I think, while such legislation is imperative, what it is aimed at is not the

tain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve; to the Committee on Interior and Insular Affairs.

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

By Mr. BRIDGES (for himself, Mr. SCHOEPPEL, and Mr. WILLIAMS of Delaware):

S. 2370. A bill to amend the Federal Aviation Act of 1958 to prohibit the carrying of concealed weapons on board aircraft in air commerce; to the Committee on Commerce.

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

By Mr. KEATING:

S. 2371. A bill to admit the oil screw tugs *Barbara, Ivalee, Lydia,* and *Alice,* and the barges, *Florida, DB-8, No. 220,* and *No. 235* to American registry and to permit their use in the coastwise trade while they are owned by Standard Dredging Corp., a New Jersey corporation; to the Committee on Armed Services.

By Mr. HAYDEN:

S. 2372. A bill to authorize the sale of the mineral estate in certain lands; to the Committee on Interior and Insular Affairs.

By Mr. YARBOROUGH:

S. 2373. A bill to amend the Federal Aviation Act of 1958 to prohibit the forceful seizure of aircraft in air commerce; to the Committee on Commerce.

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

By Mr. BENNETT:

S. 2374. A bill to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce; to the Committee on Commerce.

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

By Mr. BIBLE:

S. 2375. A bill for the relief of Joseph Mikulich; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 2376. A bill to amend the act of July 23, 1947, chapter 301, as amended, to extend for 2 years the authority to make temporary appointments and promotions in the U.S. Coast Guard; to the Committee on Commerce.

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

By Mr. HARTKE:

S. 2377. A bill relating to the taxable status of sales prior to September 1, 1955, of tubes for use in the production of certain component parts of television receiving sets; to the Committee on Finance.

CONCURRENT RESOLUTION

AUTHORITY OF UNITED NATIONS TO PREVENT WAR

Mr. CLARK (for himself, Mr. HUMPHREY, Mr. BARTLETT, Mr. BEALL, Mr. BURDICK, Mr. BYRD of West Virginia, Mr. CARROLL, Mr. CHURCH, Mr. ENGLE, Mr. GRUENING, Mr. HART, Mr. JAVITS, Mr. KEFAUVER, Mr. LONG of Missouri, Mr. LONG of Hawaii, Mr. MCCARTHY, Mr. MCGEE, Mr. MORSE, Mr. MOSS, Mr. MUSKIE, Mrs. NEUBERGER, Mr. PASTORE, Mr. PELL, Mr. PROXMIRE, Mr. RANDOLPH, Mr. WILEY, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio) submitted a concurrent resolution (S. Con. Res. 37) to strengthen the authority of the United Nations to prevent war, which was referred to the Committee on Foreign Relations.

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

RELEASE OF RIGHT, TITLE, AND INTEREST IN CERTAIN STREETS, HEYBURN, IDAHO

Mr. CHURCH. Mr. President, I introduce a bill to release the right, title or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve. I ask that the bill be referred to the appropriate committee.

Mr. President, as a brief explanation of this bill, I wish to state that the land in question was originally granted to the village of Heyburn, Idaho, by the Federal Government for a reclamation townsite. The streets were dedicated to the public upon the filing of the townsite plat. I am informed that, under existing law, if the streets are vacated, the title to the land upon which the streets are located reverts to the Federal Government. The village of Heyburn has grown considerably in the past few years, and this growth is expected to continue. Some of the original streets as contained in the original plat, are no longer necessary or desirable for public use. Adjoining landowners have built homes in the area of the vacated streets, and a problem has arisen as to the title to the property. This proposed legislation would clear the title to this land, so that the owners could acquire clear title.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2369) to release the right, title or interest, if any, of the United States in certain streets in the village of Heyburn, Idaho, and to repeal the reverter in patent for public reserve, introduced by Mr. CHURCH, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

PROHIBITION OF CARRYING OF CONCEALED WEAPONS ON AIRCRAFT

Mr. BRIDGES. Mr. President, I introduce for appropriate reference a bill to amend the Federal Aviation Act of 1958, to prohibit the carrying of concealed weapons on board aircraft in air commerce.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 2370) to amend the Federal Aviation Act of 1958 to prohibit the carrying of concealed weapons on board aircraft in air commerce, introduced by Mr. BRIDGES (for himself, Mr. SCHOEPPEL, and Mr. WILLIAMS of Delaware), was received, read twice by its title, and referred to the Committee on Commerce.

Mr. BRIDGES. Mr. President, for the second time in 9 days a commercial airliner, manned by American crew members, and transporting American citizens, has been hijacked by armed Cubans according to the wire services, while over the soil of the United States.

Mr. President, the plane which was hijacked today by Cubans was not flying over international waters nor over the soil of Cuba. The plane was still in the United States.

Mr. ENGLE. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. ENGLE. If Cubans who engage in such actions act on a conspiratorial basis, with aid by the Cuban Government, and thus take action against the people of the United States, that amounts to an act of war; does it not?

Mr. BRIDGES. It certainly does.

Mr. ENGLE. I hope prompt action will be taken to ascertain whether this series of events—first near Miami, and now at El Paso—constitutes a conspiracy by the Castro government which constitutes an act of war, and should be dealt with accordingly.

Mr. BRIDGES. I thank the Senator from California, and I agree with the position he has taken.

The first hijacker, Wilfredo Oquendo, who forced the pilot of an Eastern Air Lines Electra at pistol point to fly to Havana 9 days ago, has thus far escaped prosecution. And thus far Fidel Castro has refused to return the plane.

I said at that time that our Government should demand that both the plane and the hijacker be turned over to us forthwith. I said further that if our demand for return of the plane were not complied with, we should take steps to go in and get the aircraft. But such action was not taken; and now we are faced with the tragic episode which is unfolding this morning in El Paso, Tex.

Mr. President, not a Member of the U.S. Senate or not a man, woman, or child in the United States of America can today board a plane at an American airport and be safe, because criminal hijackers or deliberate agents of the Castro government are hijacking American planes. As the distinguished Senator from California has said, if that is a conspiracy, it is an act of war against our country. He is absolutely correct in the position he takes.

Mr. President, this matter has gone as far as Americans can allow it to go. Frankly, I have had my fill of this business. Although the United States is the greatest nation on the face of the globe, our citizens cannot fly from one point to another within the boundaries of the United States without the fear that some fanatic will brandish a weapon and, in effect, will kidnap the crewmembers and passengers of the plane.

This is a sorry situation, Mr. President, and one which literally cries out for remedial action.

The bill which I now introduce would make it a criminal offense for any unauthorized person to carry any kind of a weapon onto an aircraft. The bill provides exceptions for law-enforcement officers and other individuals who are authorized to carry weapons.

All other persons caught attempting to board an aircraft with weapons in their possession would be subject to prosecution, a fine of up to $10,000, or imprisonment for a period up to 10 years, or both.

Mr. YOUNG of Ohio. I thank the Chair. In that connection, if the Senator from Wisconsin will indulge me a moment further, my amendment would strike out title 5 which is subject to a point of order. My view is the point of order will be sustained, which I propose to make. But if the ruling is otherwise my amendment will provide that after striking out the language appearing on page 27, beginning with line 4, down through line 5 on page 28, that the following language be inserted in lieu thereof:

Such amounts as may be approved by the Director of the Bureau of the Budget are hereby transferred from appropriations for the Office of Civil and Defense Mobilization, including appropriations available for allocation to other agencies, to the Secretary of Defense to be available for carrying out civil defense activities.

The funds referred to in this amendment pertain to the $95 million provided in the Independent Offices appropriation bill. I suspect that it is subject to the point of order which the distinguished Senator from Virginia said he proposed to make. I shall then make a point of order against title 5, which I believe is also subject to a point of order.

I thank the Senator from Wisconsin.

Mr. PROXMIRE. Mr. President, I shall suggest the absence of a quorum. The call will be very brief, and only for the purpose of notifying Senators I had promised to alert. I ask unanimous consent that I may suggest the absence of a quorum without losing my right to the floor.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. PROXMIRE. The distinguished Senator from Mississippi [Mr. STENNIS], the Senator from Missouri [Mr. SYMINGTON], the senior Senator from Georgia [Mr. RUSSELL], and other Senators have made a very strong case against my amendment and for the committee position. But there are a few elements in the situation that I think ought to be clarified. First, I wish to make crystal clear that neither the Secretary of Defense, Mr. McNamara, nor the Senator from Wisconsin has any intention of abandoning our long-range bombers or the long-range bomber concept.

In the second place, neither the Secretary of Defense nor the Senator from Wisconson feels that we should rely on nuclear deterrent or on massive retaliation or ignore conventional weapons. The Secretary of Defense has just requested Congress to appropriate another $3.5 billion. For what? Overwhelmingly for conventional warfare. If there is any shift or change between the present administration and the previous administration it is that, rightly or wrongly, the present administration is perhaps more concerned with conventional warfare than was the previous administration. But there has been great emphasis on conventional warfare.

There is no desire on the part of the Secretary of Defense or the Senator from Wisconsin to reduce the heavy bomber inventory during the next 10 years, or indeed, to put us in a position where we could not revive the production of the B-52 bombers, if we decide to do so.

On July 28, a few days ago, I wrote the Secretary of Defense as follows:

Testimony at the House Appropriations hearings indicated that production of these planes will continue until August and October 1962, with no further action by Congress. At the same hearings it was stated that $100 million for each of these bombers would "protect" production beyond those dates, pending a future decision on their role.

I would like to know the present position of the administration in this subject. Do you recommend that $525 million be appropriated for manned bombers at this time? Do you believe that production of B-52's and B-58's needs to be protected now pending your Department's reappraisal?

Since these appropriations are expected to be before the Senate very soon, I would appreciate an immediate reply.

I wish to go over this letter from the Secretary of Defense, because, while it has been referred to, I believe it is extremely important that it be discussed line by line, particularly because it is the heart and soul of my argument. It was delivered to my house the night before last from the Secretary of Defense. It reads:

DEAR SENATOR PROXMIRE: In reply to your letter of July 28, I repeat my previously stated opinion that it is not necessary for the Congress to appropriate funds in fiscal year 1962 above administration requests for B-52 and B-58 bombers. Inherent in this is my belief that the production of B-52's and B-58's is already adequately protected for the period of time involved in our further study of the bomber concept.

Previous appropriations enable us to plan on a very high bomber inventory through the mid-1960's.

The Senator from Missouri has made a great point of the fact that more than 700 long-range bombers would still be less by several hundred than the number of bombers we had over Germany at one time in World War II. The Senator from Missouri is a great expert in this field, and I am certainly not, but I believe he recognizes that there is a tremendous difference between the firepower and range, and so forth, of the long-range bombers we had then and the bombers and the firepower and destructive capability of the B-52. It is immense, and there is no comparison.

Then of course, when we add the Hound Dog and Skybolt, the destructive power of one of these present planes is infinitely greater than all the planes we had over Germany on any night in World War II.

So the comparisons along that line, it seems to me, are not well made.

The Secretary goes on to say:

In the operational inventory we will have over 700 B-52's and B-58's at the end of fiscal year 1966. Should it be decided later to maintain this level of heavy bomber aircraft beyond fiscal year 1966, the request for appropriations can be made several years from now.

This is an extremely important point. The Secretary of Defense believes we can save $525 million without taking any risk at all. For this reason: In the event we find several years from now that the expectations of the Secretary of Defense and others that our missile program and the B-70 development do not work out, the Secretary of Defense says we can change our mind without any defense penalty at all.

He goes on to say:

There appears to be no need to make such a decision before mid-1963 at the earliest.

I appeal to the intelligence of Senators when I ask: Can we make a better decision now or in 1963, 2 years from now? With the enormously rapid pace and the technological changes in warfare, it is perfectly apparent that a better decision can be made in 2 years from now, when more information is available about the effectiveness of the missile program and of our B-70 program.

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

Mr. PROXMIRE. I am happy to yield to the Senator from Idaho, an outstanding member of the Appropriations Defense Subcommittee.

Mr. DWORSHAK. The Senator makes a rather persuasive argument that he is willing to accept the recommendation made by the Bureau of the Budget in reference to the procurement of long-range bombers. I should like to point out to the Senator that in the last year of the previous administration and in the first few months of the new administration the Bureau of the Budget recommended a delay in the research and development of a weapons system for the B-70. Does the Senator approve of the recommendations made by the Appropriations Committee to accelerate this work so that we can carry forward this program for the B-70, or would he prefer to accept the recommendation of the Bureau of the Budget to delay it indefinitely so far as the development of the B-70 weapons system is concerned?

Mr. PROXMIRE. I am delighted that the Senator has raised that point. My amendment goes only to the B-52 and the B-58. It does not touch the B-70 at all. I certainly accept the wisdom of the Senator from Idaho and others on this matter. My amendment goes only to the B-52 and the B-58.

Mr. DWORSHAK. What I am trying to emphasize is that if the Senator from Wisconsin wishes to place complete confidence in the recommendation of the Bureau of the Budget insofar as the B-52 and B-58 are concerned, why should he not be consistent and accept the recommendations of the Bureau of the Budget under former President Eisenhower and under President Kennedy to delay development of the B-70? In that way the Senator would be consistent.

Mr. PROXMIRE. The Senator from Wisconsin is not accepting any recommendation of the Bureau of the Budget. I have no idea how the Bureau of the

Budget feels on it. I am accepting the recommendation of the Secretary of Defense. I am not doing it simply because he is the Secretary of Defense. I accept it only because it is absolutely airtight. Its logic is unassailable. I have listened to Senators argue this point on the floor, and I have not heard anything said which would assail that statement by the Secretary of Defense. No one has made any effective challenge that our inventory will not be adequate. The Bureau of the Budget has nothing to do with it so far as I am concerned. I am listening to the Secretary of Defense and what he says.

Mr. DWORSHAK. I am sure the Senator understands, as I do, that when the Secretary of Defense makes a recommendation, it has the approval of the President and of the Bureau of the Budget. Therefore, in this case I believe the Senator from Wisconsin is willing to follow the recommendation of the Secretary of Defense and of the Bureau of the Budget and of the President so far as the B–52 and the B–58 bombers are concerned. However, he reserves the right to make an independent appraisal regarding the B–70 and possibly rejecting the recommendations of the Secretary of Defense and the Bureau of the Budget.

Mr. PROXMIRE. Indeed, I do. As a matter of fact, the Senator from Wisconsin reserves to himself the right to make his own decision on the B–52 and the B–58, and the right to make every other decision. However, I was persuaded by the argument of the Secretary of Defense in this case.

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

Mr. PROXMIRE. I yield.

Mr. BUSH. I congratulate the Senator from Wisconsin on offering his amendment, which I intend to support. I am a member of the Armed Services Committee, and I was present when the recommendation for additional bombers was considered in committee several weeks ago.

I was not present when the vote was taken to add this amount, but I felt afterwards that if I had been present and if a rollcall had been taken, I would not have favored it and would have voted against it.

I feel very much more fortified in that decision today than I did at that time, because the Senator from Wisconsin has provoked a letter from the Secretary of Defense, which I believe is a masterful letter. He absolutely surrounds his subject very effectively. He takes a very firm position that the addition of the $500 million for long-range bombers, the B–52 and the B–58, is not necessary.

The Senator has mentioned World War II and the relative effectiveness of our bomber force in that war, and as of today. He touched on the matter of the Hound Dog. If the Senator will permit me, I would like the record to show also that the Hound Dog missile is a missile which is attached to the B–52 long-range bomber, and it is a nuclear missile carrying a nuclear warhead of destructive power 20 times more than the destructive power of the type of bombs that destroyed Germany during World War II.

This missile may be launched by the B–52 500 miles from its intended target. Therefore, the danger of losing a B–52 in combat has been greatly reduced by the perfection of the Hound Dog missile.

The Senator also mentioned the Skybolt missile. That also is attached to the plane, and it greatly increases the distance from the target at which a missile may be launched.

Therefore, the effectiveness of the B–52 is enhanced by the Hound Dog and the Skybolt being available, and is thereby made more effective, not only in the number of bombers we might have had during one night on any mission over Germany, but perhaps even more effective, so far as firepower is concerned, than all the bombs that were dropped on Germany during World War II.

It is almost impossible to realize the enormous firepower that is contained in one B–52. We now have some 600 of them. So I wish to emphasize that point in the Senator's remarks in support of what Secretary McNamara has said. I hope the Senator will show also that our production facilities for these bombers will not be endangered by the decision of the Secretary, if it is sustained by the Senate.

Mr. PROXMIRE. I thank the Senator from Connecticut for his remarks. I am more than heartened and delighted by his extremely significant statement. He is an authority on this subject, having served for some time on the Committee on Armed Services. I support the statement he has made.

Mr. CANNON. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. CANNON. I desired to direct a question to the Senator from Connecticut, without my losing the floor.

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

Mr. CANNON. The Senator from Connecticut gave the impression that the Skybolt and Hound Dog missiles are either in inventory now or will be in the immediate future. The RECORD should clearly show that the Skybolt is only in the development stage now and cannot reasonably be expected to be available within the time limit which the Senator indicated. I hope he will correct the RECORD.

Mr. BUSH. I was careful to speak of the Skybolt as a future inventory item, although I did say—and I believe it is true—that the Hound Dog is in inventory at the present time. I should remind the Senator that in speaking of the Skybolt I said that in a year or two we would have both.

Mr. PROXMIRE. I believe the Senator from Connecticut is correct. I presume the Senator from Nevada would respect the opinion of General White on this subject. At page 296 of the hearings, General White said:

> A substantial increase in the combat potential of our bombers has been made by the advent of long-range air-to-surface missiles. The first of these is the supersonic GAM–77-Hound Dog—which is now entering the operational inventory.

On page 297 of the hearings, General White, speaking of Skybolt, said:

> Another weapon system which will greatly increase our operational flexibility in the face of growing enemy defenses is the GAM–87-Skybolt air-launched ballistic missile. This weapon is now under development and we hope to have it operational in 1964.

What this Appropriation Committee request is all about is the fear of discontinuing production of bombers after October 1962, after which they will no longer come off the production line at the rate of 4 a month. In view of that, it seems to me that the fact that we now have Hound Dog and are likely to have Skybolt very soon is extremely pertinent. Also, the Secretary of Defense has stated that if these plans do not develop as we expect them to, this will not be an irreversable decision; it can be reversed easily. He has estimated how much it will cost. We shall be taking no defense risk then. It will be a financial risk merited by the facts.

Mr. CANNON. I was trying to correct the erroneous statement made by the Senator from Connecticut that Skybolt would be in inventory within the next year or two. I merely ask the Senator from Wisconsin to restate the testimony of General White, which indicated that Skybolt cannot be expected to commence coming into inventory before 1964. Let us not mislead the public on the question of time and what our position will be within the next few years.

It is true that Hound Dog is coming into inventory. We honestly hope that Skybolt will be in inventory within the time frame suggested in the RECORD, which is 1964, rather than within the next year or two.

Mr. BUSH. Mr. President, if the Senator will permit me to do so, I accept his correction in good spirit. He himself is a distinguished officer in the Air Force and a member of our committee. I am glad he has corrected me on that point. I recall what I said. The Senator from Nevada is correct. I said Skybolt would be in the inventory within a year or two. I was thinking in terms of a year or two from now. Actually that is not the case. It would be, as the general said in his testimony, 1964.

I still say that with Hound Dog in operational inventory now, and considering the capability of the Hound Dog missile, I believe Secretary McNamara feels the weight of responsibility in this matter as much as any of us. Perhaps he has more responsibility than any of us—even all of us put together, indeed.

I am perfectly willing and content to accept the assurances of Secretary McNamara, because he has considered the availability of both Hound Dog and, later—two or three years hence—the availability of Skybolt. I believe his letter makes an excellent case for our production without having these additional long-range bombers.

Mr. PROXMIRE. I thank the Senator from Connecticut.

Mr. CASE of South Dakota. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. CASE of South Dakota. The Senator from Wisconsin has asked if Senators would accept the position of General White as an authority. I believe General White is an outstanding authority. Whatever he says concerning the development and capability of Hound Dog or Skybolt is interesting.

My recollection is that when General White was before the Committee on Armed Services, speaking about the B-70, he was asked directly about the B-70 and said that he would have to say, based upon his 35 years of experience as an airman, that we should proceed with the B-70 program. That was his personal conviction.

Mr. PROXMIRE. There is nothing in my position which would contradict that. The B-70 program is not in this amendment. I do not touch it. I am concerned only with the B-52 and possibly the B-58. The B-52, according to the testimony of General LeMay is the plane on which money would be spent. My amendment does not go to the B-70; so far as I am concerned, I would vote for that.

Mr. CASE of South Dakota. It is my further recollection that General White expressed himself as favoring an increase in the number of B-52's on a personal basis. I do not know whether his representation of the Air Force possibly dictated that position or feeling; but his present conviction or feeling is that there should be an increase in the number of B-52's.

Mr. PROXMIRE. I think that is correct. It would be a cold day in July in Washington, or a hot day in December, if an Air Force officer could be found who did not want more planes; or a naval officer who did not want more aircraft carriers; or an Army officer who did not want more ground equipment. But these decisions can be made effectively only by Congress and the Secretary of Defense.

Mr. CASE of South Dakota. I recognize that any officer in a particular area or service is likely to want an ample reserve. But if General White is an authority as to the availability and capability of Hound Dog and Skybolt, his testimony also ought to have some value as an authority when he speaks of planes themselves.

Mr. PROXMIRE. The Senator from South Dakota refines the problem very well. I would be far more willing to give complete faith to him when he says Hound Dog is now operational and Skybolt will be operational in 1964. When he says he wants more planes, while I give that statement some weight, I certainly recognize his position. If the Senator from South Dakota or I were in his position, we would be fighting for them, too, and we would leave final decision to Congress and the Secretary of Defense, on the basis of the economy and the overall military situation. We would expect them to come in and make the best case they could for more planes.

Mr. CASE of South Dakota. I respect the purpose, intent, and integrity of the Senator from Wisconsin in offering the amendment he has offered. I have contended on various occasions that someone must consider the overall picture when it comes to deploying our dollars, as well as anything else. However, in view of the current situation, the authority to increase the production of B-52's, particularly—and I am much more concerned with that than I am with the B-58, because I think the B-52 with the Hound Dog has a more usable capability than the B-58—I think it is well to have that reserve strength on the shelf or where we can reach it. I would not be at all surprised if the Secretary of Defense, before the year was over, would be glad that Congress provided him with the authority that is proposed by the provisions in the bill as it came from the committee in that respect.

Mr. PROXMIRE. Mr. President, the next sentence in the letter from the Secretary of Defense is perhaps the most important of all. It is as follows:

> The risk involved in delaying the decision is not one to the security of the Nation, but solely a financial risk fully justified by the remoteness of the possibility of having to exercise the option and pay the restart cost penalty.

In other words, this is a budget question, a question of economy. The Secretary of Defense has satisfied himself that our defense is protected. So the only question is whether we should spend $525 million for long-range bombers which, in the judgment of the Secretary of Defense, are not needed, and it appears that they may well be obsolete, or whether we should save that money, and, in doing so, take a chance on having to spend $245 million to restart, if we find that the missile part of our program and the other parts of our program are not proceeding as rapidly as we had hoped they would.

Mr. DWORSHAK. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. DWORSHAK. Does the Senator from Wisconsin recall that in 1948, I believe it was, Congress provided funds for a 70-group air force; but the then President, Harry Truman, said that in his judgment it was not necessary to have an air force of that size, and he impounded half a billion dollars of the appropriations, and refused to procure the necessary planes. Is it not possible that in this instance, if, in the sincere judgment of Secretary McNamara, it is not necessary to procure more B-52 and B-58 long-range bombers, but if the Congress nevertheless provides funds for that purpose, likewise the President may decide to impound the funds and take no action until in his judgment it is wise to add to our bomber force?

Mr. PROXMIRE. I think that is perfectly possible, and I think it emphasizes the futility of having Congress vote for this appropriation of funds.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1643) 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 services, to protect the interest of consumers, and for other purposes.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (S. 857) to provide for the establishment of Cape Cod National Seashore, and it was signed by the Vice President.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. PROXMIRE. Mr. President, the Secretary then gives a concise but detailed answer:

> Should an eventuality develop requiring us to reinstitute the B-52 production lines, we can, for example, do so in mid-1963 and produce for delivery during the period 1965-67. A recent survey shows that in mid-1963 the personnel strength at the Boeing-Wichita airframe fabrication and assembly plant will not have been reduced below 9,400.

I think the Secretary of Defense has gone to unusual pains to ascertain whether it will be possible to return this bomber to production. In fact, he has determined exactly what the personnel is and what the prospects are for being able to proceed, and he has found that the survey shows that there will be adequate personnel strength for that purpose.

I read further from his letter:

> With respect to the B-52's Pratt & Whitney engine, the TF-33-7 turbo-fan engine for the new C-141, and the JT3D-2-4 turbo-fans which are being retrofitted into jet airliners have the same parts configuration as the B-52 engine.

Of course this means they are already producing, and will continue to produce after August or October 1962, these other engines, which are very similar.

In the following sentence he states:

> In fact, all are fabricated in one general machine shop and are mingled in the assembly line. There is no change in facilities anticipated at Pratt & Whitney during this period and the tools will not be deactivated.

Mr. President, I have studied the hearings and I have listened to the debate on the floor. No consideration was given here to this kind of detail. Senators blithely said, "We cannot restart, once production is stopped, and we cannot believe that it would be wise to close down the production of B-52's."

But the Secretary of Defense has the answers; and in his letter he shows that,

as a matter of fact, very similar engines are being produced, and will continue to be produced after August or October 1962, on the same assembly line.

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

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. I wish to ask a question regarding the previous point—namely, that there would be, as I understand, approximately 9,400 personnel available.

Mr. PROXMIRE. Yes. I shall read that part of the letter again:

> A recent survey shows that in mid-1963 the personnel strength at the Boeing-Wichita airframe fabrication and assembly plant will not have been reduced below 9,400.

Mr. GOLDWATER. Did the Secretary state what they would be doing, at Boeing, after that production was stopped?

Mr. PROXMIRE. He did not specify that in his letter, and I do not have that information. But it appears that they are there, and I presume they are working on other airliners or doing similar work. At any rate, they are available.

Mr. GOLDWATER. That is a very intriguing figure, if it can be substantiated.

In the morning newspaper I read the Lockheed plant at Marietta, Ga., expects 3,500 employees to be "in the wings," so to speak, if more aircraft are to be ordered from them.

So unless Boeing has something for those employees to work on, Boeing will not retain them. If we go into stepped-up defense production, as these employees are laid off at Boeing—whether at Boeing-Seattle or Boeing-Wichita, or wherever it may be—they will be absorbed by other factories engaged in similar types of production. So I do not go along with the idea that 9,400 will be available under those circumstances. I do not know of an aircraft factory able today to have 9,400 workers hang around waiting for jobs.

If the Senator from Wisconsin has figures which will show that they will be employed on a 707 line, or a Bomarc line, or on the booster-flight project, in which Boeing is interested, I would perhaps be convinced. But I am not convinced by that mere figure.

Mr. PROXMIRE. The point is that undoubtedly there are more now, but the figure will not be below 9,400, which the Secretary of Defense believes, after conference with other experts, will be ample in a restart situation.

I think the Senator's point is a good one, but certainly the Secretary of Defense is an expert on production, and I believe he is an expert in regard to this particular field. And he states that, in his judgment, this number would be ample to provide for restart of production of the number of these planes that would then have to be produced.

Mr. GOLDWATER. I would not argue that the Secretary of Defense is not a great expert on production lines. But I do not think the Secretary of Defense would say he could stop producing Ford automobiles and could start producing Chevrolet automobiles the next day without tremendous expense.

So I think he should have furnished a better breakdown as to his reasoning in this matter. He is well aware of the great demands for personnel, and he realizes that if a large number of employees were laid off at the Boeing plant, and were subsequently employed somewhere else, they would not then be available at the Boeing plant—at least, not according to my estimation—as of the time when Boeing reopened its B-52 production lines.

Mr. JACKSON. Mr. President, will the Senator yield at that point, for a clarification?

Mr. PROXMIRE. I yield.

Mr. JACKSON. In light of the comment of the Senator from Arizona, I should like to point out that the B-52 is produced at Wichita, Kans. To my knowledge, it is the only military aircraft being built by Boeing in Wichita. The commercial airliners are produced in Seattle, Wash. The Bomarc, which was referred to, will end in the fall of 1962. It is my understanding—and I say this only as a factual matter—that the production line in Wichita, Kans., will come to an end between August and October of next year.

When production starts going downward, it is obvious that the cost per unit goes upward. That is axiomatic. I think the figures could be made available, but it is certain that if the production line is reduced, going down to one per month, let us say, more per plane will have to be paid than if the production were maintained at an economic level.

I think that is the point the Senator from Arizona was trying to make.

Mr. GOLDWATER. That was one of the points. The major point was that a breakoff in production is not started without reducing personnel. Once the production line is off, the people are out of work.

Mr. JACKSON. There is no work for which they can be made available. There is no commercial aircraft work at Wichita.

Mr. PROXMIRE. My answer to the comments of the two Senators, who are outstanding experts in this field, is that the Secretary of Defense thinks that the chance of having to start up again is remote. He calls it a remote possibility. But if it does have to start up, he has given the figure of 9,400 as the minimum below which the personnel would not be reduced at Boeing, in Wichita.

Mr. President, I am trying to complete my statement as quickly as I can. I know the Senator from Louisiana [Mr. ELLENDER] has a matter to present.

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

Mr. PROXMIRE. I yield.

Mr. GOLDWATER. I want to challeng one word, "remote." If there is doubt in the Secretary's mind as to closing down the B-52 production line, why can he not tell us the basis of his doubt? Does he feel we will continue to build the B-52, or does he feel we will not continue to build the B-52? I think that is important to the Senator's argument.

Mr. PROXMIRE. The Secretary's view is very clear. He feels we will not continue to produce the B-52 after August or October of 1962. In light of the enormous technological developments, on the basis of our best expectations and best advice, he says it is remote that in 1963 we would start reproducing again the planes the Senator from Missouri has called 10 years old.

Mr. GOLDWATER. The Senator from Missouri is right in saying this is an old aircraft, but it happens to be the most modern aircraft we have in the heavy bomber, long-range field. I might add we have only one bomber in the development stage, and we have been rather niggardly in providing funds for the B-70. If we had something ready to go, if we had something in the X, or experimental, stage to replace the B-52, I think the Senator's argument would be very valid. But we have nothing but the B-70, and the B-70 systems have been held up. So I think it is imperative to the defense of our country that we not stop building the B-52 until such time as we can replace it with some faster, better, more adequate manned aircraft.

The Senator from Wisconsin makes an eloquent speech. I am extremely beguiled and tempted. But I recognize also the facts of life—that we have nothing to replace the B-52 or B-58 except the B-70. It is not anticipated that the B-70 will be flown until the latter part of 1962 or 1963. It will only be then that we will buy an adequate supply of it, if the Secretary of Defense has then become manned-aircraft minded.

Mr. PROXMIRE. My answer to that is that the Secretary of Defense has said we have a very high bomber inventory. There will be a production of 52 of those bombers in 1 year. No case has been made that we need more B-52's and that 700 are not adequate. Nobody should put the Secretary in the position of abandoning the B-52. He feels we will have the B-52 in inventory in large numbers right up until 1970.

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

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. I have been in the Foreign Relations Committee where we are marking up a bill; or else I would have been on the floor more listening to the able Senator from Wisconsin.

When it comes to the B-52 being an old airplane, as we went into it earlier, before the distinguished Senator from Arizona came to the floor, we mentioned the fact that, just as the Senator from Arizona has said, it may be old, but it is the best we have. But the B-52 has attained a degree of modernization through the Hound Dog and even more through the Skybolt.

I present to the distinguished Senator from Wisconsin, for whom I have great respect, that the missile picture is beginning to be viewed with more apprehension, from the standpoint of reliability, than in the past. Now the theory of massive retaliation was abandoned in the previous administration, and has never been embraced in this administration. A B-52 bomber can be used for conventional defense as well as nuclear

defense. It means that we would not have to decide on a policy of being humiliated or of nuclear response.

I heard my name mentioned in the discussion of the age of the B–52 as I came into the Chamber; and merely wanted to say that, although the B–52 is a 10-year-old airplane, it is not nearly as old as the B–47, which is nearer 15 years. The policy now apparently is to maintain in service, instead of scrapping, really old airplanes, the B–47's which actually flew more than 10 years ago——

Mr. PROXMIRE. May I say to the Senator——

Mr. SYMINGTON. If the Senator will yield. I think it would be better to build an airplane that can take the newer weapons, which the B–47 cannot, than to now recognize tension by keeping an airplane we were going to scrap. That is not the better way of facing a new emergency.

Mr. PROXMIRE. May I say to the Senator from Missouri that there just is not any question that, in the first place, we are not going to build the B–47. I am sure the Senator did not imply that.

Mr. SYMINGTON. We are going to maintain them in service.

Mr. PROXMIRE. That is correct, but we are going to continue to build B–52's through 1962.

Mr. SYMINGTON. Half of 1962.

Mr. PROXMIRE. Very well; through August 1962. The Senator from Missouri has been emphasizing conventional warfare. The B–52 is indeed an excellent airplane, which can be used in conventional warfare.

What does that have to do with the production of an additional 52 of these planes? We now have an ample inventory for conventional war. Can any Senator imagine the United States engaging in conventional warfare bombing in southeast Asia, or Africa, or Latin America with conventional bombs, and needing 750 planes instead of 700? Ridiculous. If we need more of these long-range bombers we need them for defense against a major opponent. And how long would a war with Russia be conventional.

If the Senator wishes to talk about Hound Dog and Skybolt, the Senator knows very well that those are generally, if not always, nuclear weapons. If we are going to use nuclear weapons we need missiles to do the job.

Mr. SYMINGTON. Hound Dog is not necessarily a nuclear weapon. I do not wish to get into a detailed discussion with the able Senator of how one should fight a war, but I most respectfully say that in the Battle of the Bulge we used every aircraft we could. The B–17's and the B–24's, our largest strategic bombers, were used as tactical aircraft in the Battle of the Bulge.

It is possible that there will be many places where there might be conflict, where we would need a lot of long-range bombers such as the B–52's.

It is too bad there were not more bombers in the effort made against Cuba.

Mr. PROXMIRE. The Senator from Missouri knows better than any other Senator that this administration has emphasized conventional defense and conventional weapons. We have been asked for $3½ billion for that. We voted for another billion dollars of appropriations for conventional-type procurement. That has had a very heavy emphasis by this administration.

Mr. SYMINGTON. Why should we be conventional on the ground, but nuclear in the air?

Mr. PROXMIRE. We are not necessarily nuclear in the air. We have 700 long-range bombers the Senator has lauded for conventional warfare. It seems to me what the Secretary of Defense describes as a high bomber inventory is adequate.

Mr. SYMINGTON. As I mentioned earlier, the number of bombers the Secretary of Defense mentioned to the able Senator in his letter, as what we shall have and do have, is hundreds less than the number of bombers we had over Berlin in one night. If we are going into a nuclear war, we can talk about one bomber and one city. If we are not going into a nuclear war—and I pray to heaven we never do—and get into any real trouble we shall need a great many more bombers than those mentioned in the letter of the Secretary of Defense.

Apparently the Secretary of Defense is sold on the Polaris, an all-out massive retaliation weapon, and on building up our ground forces, and our nuclear air forces, but is willing to let our conventional air power deteriorate. He of course has a right to his opinion, but I have a right to mine. Of course, the able Senator from Wisconsin can accept the Secretary's position, or he can take the opinion of such others as—to the best of my knowledge—every member of the Senate Committee on Armed Services, plus two Senators, men who have seen a great deal of combat, and are on the floor now, the Senator from Arizona [Mr. GOLDWATER] and the Senator from Nevada [Mr. CANNON].

Mr. PROXMIRE. I say to the Senator from Missouri that every member of the Committee on Armed Services does not feel that way. The Senator from Connecticut announced on the floor that he will support my amendment. He is a very distinguished member of the Committee on Armed Services. He is familiar with the testimony. He feels that the Secretary of Defense is absolutely correct.

I have the greatest of respect for the Senator from Missouri, since he is not only an outstanding Senator but also is perhaps the greatest Secretary of the Air Force we ever had.

Mr. SYMINGTON. I thank the Senator.

Mr. PROXMIRE. The Senator is a great expert.

Mr. SYMINGTON. I appreciate the Senator's remark. He is an able and sincere public servant.

Mr. PROXMIRE. It is with considerable trepidation I even discuss the subject with him. However, as a Senator who has listened to all sides I must make up my own mind, and it seems to me that the logic of the Secretary of Defense is overwhelming. It seems to me that, rather than to follow the prestige of the persons involved, in which case I would vote with the Senator from Missouri every time, because he has been very correct and is very expert, it seems to me I should pay attention to logic, because that is my responsibility as a Senator.

Mr. SYMINGTON. Again, I know the Senator from Wisconsin is completely sincere in his position. I share with him apprehension about the amount of money being spent by government. I have shared that apprehension with him practically, and have voted for some of his amendments.

I am sorry if I misspoke concerning the Senator from Connecticut. To the best of my knowledge, and I was not there all the time, he did not take a positive position against these bombers in committee.

Mr. PROXMIRE. The Senator from Connecticut said he would have done so, but he was not present. I got the impression that there was not a rollcall on the question. At any rate, the Senator did not have an opportunity to express an opinion.

Mr. SYMINGTON. I did not know.

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

Mr. PROXMIRE. Mr. President, I will yield one more time to the Senator from Arizona, and then I shall have to yield the floor, so that the Senator from Louisiana can present a conference report.

I yield to the Senator from Arizona.

Mr. GOLDWATER. Mr. President, I think it is proper at this point to invite attention to the fact that the President has called for a stepped-up air alert of B-52's.

Mr. PROXMIRE. That is my understanding.

Mr. GOLDWATER. We have not had a full year's experience of an air alert, but I can tell the Senator from Wisconsin that the attrition rate on aircraft is very high when one flies an aircraft 24 hours a day, or even 8 hours a day, day after day. I refer to not simply the engines and the moving parts, but to all the fatigue on metals which is involved. The aircraft deteriorates more rapidly. This steps up the time when the aircraft must be retired.

One of the great questions in my mind about the continuation in service of the B–47's is not related to the fact that we should continue a large number of bombers, but instead to the fact that the aircraft has already passed the time when metal fatigue has set in or should be expected to have set in. In my humble opinion, the B–47's, technically, will not be able to be depended upon for more than a year, or a year and a half at the most, at which time we can expect that some 1,200 bombers will drop out of the inventory.

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

Mr. GOLDWATER. This is only the opinion of a layman, but I wish to invite attention to the fact that although we are talking about a small number of aircraft, 52 as compared to 750, the replacement rate will have to go up, because the drop in inventory due to overstress and overstrain on the B–52's will call for greater replacement. In fact, I do not think 52 is sufficient, if Senators wish to have my honest opinion. If we

plan a bomber force of 750 and provide only 52 more in the coming 2 years or 2½ years, I do not think we shall be able to maintain the force of 750. I would say the number of 750 is minimal. We cannot permit the Air Force to exist as a strategic force, I would say, with less than 750 B-52 bombers. The target should be closer to 1,000.

If we go into an air alert at the rate the President recommended we must expect a dropping out of the inventory of more aircraft in the next several years.

Mr. PROXMIRE. I wish to say to the Senator from Arizona, in reply, the fact is, as I understand it, production will continue all through next year, until August or perhaps October.

In August or October of 1962 we shall still be producing the B-52's. It will only be then that there will be a suspension, and the Secretary of Defense feels that is a logical termination of the production of the B-52's because of all the other developments. We may have to restart. The Senator from Arizona and the Senator from Missouri may be exactly correct. If we do, the Secretary is all set. The Secretary has explained exactly how we can restart, the cost, and so forth. The Secretary simply regards it as a remote contingency. It is a matter of judgment.

Mr. President, I will yield to the Senator from Missouri again, and then I think I should yield the floor, so that the Senator from Louisiana can present the conference report.

Mr. SYMINGTON. Mr. President, I thank my friend from Wisconsin.

First, the time that the production will stop on the B-52's depends upon when the production per month of the B-52's reaches the point so low that the more one makes the greater is the cost per plane. Is that correct?

Mr. GOLDWATER. That is absolutely correct.

Mr. SYMINGTON. What the Senator is really saying, in effect, based upon his past practical experience, is that if the number of B-52's and B-58's we have in inventory now, as expressed in the letter of the Secretary of Defense, is the correct number needed before the administration increased the air alert, that number could not possibly be the correct number needed now, because this increased air alert means we shall wear out a large percentage of these aircraft much more rapidly than we would have if we had not had this alert; is that correct?

Mr. GOLDWATER. The Senator is absolutely correct. My colleagues make their mistake in regard to this problem by considering the parts of the aircraft which wear out to be only the moving parts, such as the engines, the wheels, and the control surfaces. Actually, with respect to aircraft such as the B-52, which is a little bit subsonic and which has highly flexible wings, the point of metal fatigue comes far earlier than it would come for conventional aircraft. For example, I know of one DC-3 which now has over 70,000 hours. The B-47 approaches metal fatigue at 4,000 hours. This is a point which I think some Senators are overlooking.

These big B-52's have tremendous wings. When the plane is being lifted off the ground, the wing tips travel 13 or more feet in the arc of lift. Going through the turbulent air of the lower atmosphere the wings must take greater stress than the wings or the fabric of any conventional aircraft. We will find these aircraft wearing out while we can still put engines in them.

Mr. SYMINGTON. I ask one more question of my able friend from Arizona. Based upon the Tushino show, and as mentioned, we now know the Russians are building, in production quantity, the most modern bomber being produced today. Does not the Senator feel that if the Russians can afford to go to the expense of tooling and producing a supersonic bomber, this country can still afford to produce the one long-range bomber we have left, even though it is a subsonic bomber?

Mr. GOLDWATER. I would not be so much controlled in my decisions by what the Russians are doing as by what we must do. We cannot forget manned aircraft. If we had one, two, or three new supersonic long-range bombers coming off the line, I think the Senator from Wisconsin would be absolutely right in his point of view, and I would vote with him. But we do not have such bombers in production. The B-52 is our last long-range bomber in production with the exception of the B-58, and while the B-58 in my opinion is a highly desirable weapon, it cannot be classified as a long-range bomber, as we can classify the B-52.

Mr. PROXMIRE. Mr. President, I cannot see any logic in saying that since the Russians are making a supersonic plane, therefore we ought to continue to make a plane which is much slower and subsonic, and which is not nearly as good, but the best we have. It seems to me that we have heard an argument for the production of the B-70, which is not touched by my amendment. But it is not a good argument for the B-52, which is so much slower and which, according to what the Senator from Missouri and the Senator from Arizona have said with such emphasis, is simply not comparable with the Russian plane.

Mr. President——

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

Mr. PROXMIRE. Mr. President, I have one more paragraph of the letter from the Secretary of Defense to discuss, and then I think the most orderly thing to do will be to get a unanimous-consent agreement as to a limitation on time.

Mr. ROBERTSON. Mr. President, I ask unanimous consent that further debate on the amendment be limited to 30 minutes, 15 minutes to be controlled by the proponent of the amendment and 15 minutes to be controlled by me.

The PRESIDING OFFICER. Does the Senator from Wisconsin yield so that the Senator may make that request?

Mr. PROXMIRE. I yield for the request, Mr. President, and it is my understanding the time will begin when I have concluded these remarks.

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

Mr. GOLDWATER. Mr. President, it is my understanding that the limitation on time will begin following the completion of the remarks of the Senator from Wisconsin.

Mr. ROBERTSON. I have no objection to that. I believe the Senator has only one paragraph to discuss.

Mr. GOLDWATER. I realize the discussion will be very short.

Mr. PROXMIRE. Mr. President, the final paragraph of the letter of the Secretary of Defense is as follows:

> Should a decision be made in mid-1963—

Incidentally, Mr. President, by mid-1963 we shall be in a far better position to determine whether we need more B-52's and whether they should be produced, as well as whether missiles have been coming along satisfactorily and whether the B-70's are coming along satisfactorily, than we are now.

> Should a decision be made in mid-1963 to commence production of B-52H aircraft, Boeing's present production leadtime of 15 months would be extended an additional 12.5 months. Aircraft deliveries would start in October 1965. Although current engine and bomb-navigation system delivery leadtimes would also slip, they would still fit well within the airframe fabrication and assembly leadtime of 27.5 months. The total restart cost would amount to approximately $245 million.

As the Secretary of Defense said earlier in his letter, the prospect that the Government would have to pay $245 million to restart is remote.

Mr. President, it is clear from the letter of the Secretary of Defense that this is not primarily a problem of security, because it would be possible to start the production, in the future, at a minimum cost. This is a question of analysis of the production situation and of the financial situation. So far as production is concerned, it seems to me the Secretary of Defense is an expert. I doubt if there is any man in the U.S. Senate who has had the demonstrated excellence the Secretary has shown in this field and who understands it as thoroughly as he does. The Secretary concludes:

> For the reasons outlined above, it is my conclusion that it is not necessary to make appropriations in fiscal year 1962 for the continued production of heavy bombers.

That is the end of the letter by the Secretary of Defense.

Mr. President, I did promise the Senator from Oklahoma [Mr. MONRONEY] I would yield to him briefly before the time limitation went into effect, so I now yield to the Senator from Oklahoma.

Mr. ROBERTSON. Is the time to be taken from the 15 minutes of the Senator from Wisconsin?

Mr. PROXMIRE. It is my understanding that I can yield to the Senator from Oklahoma for brief remarks he wishes to make. I do not know whether they are on this subject or not.

Mr. MONRONEY. The remarks are on another subject.

Mr. PROXMIRE. Then the time limitation would begin.

Mr. MONRONEY. I thank the distinguished Senator for his courtesy.

PLANE HIJACKERS CAPTURED

Mr. MONRONEY. Mr. President, the FBI special agent in El Paso, Mr. Frank Crosby, and Mr. Leonard Gilman, the assistant regional commissioner of the Immigration and Naturalization Service, who was one of the hostages on the Continental 707 jetplane, have captured the two gunmen who hijacked the plane described earlier today. I believe credit is due not only to those brave, coolheaded men, but also to President Kennedy himself in the capture of Mr. Leonard Beardon, age 50, and his son, Mr. Cody Beardon, age 17, who apparently hijacked the plane. President Kennedy refused to be blackmailed or to have the United States blackmailed by these two bandits, who were threatening hostages with death unless they were given an alternate plane to use after the 707 plane had been disabled with gunfire puncturing its tires. He ordered and directed that the plane be held on the ground and that no plane be furnished, even though it was at the risk of the lives of the hostages.

This is the kind of courage we need to meet situations of this kind, and I think that the President is due great credit for his coolheadedness at a time when people were quite hysterical. I thank the Senator for yielding.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. PROXMIRE. Mr. President, it is my understanding that the time limitation now goes into effect. I would appreciate it if the opposition would use some of their time.

Mr. ROBERTSON. Mr. President, I yield to the Senator from Kansas [Mr. SCHOEPPEL] such time as he may need.

Mr. SCHOEPPEL. Mr. President, the Armed Services Committee of both the Senate and the House, and the Appropriations Committees of both bodies, after intensive hearings, have clearly recognized the continued need for advanced manned strategic bomber systems to meet the threats posed by our potential enemies.

Mr. President, Secretary McNamara has said:

> Should a decision be made in mid-1963 to commence production of B-52H aircraft, Boeing's present production leadtime of 15 months would be extended an additional 12.5 months. Aircraft deliveries would start in October 1965. Although current engine and bomb-navigation system delivery leadtimes would also slip, they would still fit well within the airframe fabrication and assembly leadtime of 27.5 months. The total restart costs would amount to approximately $245 million.

Mr. President, if the world situation is as grave as we have been lead to believe that it is, what we are concerned with now is to beef up our defenses—not after 1965, but today. This is no time to try to second-guess Mr. Khrushchev. It would be far better to continue our present production schedules of our only operational long-range manned weapon systems than to try to reactivate it after the shooting starts.

Mr. President, I am not a military authority like many of my colleagues on this floor and must depend on the advice of those who are schooled in the military sciences. Certainly I have the greatest respect and admiration for Secretary McNamara, but I repeat that if world conditions are as critical as we have been led to believe they are, then I, for one, must place more reliance on the judgment of General LeMay, who has been schooled in the field of military science and a man whose judgment we have always respected heretofore.

Mr. President, I bring to the attention of this body the testimony of General LeMay relative to this question when he appeared before the Senate Appropriations Committee during the hearings on this bill:

> Senator HAYDEN. Would you recommend that the Congress provide additional funds for the procurement of more B-52 and B-58 bombers?
>
> General LEMAY. Senator HAYDEN, I am sure you know, as well as I do, that we are in a very critical period now. It is my personal opinion that we should not close down our bomber lines at this time.
>
> Senator HAYDEN. If additional funds are provided for the procurement of manned bombers, but because of certain limitations it would be necessary to place emphasis on the acquisition of one of these two aircraft, which of the two would you recommend procuring, and why?
>
> General LEMAY. The Air Force has always recommended the B-52 as being the best weapon system per dollar expended.
>
> Senator HAYDEN. Do you feel that a manned bomber will be required as a follow-on to the B-52 and B-58 even if our missiles continue to develop at a satisfactory rate?
>
> General LEMAY. Yes, sir; I do. We want the missiles. They are coming along; they will take a place in our inventory and give good account of themselves. However, it is our feeling, and always has been, that we must have a mixture of manned and unmanned systems if we are properly going to defend the country.

Mr. President, I hope the Proxmire amendment is defeated, and I hope that the President of the United States will take a personal interest in this matter, should the Congress provide the money for additional long-range manned aircraft and if the Secretary refuses to take appropriate action in line with the intent of Congress.

I wish to associate myself with the remarks made on the Senate floor by the distinguished Senator from Missouri [Mr. SYMINGTON] and the distinguished junior Senator from Arizona [Mr. GOLDWATER] when this subject was discussed. With reference to the B-52, I point out that it is the one manned-type of aircraft which today we have in the air as a defensive weapon, and it requires no additional leadtime.

In my humble opinion the plane is something we have in being, and which we can use if, God forbid, we ever have to. Having such a plane is far more comforting than having another plane still only on the drawing board and yet to be accomplished.

I hope the Senate, while recognizing the sincerity of the Senator from Wisconsin, in fairness to this project will defeat the Proxmire amendment.

Mr. ROBERTSON. Mr. President, how much time have I remaining?

The PRESIDING OFFICER. The Senator from Virginia has 8 minutes remaining.

Mr. ROBERTSON. I yield 5 minutes to the Senator from Arizona.

Mr. GOLDWATER. I thank my friend from Virginia.

Mr. President, it is with great reluctance that I find myself in opposition to the amendment offered by my friend from Wisconsin, because for the last several days I have been voting right down the line with him. He tempts me greatly with his arguments, but I cannot follow them.

History, as we conservatives always say, is replete with examples as to why we should or should not do things. If we had a long-range bomber coming into the inventory in the next 2 or 3 years, I would vote for the Proxmire amendment. But the B-52 is the end of the line. The B-70 has been seriously handicapped by cuts made in the past and at the present time, and while we hope they are restored, they may not be, and the B-52 is it, so far as long-range bombers are concerned.

Decisions can be right; decisions can be wrong. I was reminded of decisions made by the Germans in the early part of World War II which, according to my information, probably added to their defeat in a very decisive way. Had the decisions not been made, it is my sincere belief that the war might still be going on. The war would certainly have been prolonged.

Inspector Miller, who was the inspector general of the German forces, was in a running fight with Mr. Messerschmitt throughout the early part of the war as to whether the ME-262, which was flown in test in May 1942, would continue in production as a fighter. Mr. Hitler got into the act and decided that it would not. So the one weapon that could have denied air superiority of the United States and its Allies over German soil was denied to the German Luftwaffe.

There is no question in my mind, and in the minds of those who have studied the subject, that the war would have been seriously prolonged, and might even have resulted in victory for the German side. General Spaatz has written on this subject, and so has Arthur Harris. The Germans have come to the same conclusion. In fact, in answer to a question put to Hermann Goering, "What was the reason for the delay in the use of the ME-262 as a fighter?" Goering replied promptly, "Adolf Hitler's madness."

I do not compare anyone in the administration with Adolf Hitler, by any stretch of the imagination. However, we are human, and humans can be wrong. Hitler was wrong to the extent that he sealed up the defeat of his country.

I wish to conclude my statement by reading what Frank Halder, who was removed as Chief of Army Staff by Hitler in July of 1942, has written:

> It is true that Hitler had a lively interest in, and indeed a marked understanding for

technical construction of all kinds. He interested himself personally in the design of everything from weapons to engines, from ships to the technicalities of fortification. Nobody will deny that this interest was a powerful incentive in the fuehrer state, that it was frequently of assistance to the fighting troops and contributed materially to their successes. But is that enough to make a great military leader? Elephants did not make a Hannibal, nor were the first tanks a source of greatness to the Allied generals in the 1914–18 war.

Weapons and engines are a common achievement of science, engineering, and craftsmanship. The marks of a great leader are a quick understanding of their potentialities in war and an ability, far exceeding that of his contemporaries, to devise new uses for them. In Hitler one seeks these qualities in vain.

Again, I do not read this with any idea of comparing any member of the armed services or of the administration with Adolf Hitler. I resort to the philosophy of the conservative that we can find these answers if we look for them in history. We find a very full answer, which is quite parallel to the subject we are discussing; namely, the decision by the Commander in Chief and his staff as to whether or not we will continue to provide ourselves with the weapon which is the only weapon we have left coming off the production line of a truly long-range subsonic bomber. It is true that we have B–58's coming off the line, too, and it can be termed a supersonic bomber and, in fact, is a mach 2 bomber, and can be used for bombing and reconnaissance, and for the ability of the human brain to make up its mind. I believe the B–52 is necessary, and therefore I shall vote against the Proxmire amendment.

Mr. ROBERTSON. Mr. President, I yield 2 minutes to the Senator from Texas.

Mr. YARBOROUGH. The time the Senator has allowed to me is even more than the time which the Department of Defense has taken in its consideration of the B–58.

Mr. President, I have read a copy of the letter from the distinguished Senator from Wisconsin to the Secretary of Defense dated July 28, 1961, and I have also read a copy of the reply from Secretary McNamara dated August 1, 1961. I have studied both documents. I am appalled at this exchange.

In the first paragraph of the Secretary's letter, he states that it is his belief that the production of B–52's and B–58's is already adequately protected.

In the second paragraph, the Secretary states that we will have over 700 B–52's and B–58's in the operational inventory at the end of fiscal year 1966. A more straightforward statement would read, "We will have procured according to present plans under past authorizations, two wings of supersonic long-range B–58 bombers. There will be available in 1966 about 90 B–58's along with over 600 subsonic long-range B–52 aircraft which are slower than some of our present-day commercial jet transports and of which number the majority will be over 10 years old at that time."

In the third paragraph, the Secretary illustrates his confidence with certain statistics regarding the work force in place at the Boeing-Wichita airframe fabrication and assembly plant in mid-1963. He quotes a number of 9,400 people. I fully subscribe to this. I pointed this out in a recent floor statement on this subject. These people will still be there modifying and reworking the B–52G and H airplanes which must have new wings put on.

In the same paragraph, he points out that the Pratt & Whitney engine plant will still be manufacturing the necessary engines and that the tools will still be in place. There is no doubt about the validity of this statement either.

In the fourth paragraph, the Secretary quotes certain statistics regarding the bomb-navigation system and concludes that the restart costs, which would incidentally buy us no airplanes whatsoever, would be approximately $245 million.

But, Mr. President, at no place in this letter can I find any similar statistics for the B–58, the free world's only long-range manned supersonic bomber airplane. The only airplane that can penetrate the Soviet defenses on its own, without the use of decoys or other expensive and complicated "crutches." The only airplane that can accurately and reliably drop its bombs on enemy targets. The only airplane that will give our trained American bomber pilots an eight times better chance of dropping their bombs at high altitude and returning to friendly territory.

Since the Secretary neglects to supply this information for the consideration of this body I will do it for the record and let the facts speak for themselves.

By mid-1963 the skilled work force in place at the airframe fabrication and assembly plant of General Dynamics, Fort Worth, will be zero. There may be then only about 200 people engaged in termination work and plant maintenance. By the same time the number of people at work fabricating the bomb-navigation system of this airplane will be zero. The number of people manufacturing and assembling the other subsystems of this remarkable airplane in 40 States of the Union will be zero.

The only conclusion most people can draw from the facts which I have just stated is that the cost of a restart of the supersonic B–58 in mid-1963 both in time and money would be infinite. The cost to our future security might well be total disaster. Whether or not all the trained people in Fort Worth will be available and can be reemployed is a very moot question, and without people, the well-preserved production tools mean nothing. I can assure you, that the B–58 production lines will be down, and that they cannot be started again quickly and efficiently, as I believe some of us have been told.

The Secretary has indicated that further study of the "bomber concept" is in progress. The Soviet study is evidently complete. They have three different types of supersonic strategic bombers in production right now. These airplanes are being placed in the hands of the Soviet SAC in ever-increasing numbers.

The study by the Congress of the United States is complete. The Congress has unanimously indicated their desire to continue the production of manned strategic bombardment aircraft and to accelerate the development of the B–70.

This decision is in my judgment sound and meets our obligation to provide for the common defense. The continued production of the B–58 is an integral part of our strategic deterrent. It is, by definition according to General LeMay, a long-range bomber, and it must be kept in production to assure a positive and reliable method of delivering our great stockpile of A- and H-bombs. These bombs are no good sitting here in the United States and in the B–58 we have a supersonic delivery system that can have an 8 to 1 better chance of delivery at high altitude than our other SAC bombers. We must have more than a mere two wings. If not, the Soviets will outnumber us 5 times and may be more in total numbers of supersonic bombers by the time we will get the B–70.

In my judgment the adoption of the Proxmire amendment would be a grave error; it would be a disastrous one.

Mr. PROXMIRE. I yield myself such time as I may need.

With respect to one objection the Senator from Texas has made, the fact is that it has been testified over and over again in the hearings, and it seems to be well known and agreed to by Senators on the floor, that this money would not be used to build B–58's. The fact is that General LeMay has said that he intends to use it for B–52's. They have no intention of using it for B–58's. As I have said, there is no intention on the part of the Secretary of Defense or on my part to abandon long-range bombers. We recognize they are necessary. We recognize they are an important part, if not the most important part, of our whole defense posture. Secretary McNamara is the one man who has primary responsibility for our overall defense. I stress "overall." On this key question of how much is enough in long-range bombers, he has given the Senate a very clear and a very explicit answer.

Deputy Secretary of Defense Gilpatric has said, "We are supporting a concept of a mix of strategic weapons."

The appropriation bill before the Senate supports that concept on virtually every item, except one, and that is the half billion dollars plus for manned long-range bombers.

This is the only major item which does not fit into the carefully balanced mix of strategic forces recommended by the administration and the Defense Department to safeguard our national interests.

The distinguished Senator from Arizona has made a very eloquent plea for the B–70. I support him in it. He is undoubtedly correct. However, my amendment does not touch the B–70. It is concerned only with the B–52.

The B–52 is recognized as being an old bomber. The Senator from Missouri has stated that this bomber was conceived in 1949 and in production in 1952. Therefore, it is 10 years old. It is an important weapon. It is now in the H model. It has been improved. It is a very much slower bomber than the

bomber the Russians seem to have. Of course it is certainly not as modern a bomber.

The one distinctive feature of modern warfare is the fabulous rate of technological development. With missiles, nuclear weapons, and fabulous plane speeds, the one sure thing is that today's weapons will be obsolete tomorrow.

The Secretary of Defense and the administration have taken the position that the 10-year-old bomber, the B–52, is an immensely important weapon in our arsenal. The 10-year-old bomber has been greatly improved, of course, and the administration has fitted it into the balanced mix of defense weapons, with the more than $4.5 billion they already have appropriated but unspent for Air Force procurement.

Throughout the sixties, according to the testimony by top defense personnel, we will have a large inventory of long-range bombers, in the order of more than 700. Equipped with the Skybolt and Hound Dog missiles, the bomber will have a fantastic destructive power; as the Senator from Missouri has said—one bomb, one city.

Meanwhile, the rapid-fire advance of missiles, the prospect of the new B–70 development, and perhaps the decision later to design, research, and build more advanced long-range bombers all persuade the Secretary of Defense that it would be a remote eventuality that more of this 10-year-old B–52 will be needed in the already heavy inventory in the 1960's.

But in the event more are needed, will there not be a risk that the country would then not have the optimum defense? Is it not true that we might find in 1962 or 1963 that the missile program either is not working out or cannot do the job we expect it to do? Is it not true that the B–70 program might not work out satisfactorily? With this kind of eventuality, would it not be desirable to have those additional B–52's available?

The answer is emphatically "No."

The Secretary of Defense has carefully considered each of these possibilities. If 2 or 3 or 5 years from now, we find that the old B–52 is still our best bet, we will have 2 protections. First, we will have a very heavy inventory at that time of B–52's. The Secretary has written:

> Previous appropriations enable us to plan on a very high bomber inventory through the mid-1960's. In the operational inventory we will have over 700 B–52's and B–58's at the end of fiscal year 1966.

In the second place, we will have the capability of producing the B–52 once again in quantity. I do not think I have to reread the section of the Secretary's letter in which he emphasizes, underlines, and reinforces, that conception and that idea. He is an expert on production. He is certainly the outstanding expert in this administration. He has been the head of the second largest automobile company in the world, a tremendously efficient automobile concern. The Secretary of Defense is a real expert in this field. I think we may take his word.

Mr. RUSSELL. Mr. President, will the Senator from Wisconsin yield?

Mr. PROXMIRE. I yield.

Mr. RUSSELL. I hope the Senator from Wisconsin will not rely too strongly on the fact that the Secretary of Defense was the head of an automobile manufacturing concern, in order to qualify him. The head of another automobile manufacturing concern was also a Secretary of Defense.

Mr. PROXMIRE. The distinguished Senator from Georgia makes a pertinent point in saying that the head of another automobile company was Secretary of Defense, and has been, perhaps, challenged in the light of history. However, I am not speaking now about the defense situation, because I think it has been established, at least to my satisfaction, that this problem primarily is a financial problem—whether we should take a financial risk. It can be decided later whether to produce more B–52's. That is a production problem, not a defense problem.

Mr. RUSSELL. I join the Senator from Wisconsin in the high tribute he pays to the Secretary of Defense, who, in my opinion, is one of the ablest men to occupy a Cabinet position for some time. He is a man of great capacity. However, it so happens that I do not agree with the Secretary in this specific instance.

I was interested to hear the Senator quote the Secretary of Defense, again and again and again, in support of his reasons why the amendment striking out funds for the B–52 should be approved. But the Senator from Wisconsin told the Senator from Arizona that he completely agreed with his statement in support of the B–70. Does not the distinguished Senator from Wisconsin know that the witness he quotes as being against the B–52, the Secretary of Defense, has been equally vigorous, if not more so, in opposition to the increase of funds for the B–70?

Mr. PROXMIRE. Yes. I am delighted that the Senator from Georgia raises that point. I do my best not to be overswayed by prestige and position. I try to listen to the logic, reason, and argument of important officials. The Secretary of Defense has persuaded me entirely because of the logic and weight of his argument. If I were to base my judgment primarily on prestige, I should rely on the Senator from Georgia [Mr. RUSSELL], the Senator from Missouri [Mr. SYMINGTON], and other experts who have been engaged in this field longer than the Secretary of Defense has been.

Mr. RUSSELL. The Senator from Wisconsin well knows, I suppose, that General LeMay has had considerable experience in every phase of the airplane business, and supports the continuation of bomber production at this time.

Mr. PROXMIRE. He does, indeed. Also, I am certain we could not find a Secretary of the Air Force who would not ask for more, especially if he could get anyone to agree with his position that a larger Air Force is needed. Has not that always been true?

Mr. RUSSELL. Yes; I think generally speaking Secretaries of the Air Force have been ahead of Secretaries of Defense in asking for weapons. I recall that back in 1950, I think, Congress followed the recommendations of the Air Force instead of the Executive and the Secretary of Defense. We would have been much better off, with respect to what happened in Korea about 12 months later, if the President and the Secretary of Defense had followed the views of the Air Force and Congress with respect to the production of planes to wage the Korean war.

Mr. PROXMIRE. The Senator from Georgia makes an excellent point. However, it has been established that this is primarily a production problem, a financial problem. Security is not involved. If we find that the missiles and the B–70 are not successful and we must rely on the B–52, we can resume its production. It is a question of investing $245 million. The Secretary of Defense, an expert on production, says this is a remote possibility. In the remote possibility that it is necessary to resume the production of B–52's, we shall have the capacity to produce them once again in quantity. In the remote eventuality that weapons technology should stand relatively still for the next 5 years, we would be ready to move promptly to produce this 10-year-old plane, the B–52, in numbers.

Let us make clear what the $525 million would not buy. It would not buy research. It would not buy a new design. It would not buy additional speed or protection. What would it buy?

It would buy an additional number of what are described as 10-year-old bombers, long-range bombers, to add to an inventory of these old bombers which the Secretary of Defense already regards as heavy.

The Secretary of Defense must determine a balanced assortment of weapons—missiles, submarines, aircraft carriers, bazookas, and rifles.

Every service, of course, wants more—much more. Every service always fights for more, especially when it receives a little senatorial encouragement. However, the Secretary of Defense must make that decision—the decision for a balanced inventory based on all considerations. He does not want us to spend the $525 million. We should not spend it; we should save it.

Mr. President, I reserve the remainder of my time.

Mr. ROBERTSON. Mr. President, I yield myself 30 seconds. The distinguished Senator from Arizona [Mr. HAYDEN] asked General LeMay, on July 18:

> Would you recommend that the Congress provide additional funds for the procurement of more B–52 and B–58 bombers?

General LeMay replied:

> Senator HAYDEN, I am sure you know, as well as I do, that we are in a very critical period now. It is my personal opinion that we should not close down our bomber lines at this time.

The committee agreed 100 percent with General LeMay that $525 million should be included in the bill. We ask that the amendment to take out that amount be defeated.

Mr. President, I yield the remainder of my time to the distinguished Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, I join with the Senator from Virginia. He and I have presented overall, detailed statements as to the security that the bill will provide for our country in the days to come.

With respect to the amendment of the Senator from Wisconsin, Congress must provide the funds for the security of our country. The administration need not necessarily use all the funds provided. In the case of the B–52, we are doing the wise thing, the sensible thing, and the safe thing if we appropriate these funds for the B–52.

Not to do so, and then to have the need develop for the funds, would leave a heavy burden of responsibility upon us.

I hope the amendment of the Senator from Wisconsin will not be agreed to.

Mr. ROBERTSON. Mr. President, I am prepared to yield back the remainder of my time. Will the Senator from Wisconsin yield back the remainder of his time?

Mr. PROXMIRE. I yield back the remainder of my time.

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

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, it is so ordered.

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

The legislative clerk proceeded to call the roll.

Mr. LONG of Hawaii (when his name was called). On this vote I have a live pair with the senior Senator from West Virginia [Mr. RANDOLPH]. If the senior Senator from West Virginia were present and voting, he would vote "nay"; if I were at liberty to vote, I would vote "yea." I withhold my vote.

The rollcall was concluded.

Mr. HUMPHREY. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. HART], the Senator from Missouri [Mr. LONG], and the Senator from West Virginia [Mr. RANDOLPH], are absent on official business.

I also announce that the Senator from New Mexico [Mr. CHAVEZ] is absent because of illness.

I further announce that, if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Michigan [Mr. HART], and the Senator from Missouri [Mr. LONG] would each vote "nay."

Mr. KUCHEL. I announce that the Senator from Maryland [Mr. BUTLER] is absent because if illness.

The Senator from Kansas [Mr. CARLSON] is absent on official business.

The Senator from Iowa [Mr. MILLER] is necessarily absent.

If present and voting, the Senator from Maryland [Mr. BUTLER], the Senator from Kansas [Mr. CARLSON] and the Senator from Iowa [Mr. MILLER] would each vote "nay."

The result was announced—yeas 4, nays 87, as follows:

[No. 129]

YEAS—4

Bush	Morton	Proxmire
Ellender		

NAYS—87

Aiken	Fulbright	Monroney
Allott	Goldwater	Morse
Anderson	Gore	Moss
Bartlett	Gruening	Mundt
Beall	Hartke	Muskie
Bennett	Hayden	Neuberger
Bible	Hickenlooper	Pastore
Boggs	Hickey	Pell
Bridges	Hill	Prouty
Burdick	Holland	Robertson
Byrd, Va.	Hruska	Russell
Byrd, W. Va.	Humphrey	Saltonstall
Cannon	Jackson	Schoeppel
Capehart	Javits	Scott
Carroll	Johnston	Smathers
Case, N.J.	Jordan	Smith, Mass.
Case, S. Dak.	Keating	Smith, Maine
Church	Kefauver	Sparkman
Clark	Kerr	Stennis
Cooper	Kuchel	Symington
Cotton	Lausche	Talmadge
Curtis	Long, La.	Thurmond
Dirksen	Magnuson	Tower
Dodd	Mansfield	Wiley
Douglas	McCarthy	Williams, N.J.
Dworshak	McClellan	Williams, Del.
Engle	McGee	Yarborough
Ervin	McNamara	Young, N. Dak.
Fong	Metcalf	Young, Ohio

NOT VOTING—9

Butler	Eastland	Long, Hawaii
Carlson	Hart	Miller
Chavez	Long, Mo.	Randolph

So Mr. PROXMIRE's amendment was rejected.

Mr. SALTONSTALL. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. JACKSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AGRICULTURAL AMENDMENTS OF 1961—CONFERENCE REPORT

Mr. ELLENDER. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1643) 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 services, to protect the interest of consumers, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ELLENDER. Mr. President, the conferees sat for 2 days considering the items in the report, and finally the report received the unanimous approval of all conferees from the House as well as those from the Senate. There were no material differences that we could not settle. When we concluded cur conference and reached an agreement, we had ironed out the differences, which were of great importance, as between the Senate version of the bill and the House bill.

First. The Senate accepted the House language relating to the declaration of policy. This included a reference to the fact that this country would in no manner subsidize the export of agricultural commodities to other than friendly nations.

Second. The House accepted the Senate language relating to the prerogatives of the Secretary of Agriculture to consult with farmers and others in the development of agricultural programs.

Third. One of the programs that was adopted was the wheat program. The conferees agreed on a mandatory acreage cut of 10 percent and a voluntary 30-percent acreage cut with payments in cash or kind of 45 percent on the mandatory acreage reduction and 60 percent on the voluntary reduction.

I point out that the Senate provided 40- and 50-percent payment rates and the House 50- and 60-percent payment rates on the mandatory and voluntary reductions, respectively.

The conferees further agreed that any producer could divert up to a total of 40 percent of his allotment or 10 acres. The House language provided for a 15-acre cut. This provision is especially important with respect to the so-called 15-acre exemption producers in Soft wheat States. The Department has reported, however, that in their estimation a 10-acre reduction would not materially affect the production of Soft wheat.

With respect to Durum wheat, the conferees agreed to provide authority for the Secretary of Agriculture to increase Durum wheat allotments if he finds the supply insufficient to satisfy demand. This is a 3-year provision. In addition, the conferees agreed that the Secretary should not take the subsidized exports of Durum wheat into account in determining whether or not the supply of Durum wheat is sufficient.

Fourth. In respect to the feed grain program, very few changes were made, and the conferees agreed that producers of malting barley could increase acreage up to 110 percent of the average 1959–60 acreage and still be eligible for price supports; and to delete the so-called wetlands provision. This would have prohibited assistance under the Soil Conservation and Domestic Allotment Act to farm operators of draining wetlands when the Secretary of Interior found that wildlife preservation would be materially harmed.

This is a House provision, which the House conferees agreed to delete.

The conferees further agreed to retain the Senate version of the 20-acre provision, which was the amendment suggested by the Senator from Iowa [Mr. MILLER], so that the program in that respect would be the same as now prevails.

Both versions required a 20-percent cut in acreage with payment at 50-percent and a voluntary cut in acreage of 20 percent with payment of 60 percent.

Fifth. Marketing orders: The conferees agreed—

(a) To exclude chicken hatching eggs from market order authority;

(b) To include both turkeys and turkey hatching eggs;

(c) To include all cherries;

(d) To include apples produced in Michigan, New York, New England, Maryland, New Jersey, Indiana, and California, including such apples for canning and freezing;

(e) To include peanuts and tobacco;

(f) To include all agricultural commodities not otherwise exempt or covered;

(g) To include oranges, onions, walnuts, and dates—except dates for processing—in the list of commodities under section 8(e), which would in effect prevent the importation of such commodities unless they complied with the grade, size, quality of the market order requirements on domestic producers.

That provision, I believe, gave us more difficulty than any other in the bill, in that there was insistence on the part of the House conferees that their version be retained respecting dates. But, as I have indicated, we agreed that dates would be included except for dates that are used for processing; that is, for making cakes, cookies, and other like preparations.

(h) The so-called checkoff provision relating to all agricultural commodities, including milk, was deleted.

(i) The Williams amendment, requiring a referendum in the case of market orders, was retained.

Sixth. Wool: The conferees agreed on a 4-year extension of the wool program.

Seventh. With respect to Public Law 480, the conferees agreed (a) to retain the amendment, of which I was the author, requiring that the exchange rates in title I agreements be comparable to the so-called Treasury selling rate; (b) to retain the Senate language providing for a 3-year extension, with a $4½ billion authorization; (c) to delete the House language requiring all agreements in excess of $5 million to be submitted to the Committees on Agriculture 15 days before the agreement became final.

The Department of Agriculture was very anxious to have that provision eliminated, and in the closing hours of our conference the House agreed to eliminate that provision altogether.

The conferees further agreed to (d) retain the provision providing for sale of foreign currencies to American tourists.

That was a House provision.

The conferees also agreed to (e) retain the provision relating to section 104 (a), requiring that 5 percent of title I sales proceeds each year be set aside in the amounts and kinds of foreign currencies specified by the Secretary of Agriculture with a 2-percent convertibility into types and kinds of foreign currencies as the Secretary terms necessary; and (f) delete all amendments to the credit sales for dollars provision of title IV of Public Law 480.

Eighth. With respect to agricultural credit, only a few significant changes were made. The conferees agreed (a) to omit the section authorizing real estate loans to farmers who held long-term leases; (b) to authorize loans to soil conservation districts for equipment used for soil conservation purposes; and (c) to omit the House language which would have authorized loans for economic disaster on a permanent basis.

Ninth. With respect to the general provisions which we had in the bill, the conferees agreed (a) to delete both sections 401 (a) and (b) which related to farmer cooperatives.

We had a prolonged discussion on this point. The members of the House said they had specific instructions from the committee as a whole that they would not agree to this provision. In order to have a bill, the Senate reluctantly agreed to recede.

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

Mr. ELLENDER. I yield.

Mr. AIKEN. It was also stated by the House conferees that they consider the provisions of subparagraphs 401(a) and (b) in the Senate bill to be a part of existing law, and that there was no need for them. To the extent that they stated their interpretation of the intent of existing law, I believe there was a gain made, because there is no reason now for the courts to misconstrue the intent of Congress as to the authority of cooperatives to unite and to do business.

Mr. ELLENDER. The Senator is correct. The interpretation is written in the report.

Mr. AIKEN. In the statement on the part of the managers of the House.

Mr. ELLENDER. Yes; that is now a permanent record.

To continue with the bill, the conferees agreed (b) to extend the school milk program for 5 years in such amounts as may be appropriated.

There was a little change made here. In the past there was a limit within which the Commodity Credit Corporation was permitted to furnish milk for the school lunch program, and we have provided that this matter will be handled now through appropriations each year for the amount that may be necessary in order to carry on the school milk program.

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

Mr. ELLENDER. I yield.

Mr. AIKEN. There was considerable significance in the action of Congress at this time in repealing the authority for back-door financing of the school milk program. It is also noticeable that the bill continues the prohibition against back-door financing for the Farmers Home Administration unless authorized in an appropriation act. I only hope that when the mutual security bill comes before the Senate for consideration, as it will within the next day or two, that the Senate will not decide that back-door financing for a $100 million milk program for our school children is unsound but that an $8,800 million financing operation all over the world through back-door financing is not unsound. I hope we do not show inconsistency, which is highly possible in that field.

Mr. ELLENDER. The method that was applied heretofore has worked very well. One of the reasons the House Members advanced to make it on an appropriated dollars basis was that it would be charged to the school milk program and not to agriculture.

Mr. AIKEN. Of course.

Mr. ELLENDER. It did accomplish what the Senator has stated.

In respect to FHA, I do not believe that there has been a material difference in the method of financing from that provided by the bill.

Mr. AIKEN. The financing of school milk and agricultural programs by the Commodity Credit Corporation has not been as "back doorish" as is proposed in the Mutual Security Act for foreign aid programs. Every year the losses from the Commodity Credit Corporation have had to be replaced by direct appropriation.

Mr. ELLENDER. There is a vast difference.

Mr. AIKEN. I hope we remember to be consistent when the mutual security bill is taken up for consideration.

Mr. ELLENDER. Yes. The procedure with respect to the Farmers Home Administration has not been materially changed. What happens there is that the borrowing is authorized for specific amounts each year by the appropriation act, and then a note is signed by the FHA to the Treasury, and it is made on certain terms that we decide upon. This borrowing cannot be done unless and until the Appropriations Committee and the Congress votes to authorize it.

The conferees also agreed (c) to delete the provision making surplus foods available to State penal and correctional institutions.

The Senate will remember that we had that matter before us on many occasions, and the Senate felt that the States were well able to take care of their own finances insofar as these institutions were concerned. However, the House had the provision in its bill. They agreed to delete it at our suggestion.

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

Mr. ELLENDER. I yield.

Mr. AIKEN. I had one more point to discuss before we act on the conference report. I feel that the Chairman of the Committee on Agriculture and Forestry has done an exceptionally good job in bringing this omnibus farm bill to its present tolerable position. At one time it appeared that we could get a bill which would be very unacceptable. However, the chairman of the committee has been very diligent and has been very patient. The worst features of the bill as originally sent up from the Department have been deleted. There are still one or two provisions in it which I would rather have seen taken out. There are one or two provisions which were deleted that I

would have rather seen left in. On the whole the chairman has done a remarkably fine job in bringing this bill through all its stages to the present conference report, which we are now about to accept, I hope.

Mr. ELLENDER. I thank my good friend from Vermont.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CASE of South Dakota. I join in expressing appreciation to the conferees on the agricultural bill in acting promptly and bringing it back promptly to the respective bodies of Congress. I have a few questions. First, with respect to wheat production, does the 10-percent reduction requirement apply to the so-called 15-acre wheatgrowers?

Mr. ELLENDER. The producer who has been planting 15 acres would be reduced to 13½ acres.

Mr. CASE of South Dakota. That would be a 10-percent reduction from the 15 acres?

Mr. ELLENDER. That is correct; a 10-percent reduction.

Mr. CASE of South Dakota. To be eligible to vote on marketing quotas, would a farmer have to grow at least 13½ acres of wheat?

Mr. ELLENDER. He may not vote in the referendum for the 1962 crop unless he has planted more than 13½ acres for 1959, 1960, or 1961 harvest. If he has planted more than that amount, then he is eligible to vote. The acreage that may be planted without being subject to marketing quotas remains as the Senate provided—13½ acres. In order for a farmer to be eligible to vote, he must have planted in excess of 13½ acres. The record shows that about 90,000 farmers planted between 13½ and 15 acres of wheat.

Mr. CASE of South Dakota. With respect to soil conservation districts, I note that section 314 would permit such districts to make loans aggregating not more than $500,000 in any one year to districts for the purchase of equipment. Is the $500,000 a limitation on individual soil conservation districts?

Mr. ELLENDER. No; that is a limitation upon the whole country.

Mr. CASE of South Dakota. The whole country?

Mr. ELLENDER. That is correct.

Mr. CASE of South Dakota. It seems to me that such a limitation is a little severe, because for the purchase of equipment, $500,000 spread over the entire country is not much.

Mr. ELLENDER. It is a new program, as the Senator knows. We have started it in a small way.

Mr. CASE of South Dakota. It obviously would be in a small way, with 3,000 counties in the United States and only $500,000 to lend. I recognize, of course, that soil conservation districts may overlap counties, and that some counties are not organized.

However, the amount does not offer much opportunity. Yet frequently the joint purchase by a soil conservation district of a particular type of seeder or tool for breaking up the soil may be beyond the capacity of individual farmers. The soil conservation district can purchase such equipment to much advantage, rent it, and eventually pay for it.

One other question. I note a paragraph on page 30 of the report to the House, which reads as follows:

(5) Omits a provision in the House bill which would have denied ACP assistance to draining wetlands if the Secretary of the Interior had determined that such drainage would be injurious to wildlife.

I myself had hoped that the Senate conferees would have agreed to that provision in the House bill.

Mr. ELLENDER. That amendment was introduced on the House floor. The amendment provided for reports to be made by the Department of the Interior. Since the feed grain program is for only 1 year, it was felt that inclusion in it of permanent provisions should not be considered, and that nothing could be accomplished with respect to this provision in 1 year. For that reason the Senate conferees insisted that the provision should be deleted, and that was done.

If the program were a permanent one it might be made workable, and I believe it might be possible to have more or less permanent legislation in that regard. I am in agreement that our wetlands should be retained as much as possible to provide more wildlife. However, we believed it was impractical to include this provision in a bill of this kind.

Mr. CASE of South Dakota. I recognize that an individual landowner should have the right to drain his land or to store water—either one or the other, as he may wish—but it seems to me that the Government is working somewhat at cross-purposes when it establishes various programs to increase wildlife and at the same time authorizes payments to drain the wet lands which contribute breeding grounds for many of the migratory waterfowl. I hope that when the extension of the program is considered next time, further consideration will be given by the Senate committee to the possibility of placing some prohibition on the use of ACP funds, which the House had proposed in this instance.

Mr. ELLENDER. I thank the Senator from South Dakota.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a detailed description of the differences between the bill as passed by the Senate and the conference substitute therefor, and how the substitute was arrived at.

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

DIFFERENCES BETWEEN S. 1643, AS PASSED BY THE SENATE, AND THE CONFERENCE SUBSTITUTE THEREFOR

POLICY

1. Includes a declaration of policy.

THE 1962 WHEAT PROGRAM

2. Limits foreign relief use of 1962 marketing excess wheat to "friendly" countries.

3. Excludes new wheat allotment farms from the 1962 wheat diversion program.

4. Provides for control of all insects on diverted wheat acreage instead of just grasshoppers.

5. Provides that acreage diverted from wheat may be planted to castor beans, guar, safflower, sunflower, or sesame, but no diversion payment would be made therefor.

6. Provides that the total acreage "of cropland" on the farm (rather than the total acreage on the farm) devoted to soil conserving uses, including "idle land" shall be increased in 1962 by the acreage diverted (so that the Department will not be required to measure or control noncropland, and so that idle land cannot be put into crops). The Secretary could, under his authority to include additional terms and conditions, prohibit noncropland from being put into crops.

7. Provides for payment rates of 45 percent (instead of 40 percent) for the first 10 percent reduction and 60 percent (instead of 50 percent) for any further reduction.

8. Requires the Secretary, in fixing wheat diversion payments, to use actual 1959 and 1960 farm yields where they are proved; and provides revised language with respect to adjusting yields where actual yields are not proved. The revised language makes the use of adjusted county yields and farm productivity discretionary, rather than mandatory.

9. Permits any farm to divert up to a total of 10 acres so long as its total wheat acreage diversion does not exceed the larger of (i) its highest wheat acreage in 1959, 1960, or 1961, or (ii) its 1962 allotment.

10. Limits the provision for increasing Durum wheat acreage allotments to 1962, 1963, and 1964; and provides that the demand for Durum wheat for export at subsidized prices not be considered in determining the need for, and the amount of, any increase.

FEED GRAIN PROGRAM

11. Provides an additional limitation on the malting barley exemption from the feed grain diversion program limiting it to malting barley producers who do not exceed 110 percent of their average 1959–60 barley acreage.

12. Provides that the average acreage of cropland on the farm (rather than the average acreage on the farm) devoted to soil conserving uses, including idle land shall be increased in 1962 by the acreage diverted (so that the Department will not be required to measure or control noncropland, and so that idle land cannot be put into crops). The Secretary could, under his authority to include additional terms and conditions, prohibit noncropland from being put into crops.

13. Provides for use of actual 1959–60 farm acreages and yields when proved and provides for adjustment of farm yields for the same factors as used for adjusting acreage, and includes soil and water conservation measures among the factors for which adjustments may be made.

MARKETING ORDERS

14. Adds the following commodities to those for which marketing orders may be issued, in addition to those provided for by the Senate bill:

(a) Apples produced in Maryland, New Jersey, Indiana, and California (in addition to those produced in Michigan, New York, Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, which were provided for by the Senate bill).

(b) Apples for canning or freezing produced in all of the States just named and products of apples produced in those States, except canned or frozen products. Orders applicable to apples for canning or freezing would be subject to the same processor approval required for cherries or cranberries for canning or freezing.

(c) Peanuts, but no peanut products. No order applicable to peanuts could cover more than one of the three principal production areas (Southeast, Southwest, or Virginia-Carolina).

15. Does not repeal marketing order authority for tobacco.

16. Deletes chicken hatching eggs from the list of commodities to which marketing order authority would be extended.

The conference substitute retains the Senate provisions repealing marketing order authority for soybeans, and extending marketing order authority to the following commodities (but not their products): cherries and cranberries for canning or freezing, turkeys, turkey hatching eggs, and all other agricultural commodities not specifically covered or excepted.

The commodities specifically excepted are: honey, cotton, rice, wheat, corn, grain, sorghums, oats, barley, rye, sugarcane, sugarbeets, wool, mohair, livestock, soybeans, cottonseed, flaxseed, poultry (other than turkeys), eggs (other than turkey hatching eggs), fruits and vegetables for canning or freezing (other than those specifically covered), and apples (other than those specifically covered).

17. Amends section 8e of the law relating to marketing orders to prohibit the importation of oranges, onions, walnuts, and dates (other than dates for processing) which do not meet the grade, size, quality or maturity requirements of orders applicable to the domestic commodities. At present only imported tomatoes, avocados, mangoes, limes, grapefruit, green peppers, irish potatoes, cucumbers, or eggplants may be subject to such a restriction.

18. Omits Senate provisions which would have (a) extended marketing research and development authority to milk and advertising authority to all covered commodities; (b) provided for separate producer approval of research, development, and advertising provisions of an order; (c) repealed a provision limiting orders for commodities other than milk to the smallest practicable area; and (d) made it clear that supplementary orders may be issued for the same commodity.

WOOL ACT EXTENSION

19. Extends the Wool Act for 4 years instead of 3.

PUBLIC LAW 480

20. Authorizes the use of foreign currencies for dollar sales to American tourists.

21. Requires 5 percent of the proceeds of the title I sales in each year to be set aside in amounts and kinds of foreign currencies specified by the Secretary of Agriculture for agricultural market development and requires such amount of sale and loan proceeds as the Secretary of Agriculture determines necessary, but not less than 2 percent, to be convertible into currencies of other foreign nations as the Secretary of Agriculture deems necessary for market development activities in countries which are or may become dollar markets. The Secretary would be required by the House amendment to enter into title I sales with dollar or potential dollar countries to provide adequate foreign currencies for agricultural market development in those countries. He is now permitted to do so.

22. Omits section 203 of the Senate bill, which would have made several minor changes in title IV of Public Law 480 (which relates to long term dollar credit sales).

AGRICULTURAL CREDIT

23. Provides a $60,000 indebtedness limit on Farmers Home Administration farm real estate loans.

24. Limits indebtedness of associations for soil and water conservation loans to $500,000 in the case of direct loans, and $1 million in the case of insured loans instead of a total indebtedness on direct and insured loans of $1 million.

25. Omits section 310 of the Senate bill, which would have provided for farm real estate loans to those having less than full ownership in the security property.

26. Provides for a $35,000 indebtedness limit on operating loans, instead of $40,000 as provided by the Senate bill.

27. Authorizes loans to soil conservation districts for purchase of conservation equipment.

28. Makes it clear that claims referred to the Attorney General may be compromised with the approval of the Attorney General.

29. Prohibits exercise of the Farmers Home Administration authority to borrow from the Treasury unless authorized "in appropriation Acts".

GENERAL PROVISIONS

30. Omits the Senate provisions relating to farmer cooperatives.

31. Authorizes a 5-year extension of the school milk program, with no limitations on amount, and to be paid for by direct appropriations (instead of from CCC funds).

32. Extends the Veterans Administration and Armed Services milk program 3 years, to 1964, with CCC furnishing the funds.

33. Omits a provision which would have permitted the Farmers Home Administration to make expenditures for printing and binding without regard to the act of January 12, 1895.

Mr. HOLLAND. Mr. President, first, I compliment the able chairman of the Committee on Agriculture and Forestry, who served as chairman of the committee of conference. Having attended many conferences in the field of agriculture with Members of the other body, I think I may say that this was one of the least acrimonious we have ever had. I compliment the Senator from Louisiana for his kindly handling of the situation, which I think was largely responsible for the lack of any serious disagreement.

There are two items on which I should like to dwell. One relates to the deletion from the conference report of the references to cooperatives. The conference was held under rather unusual and somewhat difficult circumstances, in that the House, which was the body that acted last, had substituted its own bill entirely. It struck out the Senate bill and adopted a new bill. We were not operating as we usually do in the consideration, for instance, of appropriation measures, in which there are many amendments, all of them numbered; in which the separate amendments can be considered; and where, if necessary, a separate amendment may be reported in disagreement to both Houses.

Under the parliamentary procedure applicable in this case, it was necessary either to agree entirely to the Senate bill or agree entirely to the House bill, or else to rewrite the two bills so as to bring out a bill which would be agreed to entirely. There was no possibility of reporting specific items which were in disagreement. Except for that fact, I feel rather certain that the Senate conferees might have returned to the Senate to report on the cooperative item and to get fuller instructions from the Senate. That is simply my own opinion; but the subject was long discussed, especially in view of the fact that subsection (b) of that particular section had been argued in detail on the floor of the Senate and had been adopted by a yea-and-nay vote in the Senate. We did not have the right to bring back that item in disagreement.

In rewriting the bill in many of its portions, so as to bring back a bill—neither the House bill nor the Senate bill, but one which was substantially written in conference—we all agreed there was merit in the cooperative provisions in the Senate bill and that that subject should be handled by a statement on the part of the managers of the House in such a way as to be helpful in any litigation which might arise in this field.

I call attention to the language in the statement by the managers of the House which will be found on page 14565 of the CONGRESSIONAL RECORD of today which reads as follows:

TITLE IV—GENERAL

(5) Omits the Senate provision relating to cooperatives for the reason that the committee of conference considers the Senate language to be unnecessary and a mere restatement of existing law.

The committee of conference hereby reaffirms, consistent with the policy embodied in the Capper-Volstead Act, the Cooperative Marketing Act of 1962, the Agricultural Marketing Act of 1929, as amended, the Farm Credit Act of 1933, as amended, and related legislation, the national policy of aiding and encouraging the organization, operation, and sound growth of farmer cooperatives to the end that the farmers of the Nation may through group action conduct their business operations effectively to obtain a fair share of the Nation's income.

The committee of conference construes existing provision of law to mean that two or more cooperative associations, as defined in the Agricultural Marketing Act of 1929, as amended, may act jointly in a federation of such cooperative associations, or through agencies in common, in performing those acts which farmers acting together in one such association may lawfully perform.

It was thought that that recital might show that the committees representing the two Houses construe the Cooperative Marketing Act as stated in that item; and it was thought that that declaration might be helpful if subsequent litigation in that field should arise.

The next item I wish to mention relates to the portion of Subtitle D: Marketing Orders, found in paragraph 5 of section 141. This particular provision, as rewritten by the conferees, will be found on page 14558 of the CONGRESSIONAL RECORD for today. It reads as follows:

(5) Section 8e is amended to read as follows:

"Notwithstanding any other provision of law, whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of this Act contains any terms or conditions regulating the grade, size, quality, or muturity of tomatoes, avocados, mangoes, limes, gratefruit, green peppers, Irish potatoes, cucumbers, oranges, onions, walnuts, dates, or eggplants produced in the United States the importation into the United States of any such commodity, other than dates for processing, during the period of time such order is in effect shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of such order or comparable restrictions promulgated hereunder:"

The section continues, but I do not think the continuation is applicable to this point.

Mr. President, in order that the entire story of this provision may appear in the RECORD, I ask unanimous consent that a letter from the Honorable Brooks Hays, Assistant Secretary of the Department

of State, addressed to our distinguished chairman, the Senator from Louisiana, and dated August 2, 1961, be printed at this point in the RECORD, in connection with my statement.

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

DEPARTMENT OF STATE,
Washington, D.C., August 2, 1961.

Hon. ALLEN J. ELLENDER,
Chairman, Senate Agriculture and Forestry Committee, U.S. Senate.

DEAR MR. CHAIRMAN: I am enclosing for your information and that of your committee a copy of a memorandum which was sent to the Department of Agriculture by the Department of State on July 29, 1961. As you will note the memorandum sets forth the Department's objections to the inclusion in S. 1643 of amendments to the Agricultural Adjustment Act insofar as they are applicable to "any agricultural commodity."

The memorandum sets out in general terms the adverse effect on the import of certain agricultural commodities which this legislation might have and mentions particularly dates. I would like to stress that measures affecting date imports would have a specially unfavorable reaction on cur relations with Iraq. We have in recent months made significant progress in normalizing our relations with that country. It would be most unfortunate in the Department's view if through the effects of legislation this old and well established trade between the United States and Iraq were to be inhibited.

Sincerely yours,

BROOKS HAYS,
Assistant Secretary.

Mr. HOLLAND. Mr. President, I also ask unanimous consent to have printed at this point in the RECORD the memorandum referred to by Mr. Hays. It is dated July 28, 1961.

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

JULY 28, 1961.

Subject: Amendment to section 8e of the Agricultural Adjustment Act to extend the provisions of this section to any agricultural commodity

The Department is opposed to such an amendment for the following reasons:

1. The imported products which would be inspected by the Department of Agriculture under this amendment are now subject to examination by the Food and Drug Administration. It has not been established that additional measures for inspection of imported agricultural commodities are necessary either to promote the marketing of domestic products or to protect the health and welfare of the consumer.

2. Overlapping inspections and the duplication involved in them would involve unnecessary costs to the Government and to the importers who bear at least part of the cost of section 8e inspections.

3. The delays and uncertainties inherent in the addition of a new series of inspections, particularly of perishable commodities, would cause serious injury to importers and foreign producers.

4. There are frequent changes in the grade, size, and packing standards or requirements contained in the regulations issued under the marketing orders. It would be extremely difficult for the foreign producer or shipper to keep informed of these changes early enough to enable him to make his product conform to the requirements. The usual notice given of any change in marketing orders is 5 to 15 days.

5. The regulations issued under the marketing orders apply domestically to very small areas in the United States. It is difficult to see how it would be possible to apply the standards applicable in such small areas to imports coming from all over the world.

6. The passage of this amendment would have an adverse effect on our efforts to persuade the European Economic Community (EEC) to establish a liberal agricultural policy and on our overall efforts to open the markets of foreign countries to U.S. exports.

7. Measures to protect domestic agricultural marketing producers or programs from import competition already exist; for example, section 22 of the Agricultural Adjustment Act of 1933, and the escape clause provisions of the Trade Agreements Extension Act of 1951.

8. In some cases, placing a commodity under section 8e might effectively prohibit imports of the commodity altogether. An example of such a commodity is dates.

To the extent that section 8e inspections do not duplicate the inspections of the Food and Drug Administration, they are related to domestic criteria such as size, color, and character of the product involved, in this case dates. There are hundreds of varieties of dates, and most of them differ widely in quality, flavor, and consistency, ranging from those that are too soft and moist for wholesale distribution to those that are dry enough to grind into date flour. The characteristics of imported dates differ substantially from those of domestic dates. Imported dates are invert-sugar dates; domestic are cane-sugar dates. Imported dates are used by the baking industry and are marketed to the consumer as dried fruit; domestic dates are mainly marketed for sale through retail outlets as fresh fruit. Imported dates have a different flavor from domestic dates, and they do not disintegrate as readily in the baking process as domestic. Therefore, domestic criteria or standards would appear to be entirely inappropriate for imported dates which have substantially different, though not necessarily inferior, characteristics from domestic dates. To seek to apply even comparable standards to imported dates would be in effect to place an unwarranted burden upon the imported product and to U.S. users of that product, such as the baking industry.

9. The passage of this amendment would have an adverse effect upon our trade with the countries which export agricultural commodities to the United States. These countries regard our actions in trade matters as concrete evidence of the sincerity of our professions of friendship and of our desire to assist them. Their economic strength and political orientation are of the greatest importance to the security of the United States.

10. In summary, the Department believes that the principal effect of the proposed amendment would be to restrict imports of the commodities covered by the amendment.

Mr. HOLLAND. Mr. President, I also advise the Senate that the State Department has asked that a statement appear in the RECORD at this time. After reading it, I see no objection to having it appear in the RECORD. Therefore, I now read it into the RECORD, as follows—and it was supplied to me and to the committee by Mr. Slator Blackiston, who is the international economist in the Office of Near Eastern Affairs, in the State Department:

The Agricultural Act of 1961, S. 1643, now includes language which would apply marketing orders to dates. It is important that these orders should be applied in a manner that would not restrict the importation of Iraqi dates. Under the provisions of the law, Section 8(e), the Secretary of Agriculture is authorized to establish marketing orders for imported commodities to which domestic standards are not practicable because of variations in characteristics between the domestic and imported article.

Dates are an extremely significant item in Iraq's exports to the United States and the culture of dates provides a livelihood for a substantial part of the population of southern Iraq. For this reason, any measures resulting in significant reduction in Iraq's markets in this country for dates would have a most adverse effect on our relations with that country. We have in the past 3 years made significant progress in developing cordial relations with the Government of Iraq. It is decidedly in the interest of the United States that this trend should continue. The Department of State is most concerned that this legislation should not be implemented in a manner which would have an unfavorable reaction in Iraq, one of the key countries of the Near East. We are convinced that the people and the Government of Iraq set great store by the willingness of the United States to continue accepting the national product for which they are famous and that limitations on the date trade would have an adverse impact considerably beyond the actual amounts of money involved.

I may say that the conference committee decided that the most substantial part of this question which should be recognized by the committee applied to dates being imported for processing. I understand that the processing usually consists of use in cakes or cookies or fruitcake or mincemeat or similar articles generally used in many parts of the United States, and affording part of the material used in many processing or manufacturing plants. There may be other processing, about which I do not know; but those were the items of processing which were discussed by the committee, insofar as I recall them; and in that connection I ask the distinguished chairman of the committee whether he thinks of any others. If he does, I ask him to remind me of them at this time.

Mr. ELLENDER. I do not know of any others that were discussed by us. It was the committee's purpose to exclude dates used for processing in cakes, cookies, candy, and so forth from the prohibitions of section 8(e), as the Senator from Florida has said; but the provisions of 8(e) were to apply to dates for consumption as dates. That was really the intention.

Mr. HOLLAND. This provision, which appears in the conference report as I have read it into the RECORD, indicates that the conference committee was fully agreed that dates coming in for processing of the type I have mentioned should not be required to conform in any way to the grade system or packaging system or anything of the kind employed in the domestic industry, in the event it has a marketing agreement of which package, grade, or standard provisions are made a part.

There was also discussion in regard to figs. But it was not found that anyone had made a point relative to figs; and it was found from the State Department that the same problem, affecting figs, was even greater in size in some areas, as compared to the problem in regard to dates. So figs are not shown in this rewritten provision.

Finally, Mr. President, let me say that the reason for including oranges and onions in the list of perishable commodities which had previously been cov-

ered by this provision of the law, which I had the honor to introduce some years ago, was that the Department of Agriculture recommended that course to the conference committee.

I believe that concludes my presentation on the two items I wished to discuss, and I believe we shall find that this law will have in it many helpful aspects. I sincerely hope it will prove to be helpful to the wheat industry and to the feed grains industry, although I have to admit something that is well known by all members of the committee; namely, I am a bit skeptical about the timeliness of the provision relative to the feed grains industry, because of the fact that we have just begun the trial run of this year, under the measure which was substantially continued for an additional year by this act.

I sincerely hope the act will prove to be effective and will bring aid to agriculture.

I close on the same note on which I began, namely, I think our distinguished chairman is entitled to a major part of the credit for the enactment of this law. Certainly that is true with reference to his handling of the conference report.

Mr. KUCHEL. Mr. President, first of all, I want to say I am grateful to my colleagues on the conference committee on the agricultural bill for accepting the modicum of equality of treatment for the date industry in America respecting foreign competition and for the protection afforded to the stomachs of the American people in this country. It does not provide the across-the-board application of quality standards I had hoped for when the farm bill was first before us, but I am grateful for the recognition that was given to the problem and for what was written into the bill.

Obviously, I have no objection to my good friend from Florida reading into the RECORD a memorandum of the Department of State, but I take bitter and violent exception to the memorandum from the Department of State, a department, incidentally, of the Government of the United States, which says in part:

> It is important that these orders—

Talking about orders applying to the importation of dates and requiring that the same quality standards, generally speaking, prevail on the importation of dates that apply to the domestic date industry in America—

> It is important that these orders should be applied in a manner that would not restrict importation of Iraqi dates.

Who says so? This bill does not say so. The Congress does not say so in approving it. Some supernumerary in the State Department says so, and his words carry no weight at all. The Department of Agriculture will administer this farm bill, and it will administer it as it is written, and as Congress intends it, and not on the basis of some illegal exception that somebody suggests ought to be the case.

There is only one manner in which our laws should be applied. They should be applied as they are written. They should be applied to carry out the intention of the Congress when it enacted them. And it ill becomes the Department of State to suggest cynically that a law shall be applied, not on the basis of its terms, but, rather, in a fashion that will not restrict the importation of dates from any one country.

I object to this unwarranted, amazing, and illegal position. The Department of State has no business endeavoring, in such fashion, to control the legislative history on this piece of legislation so that the quality standards which the legislation requires will not be applied to restrict importations from one area.

How should it be applied? It should be applied to restrict and to prevent any importations when the imported product falls below those quality standards that the Department of Agriculture sets down. That is how the law should be applied.

If dates as they come into this country from abroad meet the same quality standards that are applied to dates raised and produced by our fellow Americans, let the imported dates come in. That is the meaning of the bill before us.

I simply want to say I bitterly regret that the Department of State, in a matter that concerns the health of the American people, attempts by these words to frustrate the law which the Congress is now passing, and ridiculously suggest that law ought not to be applied to carry out what we in the Congress have precisely in mind when we take this vote today.

Mr. JAVITS. Mr. President, I should like to have the attention, if I may, of the Senator from Louisiana [Mr. ELLENDER], who I understand is handling this conference report.

I have a number of telegrams from business people in New York, who, I gather, are food importers, protesting very seriously section 8(e), and making the contention that this is a matter of first impression, that it has not had adequate hearings, and that was the reason why this very same provision was turned down in other cases, including the argument which, of course, I heard, on the amendment of the Senator from California [Mr. KUCHEL].

Will the Senator from Louisiana enlighten me on that?

Mr. ELLENDER. Mr. President, we endeavored to have the House accept our views. As I said in my opening statement, I believe the date provision caused more difficulty than anything else. The arguments made by those who opposed the inclusion of dates in section 8(e) were based on the fact that these dates were of a special kind and were used mainly for the manufacture of cakes, cookies, and so forth, and that dates produced domestically could not be used for that purpose.

So, in order to meet that contention, we excluded dates for processing so that they would not be subject to the standards, grades, and so forth, as set forth in the domestic market order.

Mr. JAVITS. Of course, these people are objecting to the other items.

Mr. ELLENDER. Does the Senator mean onions?

Mr. JAVITS. Onions, walnuts, oranges.

Mr. ELLENDER. The House included all agricultural commodities, but the Department of Agriculture, as the Senator from Florida indicated, suggested that only onions and oranges be included. The conference, of course, put them in.

Mr. JAVITS. Suppose what is complained of is that this provision will erect unfair barriers to trade. May I ask the Senator his view upon that, and also ask him this other question? Suppose it turns out to be unfair and causes a great deal of trouble with nations that trade with us and enhances prices to the consumer. Is there any escape hatch available in that situation?

Mr. ELLENDER. The only thing they must do is conform to the standards and quality of what we produce. As the Senator from Florida can state, this provision has been in effect with respect to avocados, tomatoes, mangoes, limes, grapefruit, and green peppers. There is no prohibition against permitting those products to be shipped into this country. The only thing that is required is that when they come into this country they conform to the same standards and grades in the same manner as producers in this country must do under the market order. That provision has worked very well, as I understand it.

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

Mr. ELLENDER. I do not have the floor, but the Senator from Florida has had experience in this field, because he is the author of that provision.

Mr. JAVITS. I yield to the Senator from Florida.

Mr. HOLLAND. Some years ago—I do not remember which year; it must have been 6 or 8 years ago—the Senator from Florida, at the request of some industries in his own State and California, introduced the original version of this legislation because of the fact that certain highly perishable crops were coming to this country from our near neighbors, Mexico, Cuba, the Isle of Pines, either in bulk or equivalent of bulk, with many culls or downgraded units, not in good condition, and they were placed upon the market at the same time that the carefully graded, carefully packaged, carefully conserved, similar products produced in Florida, Texas, Arizona, or California, reached the same market. The result was very hurtful, we thought, not only to ourselves, but to the growers in those friendly nations, who were not receiving anything like they were entitled to receive, and would receive, if they adopted reasonable grading and packaging practices.

So we passed the act. It was very carefully considered in committee, and there was quite an argument on it before it was passed. There was an argument on the floor of the Senate about it. It has been amended from time to time since that time to permit to be brought into this country highly perishable crops of the same nature so as to cover practically all the groups in the bill. There

had never been placed in the act anything not highly perishable until this provision which has come up. The Senator can see that the original purpose of the act is not fully followed in placing such things as nuts of any kind, or dates, which, especially if they are in dried form, can be used over a long period of time without spoiling, under the provisions of this act.

The committee was disturbed about it. Its disturbance is shown by the fact that though the House had made this provision cover all agricultural commodities, we took out everything except two commodities which had been suggested by the Department of Agriculture, both in the highly perishable class, oranges and onions, and one which was not in such a perishable class but which had been dealt with in the hearings in the other body, walnuts; and then, as to dates and figs, which had caused the greatest concern, because they are imported in a dried state from various parts of the Near East, we went into the subject at great length. We found that the processing industry, as we regard it, which makes pies, cakes, mincemeat, candies and such things out of those figs and dates, is an established industry which has been in existence some 70 or 75 years and involves the employment of a great many people. Imported dates and figs thus processed do not, in general, come into direct competition with the dates or figs produced in our country. We found no case made in either body for the figs, so they were left out. A strong case had been made for protecting dates against that part of the imports which come in direct competition with the sale of our domestic dates, and the conference committee decided to report the bill with the date provision in the form in which it now appears.

I think the record should show that the uniform practice, as we understand it, among the processors is to pasteurize the product in either case before it is incorporated in confections, cakes, cookies, mincemeat or anything of that kind.

The products are also inspected by the Food and Drug Administration, so that there could be no question of danger to consumers or anything of that kind.

The whole question was a competitive question, which we thought could best be settled in the way suggested by the conference report. We were not all unanimous on it. There was still some difference of opinion, but we felt that the producers of dates were entitled to that much protection.

We do not believe this will prove to be a hardship on anyone. I hope it will not so prove. Certainly, it cannot interfere with the employment of some thousands of people employed in the bakeshops, confectioners' shops, and the like, which handle imports of the type mentioned, which come in for processing.

Mr. JAVITS. Mr. President, I do not wish to detain my colleague from Virginia, who wishes to finish consideration of the appropriation bill.

My point is, with respect to the consumer, often the consumer does not care how the product is packed or whether it meets the same standards met by our commodities or not. The consumer may prefer to buy it somewhat cheaper because it is imported.

I should like to have the feeling, as the Senator from Florida himself has said, if there is any hardship or if this works out unfairly, if there should turn out to be a difficulty for the consumers or if this action should be prejudicial to consumers, that there will be a receptive attitude for facts and figures and proof of that point. That is my point, as well as the effect upon the processors. I hope there will be a receptive feeling on the part of the committee in charge that if this does work out to cause hardship or injustice to the consumers, though it may be good for processors, there will be a sympathetic look at that consideration.

Mr. ELLENDER. I can give the Senator that assurance.

Mr. JAVITS. I thank my colleague.

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

Mr. JAVITS. I yield to my colleague from California.

Mr. ENGLE. Mr. President, I certainly agree with the assurance which has been given. I am glad the distinguished chairman of the committee gave it.

While we are talking about this subject, Mr. President, I should like to refer to the colloquy which occurred in the other body, when the distinguished chairman of the Committee on Agriculture of the House of Representatives referred to this problem for the purpose of making it perfectly plain what they were talking about when they talked about "dates for processing." Representative COOLEY said:

> Mr. Speaker, in referring to "dates for processing" the conference committee intended to distinguish between dates which are used in manufacturing cookies, candy, and other such products and dates which are sold as dates to consumers.
>
> It is our understanding that virtually all imported dates are brought in in packages weighing about 70 pounds in which the dates are packaged in a homogeneous mass. Before the dates are distributed to retail stores and other places for sale as dates it is our understanding that they are steamed and otherwise prepared for packing into retail containers. It may be that some of the dates which are used in manufacturing cookies and candy are also subjected to this steaming and handling process, but it is not this process that the bill refers to.
>
> The processing referred to in the bill is the processing of the dates into other commodities such as cookies or candy. Those which are used for this purpose will not be subject to the quality and grade regulations which will be established by the Secretary of Agriculture under the bill. Those which are used for sale as dates to consumers will be subject to such regulations.

Of course, the Secretary of Agriculture can change those regulations if he wishes to. I thought the legislative history, so far as that statement is concerned, ought to be clear. I certainly concur that so far as I can determine that is the intent of what is sought to be done by this legislation.

Mr. JAVITS. I thank my colleague.

Mr. ENGLE I thank my colleague for yielding.

Mr. JAVITS. Mr. President, I ask unanimous consent to include in the RECORD telegrams of protest which I have received.

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

NEW YORK, N.Y., *August 3, 1961.*

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

In reference omnibus farm bill understand conferees agreed to amend section 141 on page 23 of House bill 8230 relating import restrictions on any agricultural product and instead to apply such restrictions only to walnuts, dates, onions and oranges. Respectfully request that you strongly object to this proposal on the ground that there is absolutely no justification for this new type of trade barrier. Proposal will injure our trade with many countries in the Middle East and Mediterranean area and is indefensible. Proposal important enough to warrant public hearings by both House and Senate Committees on Agriculture. In the closing days of the last Congress attempt was made to attach the provisions of House passed bill covering dates and walnuts as a rider to Mexican farmworkers bill in the Senate but was blocked because no hearings had been held or consideration given to proposal by Senate Agriculture Committee. On July 26 Senate rejected Kuchel amendment on dates to S. 1643. Imported products grown under different climate conditions rarely conform to specific standards set for domestic products. We again wish to emphasize that present standards and inspection practices applied by Food and Drug Administration to imported dates, walnuts, and other edible agricultural commodities fully protect consumers.

NATIONAL COUNCIL OF AMERICAN IMPORTERS,
HARRY S. RADCLIFFE,
Executive Vice President.

NEW YORK, N.Y., *August 3, 1961.*

Hon. JACOB JAVITS,
Senate Office Building,
Washington, D.C.:

We respectfully urge you oppose giving Secretary Agriculture power to control or embargo imported products such as onions, oranges, walnuts, and dates. We believe rejection of conference report on farm bill absolutely essential for U.S. foreign trade relations and American business. Worth noting that transferring power of inspection and standards from Food-Drug Administration to Secretary Agriculture will create within Department Agriculture a conflict of interests that might result in jeopardizing U.S. foreign relations and U.S. business in order to achieve success not otherwise possible in administering economically unwise price support programs.

Respectfully submitted.

SCHRODER BROS, INC.

NEW YORK, N.Y., *August 3, 1961.*

Senator JACOB JAVITS,
Senate Office Building,
Washington, D.C.:

This chamber fully agrees Senate decision against giving Secretary of Agriculture power to embargo imported products such as onions, oranges, walnuts, and dates. Therefore strongly urges you to reject conference report on farm bill which if approved would cause irreparable damage to U.S. foreign trade relations and American business. Counting on your invaluable support we extend sincerest thanks.

MARIO HUTTON,
Executive Secretary, American Chamber of Commerce for Trade With Italy, New York.

The PRESIDING OFFICER (Mr. McCARTHY in the chair). The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. ELLENDER. I thank my friend from Wisconsin.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. ROBERTSON. Mr. President, I send an amendment to the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment of the Senator from Virginia will be stated.

The LEGISLATIVE CLERK. It is proposed, on page 27, line 10, to strike out the words after the word "law" down through and including line 5 on page 28, and to insert in lieu thereof "$207,600,000".

Mr. ROBERTSON. Mr. President, the purpose of this amendment is to appropriate $207,600,000 for civil defense, to be administered by the Department of Defense.

The Department of Defense sent us a Presidential message and framed the language. We assumed the administration framed it correctly, so we did not examine the language. We merely looked at the total, the purposes, and the breakdown, and we adopted it.

This morning the junior Senator from Ohio said he opposed this additional appropriation, and showed me an amendment he would offer to strike it out. Immediately I saw there was language in his amendment that would be subject to a point of order. I talked to our distinguished Parliamentarian, and he agreed with me. Then I asked him about the language in the bill, and he said that would be subject to a point of order also.

To put the matter in proper shape, I have offered an amendment, which eliminates reference to transferring funds from this, that, or the other office. It provides a simple appropriation, in accordance with the Presidential estimate, of $207,600,000.

But I was a little disturbed, just as was the Senator from Ohio, who is going to ask that the amendment be defeated. If the amendment is defeated, the provision is subject to a point of order; and if the point of order is sustained, not only this section goes out, but the whole bill will have to go back to committee.

This morning, at 9 o'clock, I telephoned the Secretary of Defense and told him I was uneasy about it, that there had not been enough study of it, and I wanted to know if they were going to study it further. This is what the Secretary wrote to me:

> I fully recognize that neither your subcommittee nor the full Senate Committee on Appropriations were afforded the opportunity of giving their customary careful and extensive consideration to the civil defense section of the Department of Defense appropriation request which I presented to you when I appeared before your subcommittee on July 26, 1961. The urgency of the international situation, as set forth in the President's report to the Nation on July 25, made it necessary for the Defense Department to present to you the following day the augmented civil defense program proposed by the President and to ask that you include funds for that program, $207.6 million, in the regular Defense Department appropriation bill for fiscal year 1962.
>
> In view of the limited time thus available to your subcommittee for consideration of the details of the President's augmented civil defense program, I want to assure you that, before committing the funds which the President has requested of Congress in support of the program, I shall personally review the proposed expenditures in detail, and I shall satisfy myself as to the necessity of each program item to carry out the President's objectives.

Incidentally, the breakdown is in the committee report. Some of the money would be used to build shelters in existing buildings, some in new buildings, some to provide food and medicine, and some to provide instruction, but none to provide shelters in private homes.

I continue reading the letter:

> As I stated in my testimony before you on July 26, in administering the civil defense program I intend to be guided by the principle that "whatever expenditures are undertaken for civil defense projects must be directed toward obtaining maximum protection for the lowest possible cost." The program that we have submitted is itself designed to produce many million shelter spaces at the lowest possible cost—a cost we estimate at $4 per person, including finding, marking, and stocking the shelter spaces with essentials for survival. Members of my personal staff have prepared the program and budget material in colloboration with representatives of the Office of the Chief of Engineers and the Bureau of Yards and Docks, who will be responsible for its execution, and I have personally reviewed the program in detail.
>
> It is also my intention, as the Defense Department organizes itself for carrying out the new responsibilities in civil defense that the President has transferred to it, to consult with your subcommittee and to keep it fully informed as to the manner in which the President's program will be executed. In so doing, I am confident that we can answer any questions raised by the members of your committee or other Senators.
>
> Sincerely yours,
>
> ROBERT S. McNAMARA.

Last night I read a very interesting article in the August issue of Aviation, a magazine published by a group interested in aviation. It was written by a man who claimed to know what was going on in the Soviet Union on this subject. He reports that the Russians have a very extensive program of civil defense. The Soviet Government has not yet proceeded to the point of paying for shelters for individuals, but there are community shelters, and the Russians are providing training programs which are compulsory. The people are instructed what to do if they are bombed. It is a very extensive program.

In my opinion, we have done practically nothing in this country. We have spent a lot of money. About all we have to show for it is medicine and a few structures, as the Senator from Ohio will tell us, which have been built in somebody's private home and labeled, "You can come in if there is danger."

I am presenting to the Senate now an amendment. In effect, a vote for the amendment is a vote for $207 million plus, in addition to the $100 million, and a vote against the amendment is a vote against any additional appropriations. The Senator from Ohio [Mr. YOUNG] has very kindly cooperated with us in bringing this issue before the Senate in a concrete way. If Senators will be good enough to remain in the Chamber, there will be no record vote on the issue. I will present the amendment. Other Senators will speak. Then the amendment can be voted up or down.

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

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. I think the Senator omitted one statement which I believe is important.

The Office of Civil and Defense Mobilization is now covered in the independent offices appropriations bill. The amount is $95.5 million. This is not a duplication. As I understand whatever part of the amount is proper will be turned over to the Secretary of Defense, and the remainder will be left under the Civil Defense Administrator in his new capacity. There is to be no duplication of funds. If there is any, according to the letter of the Secretary of Defense, the funds will not be used for duplicate purposes.

Mr. ROBERTSON. According to the letter, there will be no duplication of effort. That is as far as the acting chairman of the subcommittee can go.

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

Mr. ROBERTSON. I yield to the senior Senator from Ohio.

Mr. LAUSCHE. For what purpose is the $207 million to be used?

Mr. ROBERTSON. For some shelters in existing public buildings, for some shelters in new public buildings, for medical supplies, for instructions as to where people can obtain shelter, for instructions as to where people should go and what people should do if there should be a nuclear attack. That information is all broken down on page 41 of the report.

This is an overall civil defense program. As I said, it was presented to us in such a way that we could not go into the details. The House has been investigating it for more than a week. There will be extensive hearings as to what the program will encompass.

The junior Senator from Ohio [Mr. YOUNG] has been diligently looking into this question. He will tell the Senate his views in a moment.

This is the request of the administration, which we accepted. The chairman was a little uneasy. I received an assurance that the money would not be spent until the program was very carefully analyzed and examined.

I think it is generally agreed that Secretary McNamara is an able and honest man.

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

Mr. ROBERTSON. I yield.

Mr. SALTONSTALL. It is my understanding that the Secretary of Defense testified that he hoped, for an average of $4 per person, this program would give an opportunity possibly to save the lives of some 50 million people who otherwise might not be saved.

Mr. CASE of South Dakota. Mr. President, will the Senator yield?

Mr. ROBERTSON. I wish to make one further statement.

Mr. LAUSCHE. First, may I ask the Senator a question? Is it contemplated that the $207 million would do the job of taking care of 50 million people?

Mr. ROBERTSON. I could not say that.

Mr. LAUSCHE. Could we assume that the amount necessary to take care of the people would be four times $207 million?

Mr. ROBERTSON. I could not say that. I think if we tried to provide adequate shelter for everybody it would be more like $20 billion.

Mr. LAUSCHE. Or probably $50 billion.

Mr. ROBERTSON. We are not trying to do that.

Mr. YOUNG of Ohio. Mr. President, will my distinguished colleague yield to me? I think I can answer the question.

Mr. ROBERTSON. If the Senator will permit me to make one further statement, I shall be glad to yield the floor.

Mr. YOUNG of Ohio. Very well.

Mr. ROBERTSON. Members of the Senate have been under pressure, and will continue to be under pressure in the days to come. I know that Senators would like to finish consideration of the bill this evening, if possible. Another amendment will be offered by the distinguished Senator from South Dakota [Mr. MUNDT]. He has agreed to a 30-minute limitation. Does that mean 15 minutes to each side?

Mr. MUNDT. Thirty minutes to each side.

Mr. ROBERTSON. The Senator has agreed to a limitation of 30 minutes to each side for the aid-to-education amendment for the impacted areas.

It is not expected that there will be a yea-and-nay vote on the amendment I have offered. Senators who are for the amendment can express themselves, and those against it can do the same. There will be a voice vote on the amendment. Later there will be a yea-and-nay vote, after not more than an hour of debate, on the Mundt amendment. Apparently the consideration of the bill can be finished tonight.

The bill is the largest peacetime bill of its kind in history. There ought to be a yea-and-nay vote. I do not believe this kind of bill ought to be acted upon by a voice vote.

Mr. CASE of South Dakota. Mr. President, will the Senator yield for a question with respect to the amendment?

Mr. ROBERTSON. I yield.

Mr. CASE of South Dakota. As I understand, the amendment would not change the dollar amount in the bill?

Mr. ROBERTSON. Not at all.

Mr. CASE of South Dakota. It would merely strike out certain legislative language.

Mr. ROBERTSON. The same sum would be provided.

Mr. CASE of South Dakota. It would be available, however, for the same purposes.

Mr. ROBERTSON. The Senator is correct.

Mr. CASE of South Dakota. As the money would have been available had the language been included.

Mr. ROBERTSON. It would eliminate the language with respect to transferring from other funds to something else. There would be a straight appropriation.

Mr. CASE of South Dakota. What would be the effect of the $207 million with respect to the public buildings that were authorized in the independent offices bill the other day? In the description of the buildings there was subtracted the amount of money that could have been included for fallout shelters.

Mr. ROBERTSON. The effect would be that they would become eligible for moneys from this fund if they were allocated for that purpose.

Mr. CASE of South Dakota. Those buildings would become eligible, but the money would come from the fund provided in the present bill rather than the independent offices bill.

Mr. ROBERTSON. The Senator is correct.

Mr. President, I yield the floor.

Mr. YOUNG of Ohio. Mr. President, I had prepared two amendments to title 5 of the bill. Both amendments are at the table. The first amendment that I proposed was the one which the distinguished Senator from Virginia has mentioned. I showed it to him. I propose to strike out the sum of $207 million. With regard to the $95 million appropriated for civil defense in the independent offices bill, I had a provision that that amount was to be made available to the Secretary of Defense for Civil Defense functions. I feel that that provision was legislation on an appropriation bill. I did not dispute the point when the distinguished Senator informed me of that fact. But the provision in title 5 as it exists in the bill is subject to a point of order, which I intended to make, and I notified the then Presiding Officer to that effect.

The amendment presents two situations to me. In the first place, I prefer the amendment to the form of the present bill. However, I am opposed at this time to appropriating $207,600,000 for civil defense. I will state my reasons for my position. In my opinion they are convincing reasons.

First, however, I wish to express some surprise with respect to the statement of reference to the August issue of Aviation World.

I have not read that article which, as I understand from the distinguished Senator from Virginia, states that an extensive civil defense program exists in the Soviet Union. I have read articles in magazines and newspapers to the effect that within the Soviet Union there is no such thing as civil defense as we have known it during the last 10 years in this country, with civilians in armbands, and a boondoggling bureaucracy.

I wish to attest that the Congress of the United States is vigilant. Had the request of the civil defense bureaucrats in the past 10 years been granted in toto by the Congress, $2,300 million of Federal funds would have been appropriated, and to that amount would have been added matching funds from the States. Fortunately, such action was not taken.

The Soviet Union has no costly civil defense system, according to direct information given to me. According to Norwegian Government officials with whom I recently spoke, civilians of the Soviet Union are being instructed in seminars and by lectures and in practice on fighting from basement to basement, and resistance behind the front in case of attack from the United States.

But regardless of that, may I point out how untimely it is to bring into this appropriation bill an amount of $207,600,000 at this time. Last week the Senate passed legislation appropriating $95 million for civil defense. The other body had previously approved $80 million, and the bill is now in conference. The money has not been finally appropriated but will be shortly. Surely we could wait a little while before appropriating an additional $207 million.

I will tell the Senate why this appropriation would be untimely. In the other body hearings are being conducted. They commenced on Monday of this week. They are being conducted before the Subcommittee on Military Operations of the Committee on Government Operations, of which Representative CHET HOLIFIELD is chairman.

Those hearings are on the subject of the value of shelters, and whether they are any good or not. Physicists and experts have testified and are testifying. I am seeking to obtain committee prints as they are issued. The hearings will be completed in 2 weeks. The report will be issued in 3 weeks. It seems to me that we should hold this question in abeyance in order to acquire further information. If in addition to the $95 million or $80 million additional money should be required, it seems to me that appropriation could wait until early next year.

So my position is that while I prefer the amendment to the provision in the present bill, I oppose appropriating any sum of money whatever. So I have two alternatives. One is to oppose the amendment. If the amendment were to be defeated, then we would have title 5 in the bill as it presently stands. Then, I would make my point of order, and it would be eliminated from the bill.

The other is to vote for this amendment. If it passes, I then shall introduce an amendment which would strike out title 5 entirely; that is, kill this $207 million appropriation for civil defense. I believe that this latter tactic will enable Senators to approach the problem more clearly.

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

Mr. YOUNG of Ohio. I yield for a question.

Mr. ROBERTSON. As I understand, if the amendment is rejected, then the Senator from Ohio will make a point of order against title 5, which would be the existing title 5, and if sustained, title 5 would then be removed from the bill.

Mr. YOUNG of Ohio. The Senator is correct.

Mr. ROBERTSON. I think the point is clear. Everyone can understand that.

Mr. YOUNG of Ohio. I am a comparatively new Member of this body. Shortly after coming here in January of 1959, I learned of the unbelievable stupidity in how our civil defense program was being conducted by paid civil defense officials. I differentiate the fine volunteers. I conducted a long period of research.

I have spoken out on this question. I have felt all along that Americans have stopped taking seriously the contradictory programs put forth by the civil defense agency during the past 10 years.

In Cleveland, sirens sound at 12:30 every Monday. The people do not know whether to run or to hide. My colleagues in the Senate know that a Federal building is about to be erected in Cleveland. It is needed. It would be a fine thing for our citizens and a fine thing for the Government. It will cost approximately $40 million. It will house all of the Federal agencies there. Many thousands of young men and young women will work there daily. It is proposed under the bill to build a shelter in that building. Invariably the cost for shelters in new buildings—post office buildings and the like—amounts to 5 to 6 percent of the cost of the structure. Therefore, the additional cost would be about $2,300,000.

I look back 30 years, when I was a lawyer in Cleveland and lived with my wife and children in Cleveland Heights, some 13 minutes out of the city. There are thousands like me. Suppose that in the daytime the Soviets were suddenly to launch an all-out atomic attack. The city of Cleveland is an industrial city. Akron, Ohio, the rubber center of the world, is 30 miles to the south of us. Therefore it is possible that either of those two cities could be a target.

All we can expect in the way of warning would be about 30 minutes, and perhaps it would be as little as 18 minutes or 15 minutes. Those who are in the position in which I would have been 30 years ago, the young men and women working in the city, would be expected to go to the shelters. Does anyone think those people would go into the shelters? No, indeed. They would try to get out to their loved ones as quickly as they could. That is assuming that the attack should take place during working hours. In Washington we have an example close to us in the new executive building; 11,000 employees will be working in that building. Does anyone believe for a minute that, in case of an attack on Washington, many of those employees would rush down and bury themselves in a cellar? No. The young men and young women would rush out to their loved ones. As a result, there would be a huge traffic jam.

We talk about stockpiling medicines. In the State of Ohio, in Columbus, the civil defense authorities destroyed $77,000 worth of useless penicillin. Recently in the city of Cleveland, $44,000 worth of penicillin was dumped into Lake Erie by civil defense officials.

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

Mr. YOUNG of Ohio. I yield.

Mr. LAUSCHE. While I was Governor, if I had followed all the directions which came from Washington on civil defense spending, the spending of money would have been inordinate. The Legislature of Ohio and I as Governor did not follow those instructions. Even though we did not follow them, there occurred the waste referred to by the Senator.

I should like to ask my colleague a question about the study that is being made in the House of Representatives. Can the Senator elucidate on that?

Mr. YOUNG of Ohio. Witnesses have appeared before the hearings and have testified urging the appropriation of $207 million of taxpayers' money for fallout shelters. Other expert witnesses have already stated that if the United States were to embark on a huge shelter program which would hope to afford adequate protection to 50 million Americans, such a program—and my colleague is precisely right, except that he somewhat minimized it—would cost not only the $50 billion that my colleague, the senior Senator from Ohio has stated it would probably cost, but it would cost anywhere from $100 to $200 billion.

Testimony has been taken from the Secretary of Defense. As the Senator from Virginia has said, he is a thoroughly honest and able man. However, he has been in his position for only 4 months. I have a report from the chairman of the subcommittee that the subcommittee will have completed its hearings in 2 weeks, or less from this coming Saturday. The record of the hearings will be published, and will be available to Senators. Then we shall have some information as to the effectiveness of a shelter program and whether or not one is feasible.

Mr. LAUSCHE. Then it would be erroneous to assume that for the $207 million we would provide safe quarters for 50 million people. Is that correct?

Mr. YOUNG of Ohio. Absolutely.

Mr. LAUSCHE. If we are to provide the underground shelters to which reference has been made, what does the Senator from Ohio think the cost would be?

Mr. YOUNG of Ohio. If adequate shelters were constructed, undoubtedly the cost would be anywhere from $50 to $200 billion. I am fearful that if we were to appropriate this $207 million, most of it would be wasted.

Mr. LAUSCHE. Did the Senator state that there have been no hearings on the $207 million proposed?

Mr. ROBERTSON. There was a hearing lasting 1 day included in all the rest of it.

Mr. LAUSCHE. Included in all the rest of what?

Mr. ROBERTSON. In the $3,500 million supplemental military appropriation. It was the President's package. This was a part of it. The hearing to which I refer was held on July 26. That is why I wrote the Secretary of Defense that there have been no adequate hearings. He said he would not spend any money on the proposed program until he had carefully examined it.

Mr. LAUSCHE. The Senator wrote and stated that no adequate hearings had been held, and the Secretary said he would give the Senator assurance that he would not spend the money imprudently.

Mr. ROBERTSON. I did not say we had not had any hearings. We had some hearings, but they were not exhaustive.

The Secretary said:

> I realized the opportunity to give this customary, careful, and extensive consideration.

This was put in without that safeguard.

Mr. LAUSCHE. As I understand, the supplemental recommendation was for $3,500 million more?

Mr. ROBERTSON. Yes.

Mr. LAUSCHE. In that $3,500 million was an initial item of $206 million?

Mr. ROBERTSON. Two hundred and seven million dollars.

Mr. LAUSCHE. So there was a 1-day hearing had on the whole $3,500 million?

Mr. ROBERTSON. That is correct.

Mr. LAUSCHE. Because of that, the Senator from Virginia did not feel comfortable in approving this $206 million?

Mr. ROBERTSON. The Senator from Virginia felt that he needed a little more fortification.

Mr. LAUSCHE. But the Senator from Virginia is still indicating a bit of doubt about his belief in the justification?

Mr. ROBERTSON. No; the Senator has offered an amendment to do so. That stands for itself—res ipsa loquitur.

Mr. LAUSCHE. Res ipsa loquitur—the thing speaks for itself.

Mr. ROBERTSON. Yes.

Mr. LAUSCHE. The Senator from Virginia is not speaking with the ardor on this subject that I have heard him speak on other occasions, when his convictions were fortified by the testimony?

Mr. LAUSCHE. The Senator from Virginia cannot deny the soft impeachment.

(At this point Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. YOUNG of Ohio. Madam President, it is fair to assume that in an appropriation bill, on which the committee spent a day, which means several hours in that day, a bill appropriating $3,500 million, not much time or consideration was given to this item.

Mr. ROBERTSON. Four thousand and four hundred pages of testimony had been taken in the House on this military

program. In the Senate, 1,700 pages have been taken. We knew what a bomber was. We knew what a tank was. We knew what a gun was. The Department said, "Let us buy some more." We said, "All right."

Mr. YOUNG of Ohio. Madam President, I am gratified that our President has scrapped the Office of Civil Defense Mobilization as we have known it during the past 10 years. That office proved to be a billion dollar boondoggle. More than $1 billion, including the matching funds of the States, went down the drain.

Great progress has been made in this administration in reorganizing this office.

In this connection, I have received a letter which would amuse one, if it were not so serious, from the National Association of County Officials. They have a lobby in Washington. They have submitted a report on civil defense, urging this appropriation. They say:

> Knowledge that vastly increased shelter expenditures can politically only be obtained in the defense budget.

Then they propose that more people must be hired and trained; more shelters must be provided; and, in general, that the paid civil defense people must greatly increase their own efforts.

In that connection, $3 million has already been appropriated and is being spent for shelters throughout the country. In Shaker Heights, Ohio, the other day, the mayor, a leader of that Grand Old Party, of which I am not a member, cut a ribbon "dedicating" the completion in a local policeman's home of a shelter paid for by the national civil defense agency. At that same time, he said it was another waste of taxpayers' money. He said he would not advise anyone to build a shelter in his basement. In the first place, he said, he himself would not build a shelter, because he could not afford it. He is a distinguished lawyer and a former dean of a law school, so I assume he could have scraped up $1,500 had there been a reason for him to do so. However, he said he would not advise anyone to build a shelter, and that he would not do so himself. He knows that if a nuclear warhead hit on target anywhere between Shaker Heights and Cleveland and Akron, the people would suffocate in such shelters.

Mr. ROBERTSON. Madam President, will the Senator from Ohio yield in order to permit the Senator from New York to make a brief statement?

Mr. YOUNG of Ohio. Madam President, I yield to the Senator from New York.

Mr. JAVITS. Madam President, with all respect to the view of the Senator from Ohio, I favor the amendment. I believe we have been terribly remiss in the civil defense field. I think the way it is proposed now, to conserve what we have and to make it most useful for civil defense, is a very intelligent way to use the money. I feel there has been a large amount of scientific, technical, and military opinion which is now becoming of extreme importance in terms of keeping us as far away as we can get from atomic blackmail, to have at least this minimal protection. I sincerely hope the Senate will adopt the amendment.

Mr. LAUSCHE. Madam President, will my colleague yield?

Mr. YOUNG of Ohio. I yield.

Mr. LAUSCHE. I believe this is the beginning of what may become a program of tremendous proportions in our country, the program of building shelters. For that reason, I do not believe we ought to enter into it until an adequate study has been made. I join with my colleague from Ohio in urging that action be delayed on this item of $207 million until the study about what the Senator has spoken has been made. I shall vote in favor of his proposal.

Mr. YOUNG of Ohio. Madam President, I shall try to conclude briefly. I shall oppose the $207 million item of appropriation. In the first place, I feel that digging holes in the ground is a defeatist psychology in which we should not indulge.

On several occasions today, Gen. Curtis LeMay, Chief of Staff of the Air Force, has been spoken of. We all speak of General LeMay with respect and admiration. In the past he has said:

"I do not think I would put that much money into holes in the ground to crawl into. I would rather spend more in offensive weapons, in the first place."

Also, Gen. Bernard Schrieber, the great physicist of the Armed Forces, has spoken against digging holes in the ground and against shelters in public buildings. We, of course, all agree with him that our power of instant retaliation is what will deter the dictators of the Soviet Union from making an all-out atomic attack on this Nation now or at any other time.

In World War II, the Germans had poison gas, Great Britain had poison gas, and the United States had poison gas; but each side feared to use it against the other. Hitler would not use it in his last desperate months.

I am fearful, also, when we speak about shelters in the public buildings, especially the executive department buildings, in Washington, that if there were to be a nuclear warhead fired by a submarine off our coast, the enemy might not accommodate us by firing it during working hours.

If such a warhead were to hit Cleveland at 2 a.m., bomb shelters might benefit some people in the key clubs or on skid row, but would not benefit others who would not be able to go to shelters.

Madam President, I shall be glad to have the amendment adopted, but at the same time, to keep the record straight, I send to the desk an amendment to eliminate the $207 million appropriation. There is no legislation in that amendment; it is simply an amendment to delete the $207 million civil defense item from this appropriation bill.

I urge, as I have stated, that we should withhold this appropriation until we hear from the committee in the other body. Madam President, all of us agree that we are living in a grim period of Soviet bluster and threats. I, as much as any other Member of the Senate, repudiate any thought of ever yielding to any blackmail from any dictator, whether he be a Cuban dictator or a Soviet dictator. Nevertheless we should not allow these facts to cloud our judgment regarding the defense of civilians in the event of attack. The defense of civilians is a major factor in the defense of our country. President Kennedy has so recognized it by placing the Office of Civil Defense Mobilization under the Secretary of Defense.

Since this has been in effect for only the short period of 60 days, I express the hope that all civil defense programs will be carefully examined and tested before additional funds are spent on them.

Mr. ROBERTSON. Madam President, I wish to state what I regard as the parliamentary situation, and then see whether the distinguished Senator from Ohio agrees: I have submitted an amendment to strike out the language which would make this item a straight appropriation for the Office of Civil Defense.

Mr. YOUNG of Ohio. That is correct.

Mr. ROBERTSON. If my amendment is adopted, that will end the matter. If my amendment is rejected, then the Senator from Ohio can make a point of order against what is left; and if the point of order is sustained, it will go out.

Mr. YOUNG of Ohio. The Senator from Virginia has stated the situation precisely as it exists.

Mr. HOLLAND. Madam President, I rise to a point of order.

The PRESIDING OFFICER (Mrs. NEUBERGER in the chair). The Senator from Florida will state it.

Mr. HOLLAND. I understood the Senator from Ohio to submit an amendment to the amendment of the Senator from Virginia.

Mr. YOUNG of Ohio. No, Madam President; I have offered an amendment to the bill.

Mr. ROBERTSON. I was trying to explain that situation. The Senator from Ohio is against this appropriation item. If the Senate votes against this amendment, this part of the bill will go out. A vote in favor of this amendment will be in favor of funds for civil defense. The situation is as simple as that.

Madam President, I ask that my amendment be put to a vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Virginia.

The amendment was agreed to.

CONSTRUCTION OF ELECTRIC GENERATING FACILITIES FOR THE HANFORD PLUTONIUM PRODUCTION REACTOR

Mr. ANDERSON. Madam President, I should like to discuss for a few minutes the problem of the construction of electric generating facilities for the Hanford, Wash., plutonium production reactor. This project would be the world's largest atomic powerplant, producing about 700,000 to 800,000 kilowatts of electric power from a single reactor.

In the last edition of the publication Nucleonics Week, published by McGraw Hill, the lead article reported on the difficult status of the Hanford project.

I ask unanimous consent to have the article printed at this point in the RECORD.

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

DEMOCRATS SAY NPR FIGHT THREATENS SCE PROJECT, REACTOR INCENTIVES

The increasingly bitter fight over electrical generating facilities for the Hanford new production reactor has raised a threat to the Southern California Edison reactor project and—much more broadly—to the possibility of accelerating power-reactor construction next year. Congressional Democratic sources disclosed on Monday that their attitude on both the site problem of Southern California Edison and the possibility of new reactor incentives will turn on the outcome of the upcoming House vote on AEC's $95 million authorization request for the NPR generators. In addition, these sources declared, the private-utility opposition to NPR electricity has raised the possibility of a congressional investigation of the whole private-utility lobbying setup and of their whole relationship to the atomic-energy business, including the operation of plants furnishing electricity to AEC.

In short, the NPR issue has lit the public versus private power fuse that has long been in the shadows of nuclear power but, despite many close calls, has never quite caught fire. And, the Democrats are making it clear that it will have long-range effects on the power-reactor program, particularly if the private-utility industry mounts a major offensive against NPR when it again comes before the House early next month. "If these guys are willing to live and let live—fine," said a congressional source. "If they are not, they have really opened the bottle."

Curiously, both the pro- and anti-NPR factions have been exuding pessimism, not optimism, as the second House vote approaches (the House voted 176–140 against NPR earlier this month). House Republicans are saying that they may not win but will insist on a formal rollcall vote to at least "get everybody on the record." The Democrats, as reflected in their harsh words on the private-utility industry, predict a close vote.

Particularly surprising has been the Democratic charge that Southern Cal Edison has been participating in the fight against NPR conversion. To a significant extent, the utility's ability to get the use of a 90-acre site at the Marine Corps's Camp Pendleton is dependent on support of Democrats of the Joint Committee on Atomic Energy. Until recently, JCAE Democrats have said they were more than willing to give this support if and when SCE, with AEC backing, seeks the transfer. AEC officials had been hoping to see congressional action during this session.

Mr. ANDERSON. Madam President, I was not the source of the statements in the article. But I do believe they accurately reflect the possibilities that could grow out of this fight.

Madam President, I ask unanimous consent to have printed at this point in the RECORD a paragraph from the issue of Nucleonic News for August 1961. It is part of an article entitled "Pacific Gas and Electric Orders Big Reactor; Southern California Edison Advances."

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

In the background, some lesser advances were chalked up by the Southern California Edison 360-Mwe project—born at the same time as P.G. & E., off to an earlier start in terms of utility decision to build, but hobbled since by site availability problems. AEC and Westinghouse, designer of the big Edison reactor, were close to final agreement on contract terms, under which AEC would provide $8.7 million research-development aid plus $7.5 million in waiver of fuel use charge. (Edison's agreed price with Westinghouse for the reactor is $78 million). Also, an approach was being worked out to overcome Marine Corps opposition to use of land within the corps' Camp Pendleton; under it, Edison, backed by AEC, would seek special legislation to make the land available as a means of discouraging other commercial nibbling away at the Marines' reservation; AEC would also seek Pentagon endorsement before going to Congress.

Mr. ANDERSON. Madam President, in my opinion, the project for the Hanford electric generating facilities is a sort of innocent bystander in a vicious effort of the private power companies to throw their weight around. This plant would be a rather unique facility. It is likely—in fact, almost certain—that the United States would not want to build another large plutonium production facility again. Various authoritative studies have shown that the byproduct heat from the Hanford reactor could be captured economically to produce large quantities of electric power—that all capital costs, plus interest and operating costs, would be paid off, with something to spare. The main trouble seems to be that the agency which runs the established grid for the area is the Bonneville Power Administration.

Various arguments have been raised against the project, all of which are obviously specious in my opinion. The following are some examples:

First. It has been argued that in some way this plant would hurt the coal industry. But anyone from the Northwest knows that coal is not a fuel for electric power in that area. The Hanford AEC installation keeps the only coal mines in the area in operation, to provide fuel for space heating.

Mr. JACKSON. Madam President, at this point will the Senator from New Mexico yield to me?

Mr. ANDERSON. I yield.

Mr. JACKSON. Is it not true that the Hanford atomic energy works is the largest consumer of coal in the entire Northwest.

Mr. ANDERSON. Yes; and I think the Senator from Washington could add to his statement that if we include some of the other purchases of coal made for electric energy requirements of the Atomic Energy Commission——

Mr. JACKSON. For example, those for the Paducah plant and for Portsmouth, Ohio——

Mr. ANDERSON. Yes; if they are included, then one finds that the Atomic Energy Commission is probably the largest consumer of coal in the entire country for fuel for its electric energy and space heat requirements.

Second. It has been argued that the plant would lure industry from the Northeast. No instances have ever been cited, to show that this has been the case. Plentiful power at low rates does help start new industries, but is not such a large factor as to make the difference in attracting industry from one area to another.

Third. The argument which goes to the heart of the matter is the fear of the private power companies that this project is a sort of "entering wedge" for other steam electric plants outside of TVA. As mentioned before, this project is not a precedent for anything. It is not likely to be repeated, and it represents a sincere effort to obtain some valuable byproducts from a very large heat source in terms of electric energy, national defense, prestige, and conservation.

As a matter of fact, all of the power from this Hanford project will go to the private utilities and private industry. I understand that the private utilities in the Northwest are not opposed to the project, and several are in favor of it. It is their eastern brethren who are our problem.

Madam President, I happen to come from a State which is not known as a public power State, nor am I known as a proponent of public power, as such. But I hope and believe I have a sense of fair play, and I must say that this Hanford project is being made the victim of one of the most outrageous lobbying efforts that I have ever witnessed. I am glad to say that this effort has not proved very effective in this body.

But substantial efforts are being made by the private utilities to manufacture public opinion in the Northeast, the Ohio Valley, the Appalachians, and the South against this NPR project. Pressure has been put on the coal industry, which is seemingly dependent on the private utilities. Pressure is being put on the atomic equipment companies, and so on.

I hope the private utilities and their allies will come to their senses before great harm is done—not only to this project, but also to atomic power generally, and to the private utilities.

I should like to remind my colleagues that the history of the private utility industry in this country has not been good. Only the competition of other energy sources—oil and gas—and other methods of doing business have forced our private utilities to pay some attention to the consumer and the public interest.

In the field of atomic power, the private utilities attempted to take over in 1954, when the Atomic Energy Act was amended in the previous administration. They proclaimed they were going it alone and would accelerate atomic power development. But no sooner was the ink dry than they had their hands out for Federal financial assistance. About $100 million of direct Federal financial

assistance has been provided, and almost a billion dollars of Government financial research and development has been made available. I have prepared a table showing the projects directly financed. I ask unanimous consent to have it printed at this point in the RECORD.

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

Cooperative power reactor demonstration program—Amounts committed to private utility companies

Estimate of amounts committed	Waiver of fuel use charges	Operating funds (R. & D.)	Total
1st round:			
Yankee Atomic Electric Co.	$3,669,000	$5,000,000	$8,669,000
Power Reactor Development Co.	3,703,000	3,600,000	7,303,000
3d round:			
Northern States Power Co.	1,800,000	8,500,000	10,300,000
Carolinas-Virginia Nuclear Power Associates	1,170,000	13,905,000	15,075,000
East Central Nuclear Group, Inc., and Florida West Coast Nuclear Group	(1)	2,100,000	2,100,000
Philadelphia Electric Co.	2,500,000	14,500,000	17,000,000
Unsolicited proposals: Consumers Power Co. of Michigan	1,675,000	4,582,000	6,257,000
Total committed	14,517,000	52,187,000	66,704,000
Amounts not committed, but available: Unsolicited proposals (R. & D.): [2]			
Fiscal year 1961	5,000,000	15,000,000	20,000,000
Fiscal year 1962	5,000,000	7,000,000	12,000,000
Total	24,517,000	74,187,000	98,704,000

[1] Project terminated.
[2] Available to either public or private utilities, but practically always private.

Mr. ANDERSON. Madam President, it is interesting to note that several of the projects are located relatively close to coal areas: Peach Bottom, Pa.; South Carolina; and Detroit, Mich.

But despite all of the Federal assistance, these so-called partnership projects are faltering. A number of projects have been canceled, including the Pennsylvania Power & Light homogeneous reactor and the Florida-East Central gas-cooled project.

In my opinion the whole partnership program should be reevaluated and a hard look should be taken at all aspects of Government assistance. The AEC has been studying possible new forms of assistance. I say we had better see whether we need even the old ones. This would include research and development assistance, waivers of fuel charges, "buy-back" of plutonium, and so forth. The whole concept of long-term licensing should also be examined.

Madam President, I ask unanimous consent to have printed at this point in the RECORD an excerpt from the July 31, 1961, Atomic Power Newsletter, issued by the American Public Power Association. I wish to have just one paragraph from the pamphlet printed at this point in the RECORD.

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

Thus, does P.G. & E. assume that AEC will pay it $30 per gram for the byproduct plutonium, as the utility did in announcing in 1958 the power cost for a 50,000 kilowatt boiling water plant it now is constructing at Humboldt Bay, Calif.? If so, this means the P.G. & E. cost figures for the Bodega Bay plant are too low by approximately 1.3 mills per kilowatt hour or possibly more for this reason alone. AEC's basic plutonium price until mid-1963 is $30 per gram but it estimates the fuel value at only $9.50. The latter is the figure a utility should regard as the economic worth by byproduct plutonium since AEC has indicated it will reduce its price to the fuel value as rapidly as practicable. The subsidy inherent in the $30 figure exceeds 1.3 mills per kilowatt-hour for the average water reactor.

Mr. ANDERSON. Madam President, while this study is underway, I believe we should consider withholding all new funds for 1962, as well as freezing all funds from past years which are uncommitted.

In carrying on this study, I believe we should talk to all leaders in the field, including the Edison Electric Institute. I think we could ask some interesting questions of these men, who are supposed to be leaders in their industry and in the field of atomic power.

We would grant them the right to their own opinions about the Hanford reactor and other projects. But we would want to ask them if they had not gone far beyond any personal opposition to a plant in another region. We might want to ask what corporate efforts they had sponsored to fight the NPR project. We would want to find out whether these men really are for atomic power, or are they the front men for a gigantic conspiracy to slow down new developments.

Now let us take a look at the Edison Electric Institute Committee. On page 406 of the Joint Committee's "202" hearings, the committee is stated to include the following:

MEMBERS OF THE EDISON ELECTRIC INSTITUTE COMMITTEE ON ATOMIC POWER

W. J. Clapp (chairman), president, Florida Power Corp.

J. K. Busby, president, Pennsylvania Power & Light Co.

J. H. Campbell, president, Consumers Power Co.

W. L. Cisler, president, Detroit Edison Co.

C. B. Delafield, vice president, Consolidated Edison Co. of N.Y., Inc.

E. H. Dixon, president, Middle South Utilities, Inc.

P. A. Fleger, chairman of the board, Duquesne Light Co.

Willis Gale, chairman of Commonwealth Edison Co.

R. E. Ginna, chairman of the board, Rochester Gas & Electric Corp.

A. S. King, president, Northern States Power Co.

E. L. Lindseth, chairman of the board, Cleveland Electric Illuminating Co.

J. W. McAffee, president, Union Electric Co.

Harold Quinton, chairman of the board, Southern California Edison Co.

R. G. Rincliffe, president, Philadelphia Electric Co.

Philip Sporn, president, American Electric Power Co.

J. B. Thomas, president, Texas Electric Service Co.

William Webster, president, New England Electric System.

We know Mr. Clapp, of Florida Power. His atomic project was recently canceled.

We know Mr. Busby. His project was canceled several years ago. But in 1956 his boss, Mr. Oakes, said that the private utilities could do the job alone.

We know Mr. Cisler. The arrangement between PRDC and a former Chairman of AEC in ignoring their Reactor Safeguards Committee is well known. The PRDC case has plagued the industry for years.

We hardly need say that Edgar Dixon, of Dixon-Yates fame, needs no introduction.

We know Mr. Ginna. He is the hatchetman for the New York syndicate which hopes to keep Mr. Moses from developing any atomic power.

We know Mr. Lindseth over many years as chief spokesman for the power industry. Sometimes he is not as frank as others. But in 1960 at the Joint Committee's "202" hearings, he let the cat out of the bag when he stated:

Mr. LINDSETH. The AEC should not own reactors on any utility system, whether investor owned or otherwise. If a reactor concept has reached a stage in its development when it becomes essential to construct a reactor plant capable of generating electricity, such a project preferably should be built by the utility industry with such AEC financial and other support as is necessary to bring the project to fruition.

Mr. HOLIFIELD. How can you say that, when it is evident from the history of this whole art that it was necessary to build Shippingport at Government expense? That is on a utility system. It has been necessary to build Consumers of Nebraska because private industry would not pick up the ball and build those plants.

Chairman ANDERSON. You don't say. You say the AEC should not own reactors on any utility system.

Mr. LINDSETH. We don't believe, in our industry, that in a free enterprise economy such as exists in the United States there is any proper place for the U.S. Government to own power-generating reactors or any utility system. We just do not believe that.

Chairman ANDERSON. Whether it is round 1, 2, or 10, you just don't believe in Elk River?

Mr. LINDSETH. We do not.

Chairman ANDERSON. You don't believe in the one that is going to be built at Oak Ridge?

Mr. LINDSETH. No; we do not.

We know Philip Sporn very well. It is regrettable that he is at the forefront of the cabal on the NPR.

We also know Willis Gale and Bill Webster, who are good citizens, with some ideas on public responsibility.

Is it not ironical that most of these men and their companies are actively

fighting a plant in an area remote from their own operations, and while many of these companies are the recipients of AEC financial largesse? Some are receiving largesse not only from atomic assistance, but also from supplying electricity to AEC installations from conventional plants.

It is indeed ironical that AEC installations are the largest consumers of electric power of any industry in the country. The AEC is the largest consumer of coal for its energy requirements. I ask unanimous consent to have printed at this point in the RECORD a table which illustrates this clearly.

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

AEC coal and electric consumption

[In tons of coal each year]

Portsmouth, Ohio, plant (1,900,000 kilowatts from OVEC)	7,000,000
Paducah, Ky., plant (2,130,000 kilowatts from EEI and TVA)	7,570,000
Oak Ridge, Tenn., plant (1,765,000 kilowatts from TVA)	5,580,000
Total (5,795,000 kilowatts)	20,150,000
The carload equivalents of the above coal consumption are:	
CARLOADS (55 TONS PER CARLOAD PER DAY)	
Portsmouth	349
Paducah	377
Oak Ridge	278
Total	1,004
Hanford plutonium plant (for space heating and chemical processing	300,000

Mr. ANDERSON. Madam President, in our review of AEC activities, I believe we should review these power arrangements. Let us consider OVEC, for example, for which Mr. Sporn was the prime mover. Here we have a situation where the Federal Government in something over 10 years from now will have paid over $360 million for a 2 million kilowatt plant—which will be owned free and clear by Mr. Sporn and his associates.

It seems to me that this administration should investigate whether this private utility combine should get the ownership of a plant which is almost three times larger than the NPR and is paid for by Uncle Sam. Mr. Sporn and his associates had no risk. They had a sure thing in the AEC electric requirements for its Portsmouth plant. The GAO was quite critical of the contract, but not much could be done in the prior administration. Thus, in the GAO report dated August 9, 1956, Comptroller General Campbell stated in part:

The power rates under the AEC and sponsoring companies contracts are based, in part, on OVEC's retiring its entire debt (approximately 97 percent of its total capital structure) within 25 years. Such a basis for power rates is not consistent with what we understand to be the expected service life of an electric powerplant—generally 35 or 40 years. AEC has advised us that the 25-year amortization period represents the best arrangement which could be worked out and satisfy the institutions furnishing the financing. (See p. 47.)

Being based on debt amortization of 25 years, AEC's power rate is higher than it would be if it had been based on a longer period of time; however, if AEC takes power after 25 years its power rate under the contract will be adjusted to eliminate interest and amortization on the original debt.

So we see that Mr. Sporn and his associates will own a plant within 25 years after construction begins—21 years after operation—paid off prematurely by generous Uncle Sam. In a few years we can expect a movement to close down the AEC Portsmouth plant, and OVEC can then utilize this cheap electric power in its commercial system, with no benefit necessarily going to the Federal Government or the consumers. Although AEC has certain option rights beyond 25 years, they are carefully confined to serving the Portsmouth plant or "new" activities.

I believe this entire matter of how AEC gets its power, which was developed in the previous administration, should be reexamined.

So also should the question of rapid amortization and other tax rebates utilized by the utilities.

Madam President, these items and others which I hope to discuss later lead us to anticipate a lively time during the coming debate on the conference report on NPR.

Mr. JACKSON. Madam President, will the Senator yield?

Mr. ANDERSON. I am happy to yield.

Mr. JACKSON. I commend the distinguished Senator from New Mexico for the statement which he has made today. It is most informative. He has raised issues which are a matter of great public interest. I trust that in due time, an appropriate investigation will be made of these serious problems which have been brought out in the very able presentation which the Senator from New Mexico has made on the floor of the Senate this afternoon.

I commend him for the forthright way in which he has called these problems to the attention of the Senate and of the country.

Mr. ANDERSON. I thank the Senator.

Madam President, I ask unanimous consent to have inserted at the end of my remarks an article by Marquis Childs, entitled "Sweeping Sense Under the Rug."

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

SWEEPING SENSE UNDER THE RUG

(By Marquis Childs)

Operation Under the Rug is going full blast on Capitol Hill. With the necessity for voting additional defense appropriations the argument is advanced that everything else—aid to education, foreign aid—must be pushed aside or pared to the bone.

This view of what makes America strong, putting all the stress on weapons and how to use them, ignores many of the elements that underlie a vital and purposeful society. It overlooks the Soviet challenge not merely in weapons but in the field of economic growth and in the sharing with less developed countries of the techniques and the benefits of that growth.

Nowhere is this more apparent than in the fight on the proposal to harness heat generated at the Hanford, Wash., plutonium works to create a great new source of power. That heat, when the new Hanford reactor is completed in 1962, will be dumped into the Columbia River.

Generators to harness this otherwise wasted energy would cost an estimated $95 million. They would generate as much power—700,000 to 800,000 kilowatts—as 1½ Bonneville dams, and Bonneville is one of the hydroelectric giants.

Nor are the proponents the wild spenders against whom conservative Republicans and Democrats like to inveigh. One of the stoutest advocates on the Senate floor was Senator THOMAS KUCHEL, Republican, of California. KUCHEL quoted a leading California industrialist and Chairman of the Atomic Energy Commission under President Eisenhower, John McCone, as urging approval of the Hanford power project.

McCone in his statement pointed out that it would give the United States now and for many years to come the largest atomic-generating plant in the world, far larger than the generator near Moscow over which the Soviets have made so much propaganda. Arguing the need to use this otherwise wasted energy so that more dams will not have to be built on the Columbia and conservation will in this way be advanced, Senator MAURINE NEUBERGER, Democrat, of Oregon, quoted from an editorial in the Portland Oregonian:

"Ever since it went into operation during World War II it (the plutonium-producing plant) has been dissipating into the river enough heat to boil enough water to produce enough steam to spin turbines generating enough electricity to rival the output of Bonneville Dam. It is wrong to permit this waste to continue when with a relatively small investment there can be added to the Northwest power pool the equivalent of a major new hydroelectric project."

The Senate voted 54 to 36 to keep the Hanford power project in the atomic energy bill. In the House it was defeated, 176 to 140, with Democrats from coal-producing States, notably West Virginia, joining those who automatically oppose any public power project. The argument was made that the power is not needed, which is reminiscent of the effort to block the Tennessee Valley Authority with the cry that TVA's proposed power capacity was far in excess of anything that backward region could ever use. Incidentally, TVA is today the largest single purchaser of coal in the country.

Under the resourceful generalship of Republican leader CHARLES HALLECK an attempt was made to tie a parliamentary noose around the Hanford project in that convenient mortuary chamber, the House Rules Committee.

Together with the drumbeat of military preparation "operation under the rug" gives the impression of an impetuosity bordering on the frantic. This attitude belies the Nation's true strength.

It sometimes seems that there is a danger of sweeping not only such domestic measures as the Hanford project and aid to education under the defense rug but also the whole process of future negotiation over West Berlin and the need to take the political and diplomatic initiative. There are critics of President Kennedy's speech who feel that this side of the Berlin crisis came off second best and that the areas of possible negotiation were brought in as a kind of afterthought.

The hope had been that constructive and far-reaching proposals would be forthcoming to seize the diplomatic initiative. Premier Khrushchev touched off the Berlin alarm as he has done two or three times before. But it should never be forgotten that under totalitarian control the switch can be reversed almost overnight. If the

propaganda switch were abruptly shifted from threat to peace the drumbeat would have a lonely sound.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. MUNDT. Madam President, I offer my amendment identified as "8-2-61—D."

The PRESIDING OFFICER. The amendment offered by the Senator from South Dakota, for himself and other Senators, will be stated.

Mr. MUNDT. Madam President, I ask unanimous consent to dispense with the reading of the amendment and to have it printed in the RECORD at this point.

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

The amendment is as follows:

On page 48, after line 13, insert the following:

"TITLE VIII—AMENDMENTS TO PUBLIC LAWS 815 AND 874

"Extension of temporary provisions of Public Law 815

"SEC. 701. (a) The first sentence of section 3 of the Act of September 23, 1950, as amended (20 U.S.C. 633), is amended by striking out '1961' and inserting in lieu thereof '1964'.

"(b) Subsection (b) of section 14 of such Act is amended (1) by striking out '1961' each time it appears therein and inserting in lieu thereof '1964', and (2) by striking out '$40,000,000' and inserting in lieu thereof '$60,000,000'.

"(c) Paragraph (15) of section 15 of such Act is amended by striking out '1958–1959' and inserting in lieu thereof '1961–1962'.

"Extension of temporary provisions of Public Law 874

"SEC. 702. The Act of September 30, 1950, as amended (20 U.S.C. 236–244), is amended by striking out '1961' each time it appears in sections 2(a), 3(b), and 4(a) and inserting '1964' in lieu thereof.

"Extension of laws to American Samoa

"SEC. 703. (a) The Act of September 30, 1950, as amended (20 U.S.C. 236–244), is amended by inserting 'American Samoa,' after 'Guam,' each time it appears in sections 3(d), 6(c), and 9(8).

"(b) The Act of September 23, 1950, as amended (20 U.S.C. 631–645), is amended by inserting 'American Samoa,' after 'Guam,' in section 15(13).

"Report of operations under these laws

"SEC. 704. The Commissioner shall submit to the Secretary of Health, Education, and Welfare for transmission to the Congress on or before January 1, 1963, a full report of the operation of Public Laws 815 and 874, as extended by this Act, including an analysis of the relation between Federal payments under these laws and Federal payments under title I of this Act, and his recommendations as to what the future relation between these laws and that title should be if they are further extended."

Mr. MUNDT. Madam President, since the time I submitted the amendment, the following Senators have asked to be included as cosponsors of the amendment: COTTON, YOUNG of North Dakota, SCHOEPPEL, WILEY, SMATHERS, LAUSCHE, and BUSH.

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

Mr. MUNDT. I yield.

Mr. MANSFIELD. After consulting with the Senator in charge of the bill, the Senator from South Dakota, and leaders on both sides, I wish to propound a unanimous-consent request.

I ask unanimous consent that 1 hour be allocated on the pending amendment, one-half hour to be allotted to the Senator from South Dakota [Mr. MUNDT], and one-half hour to the majority leader.

The PRESIDING OFFICER. Is there objection? Without objection——

Mr. BUSH. Madam President, reserving the right to object, I think this is an important question, and I would like a little time on it. Cannot the time be stretched a little?

Mr. MANSFIELD. I may inform the Senator that this time has been agreed to. It has been thoroughly discussed. I hope on this occasion the Senator will not insist, because he will get time from this side.

Mr. BUSH. I withdraw my objection.

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

Mr. MANSFIELD. Madam President, will the Senator from South Dakota yield further to me?

Mr. MUNDT. I am happy to yield, with the understanding that the time under the limitation has not yet started to run.

Mr. MANSFIELD. The only reason why I asked the Senator to yield to me is so that I may announce that while there will be a discussion of the pending amendment, there will be no further yea-and-nay vote this evening.

Mr. JAVITS. Madam President, if the Senator will yield, will the majority leader tell us when the Senate will convene tomorrow?

ORDER FOR ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Madam President, I ask unanimous consent that when the Senate concludes its business today, it adjourn to meet at 10 o'clock tomorrow morning.

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

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. MUNDT. Madam President, I yield to the Senator from New Hampshire [Mr. BRIDGES] with the understanding that it does not involve running of the time on the amendment.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. LAUSCHE. Madam President, will the Senator allow me to become a cosponsor?

Mr. MUNDT. I have announced the name of the Senator from Ohio as a cosponsor of the amendment.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized.

APPREHENSION OF AIRPLANE HIJACKERS

Mr. BRIDGES. Madam President, earlier in the day I spoke about the hijacking of a second American airplane. The persons who seized the plane have now been captured as a result of the very outstanding work done by the Federal Bureau of Investigation, the U.S. Immigration and Naturalization Service, Texas State officials, Texas county officials, and the local police of El Paso. For having acted promptly and having brought this matter to a head, I think they should all be complimented, particularly the FBI.

It has been announced that the two individuals responsible for the hijacking will be charged with kidnaping and interstate transportation of stolen aircraft.

The adult who took part has a long criminal record and is currently on parole. It is very significant that he was in Mexico City earlier this year and was a visitor to the Cuban Embassy in that city. Already the thread is beginning to spin, and the pattern of the cloth is evident.

Because I raised the point in the Senate earlier, I wanted to bring this statement to the Senate's attention at the conclusion of the incident. Now that the dust is beginning to settle around the Continental Airlines jetliner which was under siege by two hijackers for 9 hours in El Paso, Tex., today, I think it is most appropriate that credit be given to those responsible for taking the abductors into custody.

I wish to pay special tribute to the Federal Bureau of Investigation and to the U.S. Immigration and Naturalization Service for the activities of their representatives in El Paso in bringing about the successful capture of the individuals responsible for hijacking the jetliner. I also wish to congratulate the Texas State, county, and El Paso law enforcement officials for their courageous action in cooperating with Federal officers.

Madam President, at this time the information filtering back from El Paso in this regard is still a bit sketchy. However, according to my best information it was FBI agents who shot the plane's tires and one engine, thereby making it impossible for the plane to take off.

It is my further understanding that a representative of the Federal Bureau of Investigation delivered the no-deal ultimatum to the hijackers and warned them of the consequences involved if any harm came to the hostages. Reports from El Paso also credit an FBI man as being the first to board the plane while it was still under seige. He was

later followed by a member of the Immigration and Naturalization Service. Following a brief scuffle, the hijackers were captured and the hostages were freed.

Madam President, this is in keeping with the high traditions of both of these agencies.

During the 25 years in which I have served in this body, I have witnessed countless situations in which the FBI played a prominent role in bringing about a satisfactory final solution. This Bureau, under the capable guidance of Director J. Edgar Hoover, is without doubt the finest law-enforcement body on the face of the globe. With each new incident of the magnitude of the episode in El Paso, we are reminded of the efficiency of the Bureau itself and of the devotion of the men of the FBI.

It is indeed fitting that the wrapup of the El Paso incident was accomplished by the FBI working hand in hand with the Immigration and Naturalization Service—a service which has also proven its value again and again over the years in times of stress. Indeed, there is ample proof of the value of the INS, of the devotion of its agents and of the outstanding direction of its Director, Gen. J. M. Swing. Now that the two culprits are in the custody of the FBI, Madam President, it is my sincere hope that strict and swift justice will be meted out. I suggested on the floor of the Senate this morning the distinct possibility that the Federal kidnap law might very well have been violated by the hijackers of this jetliner. I am pleased to know that this charge has already been lodged against the pair.

MEMORANDUM ON PROPAGANDA ACTIVITIES OF MILITARY PERSONNEL DIRECTED AT THE PUBLIC

Mr. BRIDGES. Madam President, on another matter, I wish to invite attention to a subject which the very distinguished junior Senator from South Carolina [Mr. THURMOND] discussed in the Senate the other day regarding the publication of a memorandum which was put out by the staff of the Foreign Relations Committee. I have just looked it over very carefully. I think some of the statements contained in the memorandum are shocking.

As I indicated in my remarks on Friday, July 28, the Senator from South Carolina has performed a very real public service in focusing attention on this effort, on the part of someone, to silence our military leaders.

I assume, and it is an assumption which I believe to be valid, that our senior military officers, particularly those of flag and general officer rank, are persons of judgment and responsibility. Most of these officers are graduates of our Military Academies, all of them have many years of experience in leadership, many of them are held directly responsible for the welfare and lives of large segments of our military forces, and many of them are held directly chargeable with the care, custody, and protection of millions of dollars worth of property belonging to the U.S. Government. The appointment of each of them to a position of high rank was made as an expression of trust and confidence by the President and with the concurrence of the U.S. Senate.

In view of this, it is shocking to me to read in this memorandum the following statement:

> There is little in the education, training, or experience of most military officers to equip them with the balance of judgment necessary to put their own ultimate solutions—those with which their education, training, and experience are concerned—into proper perspective in the President's total strategy for the nuclear age.

If it is true that our senior military officers do not have the capacity to exercise independent judgment, I shudder for the future of this country. Fortunately for all of us however, this simply is not true. The distinguished junior Senator from South Carolina holds high military rank and I am prepared to testify that he is a man of sound and competent judgment.

While I do not propose to analyze this specious document in detail, there is one additional observation in it upon which I feel compelled to comment. It is stated, and I quote:

> Fundamentally, it is believed that the American people have little, if any, need to be alerted to the menace of the cold war.

If this is true, the American people no longer are entitled to the privilege of self-determination. As was stated on the floor of the Senate yesterday, that is the kind of destructive philosophy which could only lead to the "big brother" society envisioned by George Orwell in his book "1984."

I say again that the American public owes the junior Senator from South Carolina a debt of gratitude for his patriotic service in displaying this infamous document for open scrutiny. The appropriate committee of the Senate to examine this entire matter is the Committee on Armed Services, or a subcommittee thereof, and I concur in the view that such an inquiry should be initiated immediately.

I think this situation has gone pretty far. In the past few days we have talked about the Appropriations Committee, and a clamor has been raised about the fact that we are legislating on an appropriation bill. My understanding is that jurisdiction over the conduct of the Armed Forces is a matter for the Armed Services Committee of the Senate, under the Senate rules. If that is not so, Senators should stand up and challenge my statement now. If it is the case, the Armed Services Committee of the Senate should have jurisdiction over the subject matter and should proceed, in my judgment, to conduct an investigation as to who wrote the memorandum, the circumstances surrounding it, and what the conditions are in our armed services, and ascertain whether or not certain people in our armed services are causing the situation with which the memorandum deals. I think it is something which should have the immediate attention of the committee.

If we are going to raise technical questions about committees—and that seems to be the pride and joy of some Members of the Senate—then we must be very careful that the proper committee takes the general investigative and supervisory actions in matters within its jurisdiction.

I remember that many years ago the Senate had a Military Affairs Committee and a Naval Affairs Committee, before the Committee on Armed Services was formed. Even when a Senator was dealing with the general military or naval situation, he had to be extremely careful. Senators were prone to stand on the floor and to challenge jurisdiction. They felt it their duty to challenge jurisdiction of committees. Now, with an all-inclusive Armed Services Committee to deal with the Marines, the Army, the Air Force, and the Navy, there should be no question about jurisdiction.

Mr. MUNDT. Madam President, while we are discussing the subject to which the Senator from New Hampshire has been devoting his remarks, I ask unanimous consent to have some editorials in connection with this growing controversy printed in the RECORD.

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

[From the State, Columbia (S.C.), Aug. 2, 1961]

SUSPECT SUBTERFUGE

It is interesting to note that Senator BARRY GOLDWATER has joined Senator STROM THURMOND in attacking the attempt of the administration to put a gag on military officers.

These Senators, one a Democrat and one a Republican, but both sound, full-time conservatives, have a particular reason to object to this move designed to curtail any conservative or rightwing talk by the military.

Both Senators hold the rank of general in the Reserve forces, and undoubtedly entertain the notion that this whole thing is just a sneaky way to gag two leaders of the conservative oppositon to the New Frontiersmen.

[From the News and Courier, Aug. 2, 1961]

SENATOR THURMOND DOCUMENTS SOURCE OF ATTACKS ON U.S. MILITARY

In the last week Senator STROM THURMOND has performed some of his most important work since he was first elected to the U.S. Senate in 1954. We refer to his major effort to have the Senate Armed Services Committee investigate attacks on officers who teach anticommunism.

When we use the adjective "major," we mean just that. South Carolinians who have access to the CONGRESSIONAL RECORD can learn for themselves the care that has gone into Senator THURMOND'S documentation of his case. The Senator's analysis of Communist and other attacks on American patriots in uniform is a model of thoroughness. It fills many pages of the RECORD for July 26, 29, and 31.

At this writing we do not know whether Senator THURMOND has attained the result he hoped. The RECORD shows, however, that Senator RICHARD RUSSELL, of Georgia, chairman of the Senate Armed Services Committee, has promised to look into matters raised by Senator THURMOND.

We detect a great deal of foot dragging, however, and the usual lowering of the Paper Curtain. The New York Times, which promptly followed the Communist Worker

in attacking officers who give instruction in anticommunism, made no effort to offer a full presentation of Senator THURMOND's defense of patriots. Other journals paid little or no attention to documentation supplied by Senator THURMOND.

Fortunately, the Chicago Tribune and other vigorously pro-American journals gave Senator THURMOND's statements attention they deserve.

In the Senate, Senator THURMOND had fine support from Senators MUNDT, of South Dakota, MILLER, of Iowa, and other outspoken Senators. But there were some Senators, who should have given direct support to Senator THURMOND, who had nothing to say. The truth is that the White House palace guard is strongly for the crackdown on the military. The ruthless administration now in power is capable of threatening to close down military installations in a State whose Senators buck the White House.

The News and Courier and the people of South Carolina are proud of Senator THURMOND's courageous stand in behalf of patriots in uniform. This State and its representatives never have been afraid to speak the truth because it was unpopular. Senator THURMOND's campaign is in the great outspoken South Carolina tradition and will be of lasting value to the country.

[From the Greenville News, Aug. 2, 1961]

STROM OPPOSES MILITARY MUZZLE

South Carolina's tireless Senator STROM THURMOND is engaged in a vigorous effort to discover and expose the extent and the reasons behind current efforts to "muzzle" officers of the Armed Forces of the United States when it comes to discussing the menace of Communist infiltration and the aims and methods of international communism.

The Senator is convinced that there is a deliberate conspiracy afoot to break up such information programs as the national defense seminars, attended by military officers and civilian leaders alike, and to cripple other programs intended to indoctrinate, or inform, members of the Armed Forces about what they are up against.

And he has strong evidence to indicate just that. We hope he doesn't stop until he has gotten to the bottom of the thing and exposed it to full public view.

To what extent the Communists themselves are involved isn't yet clear. But Senator THURMOND has cited conclusive evidence that such Red organs as the Daily Worker and Communist organizations are making the most of the situation and forcing the thing along as rapidly as they can.

It is an extremely complicated matter, and not all of its aspects can be defined in clear lines of black and white.

Civilian control of the Armed Forces is inherent in the American system of government. Persons on active duty in the Armed Forces are encouraged to vote, usually by absentee ballot, but they are forbidden to take an active part in politics.

At the same time, members of the Armed Forces are encouraged to inform themselves of the nature of the enemy, currently the Communists. Officers at all levels of command are required to conduct orientation periods intended to inform their subordinates of what is going on in the world. An important part of this process now, of course, is teaching the nature of communism and Communist techniques.

To be effective, it is hard to see how such information programs can be confined to Red tactics on the battlefield. It cannot be complete unless it includes the Communist methods of political subversion and infiltration. Our fighting men need to understand these things, for the man who doesn't know what he is fighting against—and, more important, for—is not what the Armed Forces call combat effective.

This is where the officers of the Armed Forces seem to have run into difficulties. Where does information leave off and where does politics begin?

In discussing the matter of infiltration and subversion, it appears that a few officers may have gone a bit too far and have indirectly indicated the belief that some of the domestic programs of this and previous administrations were oriented toward socialism and communism.

This is a continuation of the storm which broke some months ago when an Air Force manual was charged with accusing certain domestic groups of having been infiltrated by Communists. Without a doubt, some of them have been, but the issue involves the point at which to draw the line in nonpartisan discussions among members of the Armed Forces and by members of the Armed Forces before audiences composed wholly or in part of civilians.

The latest furor, and Senator THURMOND's deep concern, were prompted by a still secret staff memorandum from Senator J. WILLIAM FULBRIGHT's Foreign Relations Committee criticizing military officers who conduct or participate in anti-Communist seminars, or meetings which feature so-called right-wing speakers.

(One can't help wondering whether, if these seminars and meetings had been of a leftwing nature, the liberal Senators would have raised a protest.)

Be all of this as it may, the Kennedy administration is preparing to do all-out battle with the Communist enemy. The President told the American people and the world only a few nights ago that the United States would fight if it had to. He has asked for and is getting broad authority to expand the Armed Forces.

But are the civilian populace and the men who are now in the Armed Forces and those who will be called to active duty prepared for the nature of the battle? Do they understand that the cold war is as much a part of the basic conflict between communism and freedom as the hot war which may ensue?

That is what is bothering Senator THURMOND and a lot of other people.

As he says, it is the business of the leaders of the Armed Forces to understand the enemy and to communicate to their officers and men all of the information they can. But the nature of warfare has changed so much that civilians, too, must understand all of these things. Subversion at home can destroy an army in the field just as surely as enemy gunfire.

Senator FULBRIGHT seems concerned that conversatism in the Armed Forces may jeopardize the leftist elements of the Kennedy program. Senator THURMOND is concerned that failure to understand the enemy may lead to the destruction of the Nation.

The paramount issue of the times is not welfare but national survival.

Officers of the Armed Forces should be circumspect in their public statements, but not at the expense of denying to their subordinates the public information they need. The worst thing that could happen would be for the politicians and their civilian superiors to make them afraid to speak out at all.

[From the Spartanburg Herald, Aug. 2, 1961]

ANTI-COMMUNISTS OFTEN LABELED AS RADICALS

The role of the "para-Communist" in the United States is becoming more pronounced, more effective and more menacing as the urgency to counteract internal communism gets more evident.

Dr. Medford Evans, former Chief Security Officer with the Atomic Energy Commission, defines the term: "A para-Communist is not a Communist. He is not necessarily a pro-Communist or a Communist sympathizer." His value consists "in containing, neutralizing, discrediting every aggressive anti-Communist."

Senator STROM THURMOND has given a healthful dose of public light to this disturbing trend in America today.

That is the practice of branding almost any energetic anti-Communist program as radicalism of the most extreme variety.

It is difficult not to be extreme in facing the menace of internal communism. But the Declaration of Independence was not a moderate document; and Patrick Henry was something of an extremist himself.

THURMOND's caustic exchange with Senator J. W. FULBRIGHT about the muzzling of anti-Communists activities of military commanders was much needed. FULBRIGHT suggested in a memorandum to the Pentagon that some welfare legislation might be endangered by attacks against socialism and communism.

Welfare statism is being equated with socialism and socialism with communism, he complained. His note was not intended for the public to see.

The South Carolinian took FULBRIGHT to task in an incisive speech on the Senate floor. He recalled Nikita Khrushchev's words when the Russian visited here: "We cannot expect the Americans to jump from capitalism to communism, but we can assist their elected leaders in giving Americans small doses of socialism, until they suddenly awake to find they have communism."

The Senator added: "For anyone who really wants to know, there is a wealth of material available equating the fundamental bases of socialism and communism."

The danger is that some of the most effective foes of communism are being silenced by a gag imposed on military leaders, THURMOND charged. A civilian parallel is the all-out liberal assault on organizations which conduct aggressive anti-Communist programs—including the FBI, the House Un-American Activities Committee, and the Senate Internal Security Subcommittee.

The source of a great deal of this antagonism is clear, because even the Communists admit that they're concerned about the effectiveness of these programs.

Gus Hall, general secretary of the Communist Party, wrote in the Daily Worker of July 16:

"In the opinion of the Communist Party, there can be no question but that the threat from the extreme right is serious * * *.

"When you get this combination of high-ranking military officers, the Fascist organizations in North and South, the right Republican-Dixiecrat coalition, and deep inroads into governmental bodies and in the educational system, we can surely say that the threat from the ultraright is serious indeed."

You just can't get a much higher recommendation than that.

[From the Augusta Chronicle, Aug. 2, 1961]

A DANGEROUS SUPPRESSION

Were a U.S. Senator to demand that American military leaders be denied use of their most strategic weapons in time of armed conflict, a resounding hue and cry undoubtedly would be raised across the country. Such action would be promptly and properly rejected as virtual treason.

Yet, within the last few weeks, Senator J. WILLIAM FULBRIGHT, of Arkansas, has insisted—apparently with success—that U.S. military men abandon the weapons that many have used effectively in the protracted conflict in which we are are now engaged. And, regrettably, few voices have been raised in protest.

The outstanding exception is South Carolina Senator STROM THURMOND, who has voiced vigorous objections to the memorandum dispatched to the Pentagon by FULBRIGHT, chairman of the Senate Foreign Relations Committee.

Senator FULBRIGHT's memorandum contended that military officers were engaging in dangerous propaganda and political activities by participating in educational programs designed to familiarize their troops and civilian communities with problems and issues of the cold war. It was particularly critical of officers who have equated social legislation with socialism and the latter with communism.

FULBRIGHT diagnosed this kind of cold war strategy as "a virus of rightwing radicalism" and asked Defense Secretary Robert McNamara to put a halt to it. The Pentagon responded with a directive restricting the freedom of military officers to take part in education and information programs.

Fortunately, Senator THURMOND has picked up the cudgel for the muzzled military leaders and put the issues in proper perspective with an address on the Senate floor. He also has protested the Pentagon directive in letters to McNamara and Kennedy. But thus far he has received no action.

If the Pentagon order is allowed to stand, America will have cast aside one of the most vital weapons in its cold war arsenal, and the Communists and Communists' sympathizers in this Nation will have won another major victory in their campaign to destroy America from within. For it is within the ranks of the military that the United States has some of its greatest patriots and best informed students of communism and international politics. With the knowledge they possess and the will they have to defeat the enemies of this Nation, military men are among our most valuable instruments in meeting the recognized need to acquaint Americans with the nature and strategy of communism and to increase their appreciation of the way of life we seek to protect from Red advances.

Anyone who questions this need should examine the shameful record of successful Communist brainwashing of American troops in Korean war prisoner camps. If there was ever a need in this Nation for the kind of activity represented by Project Patriot and the recent cold war seminar in Augusta, it is today. But the restrictions instigated by Senator FULBRIGHT threaten to prevent this kind of activity in the future.

As for military leaders equating social legislation with socialism and socialism with communism, we can only say with Senator THURMOND that they are on the right track. The mass of welfare programs adopted in this country have brought us closer to a socialistic government. And socialism, as any student of Communist doctrine knows, is one phase in the development of communism.

Khrushchev recognized this when he said: "We cannot expect Americans to jump from capitalism to communism, but we can assist their elected leaders in giving Americans small doses of socialism until they suddenly awake to find they have communism."

This is as much a part of the Communist threat as the Soviet Premier's missile rattling, and military leaders would be derelict in their duty if they failed to bring that to the attention of their troops and the American people.

Military leaders, as they have traditionally, should stay out of the realm of partisan politics in their public pronouncements. But when they discuss the Communist threat to this Nation, from without and within, they are waging war, not playing politics. And any suppression of their efforts must be regarded as a dangerous handicap to America.

MUZZLING OF AMERICAN PATRIOTS

(By Thurman Sensing)

WASHINGTON.—It becomes harder and harder to get the truth about socialism and communism across to the American people. Systematically, liberals have sought to close down and silence every source of information of radicalism.

One of the most intensive liberal campaigns is to deny the American people the knowledge and counsel of the members of the Armed Forces of the United States. Officers of the Armed Forces are targets of the liberals because the former understand the menace of leftism to the security of the United States. Ever since the end of World War II, prominent leaders of the Armed Forces have warned against Red expansionism and infiltration at home. State Department liberals won a major victory for their cause when General of the Army Douglas MacArthur was removed from command in the Korean war. He was hated by the leftists because he wanted to win the war. The recall of General MacArthur was the most disgraceful incident in the most disastrous chapter in American history.

The liberal-leftists are furious at naval leaders such as Adm. Arleigh A. Burke, U.S. Navy, retiring Chief of Naval Operations, because he alerted the country to the danger of Red Cuba. One of the first liberal successes in the Kennedy administration was to get an order muzzling Admiral Burke and other great Americans from telling the country the truth about the full extent of Communist infiltration.

In recent months, a subtle campaign has been waged in the Bulletin of Atomic Scientists, the Nation, the Reporter, the New York Times, and other left-of-center journals to discredit leaders of the Armed Forces who are vigorously anti-Communist. These journals angrily attack the various community "alert" organizations and the cold war seminars that have been held about the country. They demanded that permission be withdrawn for patriotic meetings to be held on defense bases. The liberal-leftists also demanded that anti-Communist documentry films no longer be shown on military reservations, and they won a victory on that point.

The liberal-leftists won another victory when Maj. Gen. Edwin Walker, commander of the 24th Division in Europe, was admonished for telling his troops about the facts of communism and state socialism. Leftist pundits gloated over this as a victory for their cause.

The latest sneaky deed by the liberals is a private memorandum that Senator J. W. FULBRIGHT, of Arkansas, sent to the Defense Department. Echoing the line of the leftist press of New York, the Arkansas Senator objected to military sponsorship of anti-Communist meetings.

Fortunately, Senator FULBRIGHT was promptly taken to task by Senator STROM THURMOND, of South Carolina. He assailed Senator FULBRIGHT for what he called a "'dastardly attempt to intimidate" U.S. Armed Forces commanders through a memorandum urging a gag on military officers espousing rightwing political beliefs.

Senator THURMOND termed the memorandum an effort to prevent Armed Forces commanders from "teaching their troops the nature and menace of world communism." He said that "the real bastion of knowledge and understanding of the Communist threat" lies among miiltary personnel. He added that "suppression of the military's dissemination of this knowledge would be disastrous."

Senator THURMOND declared that "if the military teaches the true nature of communism, it must necessarily teach that communism is fundamentally socialism. When socialism, in turn, is understod, one cannot help but realize that many of the domestic programs advocated in the United States, and many of those adopted, fall clearly within the category of socialism. Military leaders in this case are rightly teaching the truth, and as is often the case, the truth can and does hurt."

In drawing attention to the effort to gag patriots, Senator THURMOND has performed a major public service. Communism never will be defeated by guns alone; it will be defeated by an alert citizenry that understands communism and its forerunner, state socialism, under whatever name it goes.

These liberal-leftists may not be Communists, but they had just as well be. If they are not stopped, they are going to deliver us into the hands of our enemies. It is time for the American people to decide who is going to run this country—patriots or pinks.

TRIBUTE TO ADM. ARLEIGH BURKE

Mr. BRIDGES. Madam President, a highly significant ceremony took place Tuesday, August 1, at the U.S. Naval Academy, Annapolis, Md. On that occasion, Adm. Arleigh Burke relinquished his assignment as Chief of Naval Operations to Adm. George W. Anderson.

Admiral Burke has served this Nation for 6 years, in the highest position of trust to which a member of the naval service can aspire. He has served not only with professional skill and ability, but also with a measure of distinction which marks him as a great American. Indeed, throughout his 38 years of active naval service, following his graduation from the U.S. Naval Academy, Arleigh Burke has demonstrated a degree of competence and dedication substantially above the average. Throughout his entire service, he has established an enviable record of vigorous devotion to the best interests of his country and the U.S. Navy. The courage and determination which gave rise to the name of "31-knot Burke" in World War II has been demonstrated time and again in his performance of high responsibilities required of this Nation's Chief of Naval Operations. Admiral Burke can readily lay claim to being an outstanding member of the military profession, a statesman and, above all, a true patriot. As Chief of Naval Operations, he has demonstrated farsighted ability in anticipating potentially dangerous situations throughout the world and, of greater importance, in doing something about them. With Arleigh Burke at the helm, it is no accident that wherever trouble spots have arisen during the past 6 years, there happened to be ships of the U.S. Navy somewhere in the vicinity, available to demonstrate the sinews of American strength. Those ships were there because of the foresight of Admiral Burke in seeing that they were in position to act for the United States.

Admiral Burke has been instrumental, as well, in establishing permanent forces in those areas of the world where the need to demonstrate American understanding, as well as American strength has been necessary. I have reference, particularly, to the amity forces which have been stationed near the coast of Africa for over a year. This relatively small force has done much to demonstrate to some of the emerging African

nations the most favorable side of our national character.

Additionally, Admiral Burke has been instrumental in establishing the UNITOC forces in the South Atlantic, designed to increase the effectiveness of South American naval strength. He also fostered the Inter-American Naval Conference and has contributed much of his personal time and effort to the establishment of better understanding and better relations with our neighbors to the south. History may well prove that Admiral Burke has contributed an enormous amount to the preservation of mutual security in the Western Hemisphere.

I think there is no one man on the current scene who is more highly regarded by his military and civilian contemporaries than Admiral Burke. It has been my pleasure to consult with Admiral Burke on various occasions and to hear his testimony before the Armed Services and Appropriations Committees of the Senate. I consistently have been impressed by his forthright answers, his lack of equivocation and his straightforward presentation of Navy and international problems. There never has been the slightest suggestion of evasiveness from this man.

In this regard, he has been called an outspoken admiral. I prefer to think of this description in its more favorable context. Whenever Admiral Burke has spoken out, it has been to remind the people of this country of the fundamental principles upon which our great Nation was founded. He feels strongly that great emphasis must be placed on those elements which lead to strength of character, including honor, pride, and integrity. Admiral Burke has performed great service in reminding the people of this country that a man of principle speaks with a powerful voice and commands respect. Certainly, Arleigh Burke personifies this truth.

In this regard, a very fine editorial appeared in the Washington Evening Star for Wednesday, August 2, 1961, entitled "Burke's Warning," and I ask unanimous consent that it be incorporated in the CONGRESSIONAL RECORD at the conclusion of my remarks. This editorial invites particular attention to the frank and vigorous opinions expressed by Admiral Burke regarding the menace of communism. He has been completely outspoken, and properly so, in warning that we must not succumb to the blackmail technique employed by the Communist leaders. I agree fully with the conclusion reached in this excellent editorial that Admiral Burke's clarion and courageous voice has conveyed a message of vital import for every American.

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

(See exhibit 1.)

Mr. BRIDGES. Madam President, Admiral Burke's philosophy of life is reflected admirably in his message of farewell, which was published to the officers and men of the U.S. Navy on July 10, 1961. In my judgment, the full text of this brief and significant message warrants inclusion as part of my remarks.

To the officers and men of the U.S. Navy:

There comes a time in every man's life when he must attempt to evaluate what he has done to better his country, his service, his family, and his group. This review can very well comprise the legacy a man bequeaths to his successors.

I have now—with more than a twinge of reluctance—reached this stage, and in retrospect I find it impossible to single out any one item which I can thruthfully say was exclusively and inalienably mine. This is a truism which most men recognize eventually because they learn that major accomlishments can be achieved only with the cooperation of friends and shipmates.

In 42 years of naval service I have had a unique opportunity to serve my country which I deeply appreciate. I have also been blessed by the loyalty, support, and friendship of the most dedicated people I have ever known, not least of whom is my devoted wife.

Experience has brought me a full appreciation of the prize cargo a man can hoist aboard. To this beloved Navy I do commend: Love of country, overshadowing all other loves, including service, family, and the sea; individual desire to excel, not for aggrandizement of self, but to increase the excellence of the Navy; devotion—perhaps consecration—to personal integrity in oneself, in one's service, in one's country; and courage to stand for principle, regardless of efforts to dilute this courage through compromise or evasion.

My service life has been rich and rewarding, and no man can ask for more. May you, too, find satisfaction and throughout your careers experience fair winds and following seas.

I join with millions of Americans in expression of public appreciation for the contributions of a great American patriot. I know of no higher tribute that could be paid to Arleigh Burke than the traditional expression of the Navy—"well done."

EXHIBIT I

BURKE'S WARNING

Senators DODD and BRIDGES, Democrat and Republican respectively, have just joined in paying an altogether fitting bipartisan tribute to Adm. Arleigh Burke, now retired as Chief of Naval Operations after 42 years of distinguished service to the Nation.

Speaking from the floor of the Senate, both legislators have made a point of referring to a farewell interview given by the admiral last week, reported by L. Edgar Prina in the Star. They have made a point, too, of lauding him for the strongly worded candor of the views he has expressed and the counsel he has offered in the past on issues involving Soviet-American relations. In Mr. DODD's words, "he can well take pride in the many times * * * he has been forthright and courageous on controversial questions."

In recent months, of course, Admiral Burke, along with our other military leaders, has been under orders from the President, the Commander in Chief, to subject his speeches to controls—and editing, if necessary—designed to water down statements that might tend to heat up the cold war. The White House, over the years, has often sought to exercise this kind of influence, and it has done so under Mr. Kennedy with particular attention to the admiral's vigor and frankness of expression as regards the Communist menace.

For his own part, Admiral Burke does not believe that his language has been extravagant, and he feels that he would actually be more outspoken if he were living his life over again. As for dealing with the men of the Kremlin, he has had this to say: "You can't sell a little part of your honor. You cannot sell part of your virtue. You can't give away one baby—throw the baby to the wolves and expect the wolves will not follow the sleigh. They'll keep coming on—they'll want the next baby and more and more—you can't succumb to blackmail."

Some members of the administration may regard this statement as the sort of thing that Admiral Burke ought not to say even in retirement. The President, however, is not likely to take a dim view of it. After all, it constitutes a meaningful message, a pointed warning, for every American in connection with the Berlin crisis and the Kremlin's open reaffirmation of its intentions to bury the West and communize the whole world.

THE BERLIN ISSUE

Mr. BRIDGES. Madam President, the American people are very much disturbed by the antics of Nikita Khrushchev and his threat to the United States and her allies in Western Europe over the Berlin issue.

My mail for many days has reflected this feeling. People have written from all sections of the country. They are adamant in their feeling that the United States has gone far enough with Mr. K. and we must stand firm.

In this connection I was interested in reading an editorial in the Manchester Union-Leader, Manchester, N.H., on July 27, 1961. It was entitled "Stand Firm in Berlin."

The editorial refers to a survey made by Bill Perry of radio station WGIR at Manchester. Bill Perry is to be commended for his public service to the listening audience.

In the interest of our congressional information and for the American public, I ask unanimous consent that this editorial be placed in the RECORD as part of my remarks.

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

STAND FIRM IN BERLIN

Radio station WGIR's Bill Perry has performed a distinct public service in releasing the results of his telephone survey on the Berlin question. Certainly it was refreshing in this day of appeasement, compromise, and negotiation, to hear people in the Manchester area, say, in effect: "Don't give an inch."

Perry's daily program, "Express Your Opinion," in 3 days received nothing but affirmative answers to the question: Should we stand firm in Berlin?

It was mildly surprising to Bill that no one with the other viewpoint called to express a contrary opinion. So he purposely sought out some opposing views from people who normally favor the compromise-negotiation school of thought.

Still no one appeared willing to defend that line of thinking.

The overwhelmingly affirmative response is, on second thought, more than just refreshing; it is highly significant. The comments from the callers prove what we have long suspected—i.e., that the American people are indeed fed up with the Red bully, and are sick and tired of being shoved around.

"Stand firm in Berlin," the callers to WGIR said, "even if it means war." "We must definitely stand firm in Berlin or we will never stand again anywhere."

Now, if only Washington were tuned in to public opinion on this issue.

DEPARTMENT OF DEFENSE APPROPRIATIONS, 1962

The Senate resumed the consideration of the bill (H.R. 7851) making appropriations for the Department of Defense for the fiscal year ending June 30, 1962, and for other purposes.

Mr. MUNDT. Madam President, I believe the author of an amendment has the right to modify his amendment without asking unanimous consent; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. MUNDT. I hereby modify the amendment by deleting section 704.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. MUNDT. Madam President, on June 27 I took the floor of the Senate urging extension of the aid to impacted areas programs established under Public Law 815 and 874, because of their expiration date, June 30, the end of the fiscal year 1961. At that time, in a colloquy with our distinguished majority leader, I am assured that the Department of Health, Education, and Welfare would not need the funds immediately and that some way would be found in which we could legislate on this subject prior to the time when the funds actually would be needed.

Since that time the Federal aid-to-education bill, which encompassed these two items as the bill passed the Senate, has become embroiled in a controversy in the House, and is involved with other proposed legislation in a stalemate in the Rules Committee. Since that time more than a month has elapsed in the new fiscal year. We now confront a very urgent situation in which there is no impacted areas legislation on the statute books. It has expired.

From all over the country there has come a clamor. School administrators, school boards, principals of schools, and taxpayers, are saying, "We now need to know what kind of faculties we can finance for the school year about to begin in many areas before the end of this month."

For that reason, I filed my motion yesterday to bring the proposed legislation before the Senate today. In the first place, there is an urgency of time. In the second place, the extension rightfully fits in with the bill now before us, because H.R. 7851 as amended will necessarily aggravate a problem which has already grown far too large for many communities to accommodate and accept.

I appreciate the fact that several Democrats, as well as Republicans, among our Senate membership have asked to become cosponsors of this amendment. This is as it should be. There should be no partisanship on this vital issue. What we want is justice for our taxpayers and educational opportunities for our schoolchildren. I hope Senators by their vote will not deny either in favor of a power play to try to force reluctant legislators to support a general Federal-aid-to-education program not desired by their constituents.

Mr. BRIDGES. Madam President, will the Senator yield?

Mr. MUNDT. I am happy to yield.

Mr. BRIDGES. The Senator has made the statement that this is a very important and countrywide problem. I am interested in it. How many States are affected by impacted areas legislation?

Mr. MUNDT. Virtually every State in the Republic is affected, because of the farflung operations of our military and because of the involvement also of the Indian population.

This is a serious situation. It is more serious in some States than in others, but it is serious in all States.

I point out that legislation which provides for the vast defense appropriation, for which we have voted so overwhelmingly and for which I am sure we shall vote perhaps unanimously on a final yea-and-nay vote, is the logical legislation under which we should correct problems which evolve necessarily from the defense program. There is not only a question of urgency of time, but this also fits in with perfect harmony with what we propose to do.

Mr. BRIDGES. Madam President, will the Senator yield further?

Mr. MUNDT. I am happy to yield.

Mr. BRIDGES. It is a tragic situation that thousands of school districts, eligible for this aid, are being sacrificed on the altar of power politics and are facing a new school year, less than a month away, without the assurance of Federal aid which they have depended on for the past 10 years.

In honoring their commitments to the children of their districts, both those connected with Government installations and others, school administrators face the specter of unbalanced budgets and economic chaos because we are not honoring our commitments to them.

In my own State of New Hampshire impacted area assistance amounted to $1,035,000 during 1960. This vitally needed assistance must continue and not be sidetracked by parliamentary maneuvering and hairsplitting.

Mr. MUNDT. Precisely, because a controversy has developed in the House. Certain committee members in the House, and perhaps some in the Senate, have elected to say, "We are going to use these impacted areas bills, which are so popular and so needed, as the carrot to be held in front of the donkey, to compel the donkey to walk through the turnstile of Federal aid to education."

I do not think we should gamble the fate of the taxpayers of our respective States on a controversy which has developed either in the House or in the Senate.

The impacted areas legislation has been in operation for more than 11 years. As a consequence, it should not have been involved, in the first place, in the Federal-aid-to-education controversy. It should be settled on its own merits, and it should be settled now, because every passing day means irreparable damage is being done to the school systems of America. In some place or another some school administrator will have to reject an opportunity to contract with an experienced and able teacher because the school district does not have the necessary funds. He will have to accept an inferior, less educated, less experienced teacher if, perchance, the legislation should be passed late this month, at a time when most of the estimable teachers of this country will already be under contract. We cannot afford to dally with the fate of America's schoolchildren and the taxpayers merely because there are those who wish to use this to "sweeten up," as it were, the Federal-aid-to-education bill.

Mr. SCHOEPPEL. Madam President, will the Senator yield?

Mr. MUNDT. I am happy to yield.

Mr. SCHOEPPEL. Madam President, when the Senator from South Dakota says there has been great alarm and anxiety expressed in practically every State of the Union on this question, quite frankly, I say, the senior Senator from Kansas has had calling upon him, from five specific areas in the State of Kansas: educators, school principals, and some members of school boards, who have made a 1,000- to 1,500-mile trip to Washington, D.C., to ascertain what is the situation. Those people are concerned about the budgeting of their program in the ensuing year in their educational systems. They are actually fearful, in a number of cases, about having to reduce the teaching staff because at this late date they cannot see from where the additional funds will come. The situation is serious.

Mr. MUNDT. The Senator is exactly correct. Not only is there a question of fear because of the necessity for cutting down, but some school districts have already cut down because there is no legal way in the world in which a school administrator can commit a school district to spend funds from the Federal Government which the Federal Government has no authority to convey because the legislation has expired. A great vacuum has developed.

Until we pass the needed legislation, the school districts cannot begin employment of the teachers they need in order to begin the next school year fully equipped with a teaching staff.

This may well be our last effective opportunity to pass this impacted area legislation in time to provide the needed financial assistance to our beleaguered school districts. We are already very late in acting. Already many communities and schools have suffered. We should not delay another day in letting those vitally concerned know whether this school assistance to impacted areas is to be continued or denied. I hope the Senate will confirm its traditional position on this matter with an overwhelming vote. At least now every Senator will be given an opportunity on this amendment to express his convictions clearly in a rollcall vote.

Since there is such a severe limitation on time, I shall reserve the remainder of my time, and yield temporarily, in case some other Senator wishes to speak on the side of the opposition. I shall be glad to yield to any Senator who wishes to use part of the time for the affirmative.

I inquire whether the opposition to the amendment desires to use any time at this late hour.

Mr. MANSFIELD. Madam President, I yield 5 minutes to the Senator from Florida [Mr. HOLLAND].

Mr. HOLLAND. Madam President, I am glad that the Senator from South Dakota has raised this question again to remind the Senate and the people of the country once more that there is a problem unsettled and undisposed of, which must be settled and disposed of before the Senate goes home. There are many things that can be said about the proposed legislation, and only a few of them I shall attempt to say in this brief appearance.

First, the question was raised by the Senator from New Hampshire, I believe, a while ago as to how widespread the problem is. I am glad to read from page 1 of the official report of the Commissioner of Education for 1960, on which he said:

> In the fiscal year which ended June 30, 1960, applications for Federal financial assistance for current school operating expenditures under Public Law 874 were filed by 3,963 local educational agencies in 50 States, Guam, and the Virgin Islands. The U.S. Commissioner of Education determined that 3,821 of these applicants were eligible for a total net entitlement of $177,556,580.

I shall not attempt to read in greater detail from the report, but anyone who looks at it or who reads the list of communities in each State and each territory is bound to come to the conclusion that there is a problem so vast and so far reaching, affecting so many people and so many communities, that the Senate must give it attention and cannot go home without passing legislation to deal with the problem.

What is the problem? The problem is that in a community which has found itself under the necessity of taking care of many schoolchildren brought in by those who are serving at a Defense Establishment—whether they are brought in to serve there as military personnel or as civilian personnel—such community has greatly added costs which should not be borne entirely by it. To the contrary, our Government has for many years recognized that in such a situation the Federal Government does have a responsibility, and it has moved to recognize that responsibility by paying a part of the cost of tuition of the children who have been brought in by the defense installations.

It is not exactly accurate to say that no legislation on the problem remains on the books, because there is legislation still remaining that deals with the children of those who live and serve on the bases to the degree that schools must be set up on those bases and maintained by the Federal Government itself.

Yesterday was an appropriate time, as it was a germane matter, in my humble opinion, to have dealt with the situation, because there were appropriations in the Health, Education, and Welfare bill to take care of a part of the problem that is recognized by the legislation that is still on the books.

We failed in that attempt, and we are now endeavoring again to call to the attention of the conscience of the Senate and the conscience of the country, the fact that numerous communities are strained beyond their ability to meet their school problems as the result of the bringing in of defense bases, institutions, installations, and establishments which are handmaidens to the Defense Department.

I shall not dwell on the entire problem, but I do wish to make clear that in my own State, which never comes to the Federal Government for a handout, and which always agrees to pay its part of any program, as has been stated repeatedly by my colleagues in every committee on which I serve——

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

Mr. HOLLAND. Madam President, may I have an additional 2 minutes?

Mr. MANSFIELD. I yield 2 minutes additional.

Mr. HOLLAND. It has been found that we have such a stake in this problem that I could not remain silent and do other than to support strongly and vigorously any effort to recognize the problem and again to appropriate the money.

On page 41 of the same report is found a list of 18 communities in Florida which have been receiving this kind of help from the Federal Government to pay a part only of the added expenses which they have been called upon to bear. The figures on that page, which are for the fiscal year 1960, show that in the case of 9 of those communities, more than $200,000 was paid. In the case of two or three of these communities, the amount they received is such a critical amount—going up to as much as 19 percent of their total school budget—that they could not expect to operate except for the assistance.

Without naming them all, I merely wish to say that in 1960 there were more than 50,000 defense-related children counted in these 18 Florida counties in which the number of children of defense-related families exceeded the 3 percent of total school population necessary to qualify these counties for assistance under the impact programs. The total grant of the Federal Government for these 18 Florida counties was $4,794,256 under Public Law 874, the law relating to the operation of the schools, and Public Law 815, the law which relates to the construction of facilities, added enough more to run the amount well above the $5 million mark for fiscal year 1960.

The burden to which I refer is one which Uncle Sam should carry. There is no reason in the world why we should not recognize it as such again and set at rest the uneasiness and the difficulties that are now besetting so many school districts and their dedicated officials.

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

Mr. HOLLAND. Madam President, I understand that the Senator from South Dakota will yield me 5 minutes. I hope he is here. He told me he would do so.

Mr. MANSFIELD. Madam President, going on the assumption stated by the Senator from Florida, I yield the time on behalf of the Senator from South Dakota.

Mr. HOLLAND. Madam President, at any rate, thousands of schoolchildren in my own State are affected by the proposed legislation, and to the extent of more than $5 million. Some of them are in counties which cannot carry the load without the proposed help. For example, in two counties the number of schoolchildren which has been added has been approximately one-half the total of the schoolchildren, or nearly 100 percent of the normal number. Those are the counties of Okaloosa, in which Eglin Field is located, and Brevard, in which the guided-missile base is located.

Without attempting to debate the subject at greater length at this time, I shall ask to have printed in the RECORD two communications which I received from Brevard County, where the missile base is located. I mention that project because everyone knows about the missile base and knows it is one of the critical installations in our Government, and one of the places that has been swollen immensely by the coming in of service people.

Madam President, I ask unanimous consent to have printed in the RECORD a telegram from Mr. Charles Morley, president of the Greater Titusville Chamber of Commerce, Titusville being the county seat of Brevard County, in which he makes clear that the school system will lose approximately $1 million in the coming school year unless the proposed legislation is enacted.

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

TITUSVILLE, FLA., *July 27, 1961.*

Hon. SPESSARD L. HOLLAND,
U.S. Senate Building,
Washington, D.C.

DEAR SENATOR HOLLAND: The Titusville Chamber of Commerce urges you strongly to throw your full support behind the current move to reenact Federal impact fund laws.

As you know, Public Laws 874 and 815 have expired and, if not reenacted, could cost the Brevard County school system more than $1 million in the coming school year. Your conscientious efforts toward reenactment of these laws would be of extreme value to Brevard taxpayers.

Sincerely,

CHARLES MORLEY,
President, Greater Titusville Chamber of Commerce.

Mr. HOLLAND. Madam President, I likewise ask unanimous consent that a letter from Mr. Wilbur E. Gold, president of the Greater Cocoa Chamber of Commerce, Cocoa, Fla., dated July 27, 1961, be printed at this point in the RECORD.

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

GREATER COCOA CHAMBER OF COMMERCE,
Cocoa, Fla., July 27, 1961.

Senator SPESSARD L. HOLLAND,
Senate Building,
Washington, D.C.

DEAR SENATOR HOLLAND: Due to the rapid growth of the research and development program for guided missiles at Cape Canaveral, Fla., almost 50 percent of the students enrolled in Brevard County public schools are children of missile workers. This situation has posed tremendous problems in providing adequate school facilities, not the least of which is financial.

In recognition of this situation which presently involves almost 12,000 children of service personnel, missile workers, and other Government employees, Brevard County schools have for the past several years re-

ceived Federal impact funds to make it possible to carry out the school program.

If the impact funds are not continued it would place an intolerable tax burden on the taxpayers of the county, and possibly a curtailment of the presently excellent school program.

The Greater Cocoa Chamber of Commerce urges you to do everything within your power to continue Federal support of the schools in impacted Brevard County.

Cordially yours,

WILBUR E. GOLD, *President*.

Mr. HOLLAND. While Titusville is the county seat, Cocoa is the city nearest to the installation. Without attempting to read in full from the letter, it shows on its face that approximately 50 percent of the schoolchildren in that county now come from the families who are serving at that great guided-missile base.

Madam President, I have numerous other letters before me, but I shall not encumber the RECORD with them. These are just illustrations to point up the difficulty of this program in a county which has had to exhaust its facilities in putting in an additional water system, exhaust its road money, exhaust its money for hospitals and other things, which it has been called upon to erect to help to meet this great problem.

These people have done it patriotically, but they now come to Uncle Sam to ask him to carry a part of the load, brought about by the children who have come to this great missile base with their parents.

I could cite the illustration of Jacksonville, where the great naval air station is located, and I could also cite the carrier base at Mayport. I could refer also to Pensacola in Escambia County, often referred to as the "Annapolis of the Air," also to Eglin Field, which I have already mentioned; and to Panama City with its Tyndall Field, and so on through many illustrations. I must mention Monroe County, in which Key West is located. It has always been under great difficulty because of the terrain and geography. It has had an immense burden placed upon it by this problem.

Madam President, in my judgment no administration, no leadership, whether it be on the majority side or minority side, can ignore this claim for attention to a pressing problem. I do not believe that either party can ignore it. I believe that we should be given a chance to pass upon this question in a separate vote. If we are not given it tomorrow, we will just keep on pressing it day after day after day until we have acknowledged and recognized the problem which has been created by servants of the United States generally and which should be met at least in part by a contribution from Uncle Sam to carry out and to go along with the program he has initiated, and with which our people have been cooperating.

I yield the floor.

Mr. MANSFIELD. Madam President, in view of the circumstances which have arisen, I ask unanimous consent that the time allocated to the pending amendment be held over until the conclusion of the morning hour tomorrow, and that the remarks from now on be made on free time.

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

AMENDMENT OF SECTION 107(a)(3) OF SOIL BANK ACT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2197) to amend section 107(a)(3) of the Soil Bank Act, as amended, which were, to strike out all after the enacting clause and insert:

That section 407 of the Agricultural Act of 1949, as amended, is hereby amended by deleting the period at the end of the fifth sentence and adding to such sentence the following: "and shall make feed owned or controlled by it available at any price not less than 75 per centum of the current support price for such feed (or a comparable price if there is no current support price) for assistance in the preservation and maintenance of foundation herds of cattle including producing dairy cattle), sheep, and goats, and their offspring, in any area of the United States where, because of flood, drought, fire, hurricane, earthquake, storm, disease, insect infestation, or other catastrophe in such areas, the Secretary determines that an emergency exists which warrants such assistance, such feed to be made available only to persons who do not have, and are unable to obtain through normal channels of trade without undue financial hardship, sufficient feed for such livestock."

And to amend the title so as to read: "An act to amend section 407 of the Agricultural Act of 1949, as amended."

Mr. HUMPHREY. Madam President, I have talked with the chairman of the Committee on Agriculture and Forestry, with the ranking minority member of the committee, with the majority leader and with the minority leader, and their recommendation is that the Senate accept the amendments of the House. I therefore move that the Senate concur in the amendments of the House.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to.

COMMITTEE MEETING DURING SESSION OF THE SENATE TOMORROW

On request of Mr. HUMPHREY, and by unanimous consent, the Committee on Foreign Relations was authorized to meet during the session of the Senate tomorrow.

THE PEACE CORPS SHOULD BE SEPARATE FROM OUR FOREIGN AID PROGRAM

Mr. HUMPHREY. Madam President, the suggestion has been made from some quarters that the Peace Corps should be made an integral part of our foreign aid program. I have felt very strongly that it should be set up as a separate establishment, and that is the way that it would be set up under the Peace Corps bill, S. 2000, submitted by the administration, which it was my honor to introduce.

I would like to call the attention of my colleagues to an excellent letter by the Director of the Peace Corps, Robert Sargent Shriver, Jr., in which he states the reasons why he, too, feels that the Peace Corps should be separate and distinct from our foreign aid program.

I ask unanimous consent that excerpts of the letter from Sargent Shriver be inserted at this point in the RECORD.

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

Bill Moyers and I continue to hear rumors that the Senate Foreign Relations Committee in markup may place the Peace Corps back into the machinery of the foreign-aid program, thus reversing President Kennedy's decision to recommend its establishment as a part of the State Department separate from—but coordinating with—AID.

So that you might be fully conversant with the reasons behind that decision, I would like to set them forth as clearly as possible. If you have any questions about them, please don't hesitate to call either Bill or me.

First, the Peace Corps is a program of international service, relying on people who are volunteers, people motivated by a sense of service and anxious to do something for their country—not employees earning handsome salaries. The administrative question was, What kind of organization should be developed which demonstrates and makes visible the newness, the distinctive appeal, the volunteer spirit of the Peace Corps? Could you put this new wine in an old bottle and achieve the goals you hoped to realize? We did not think so.

Second. To recruit the kind of people necessary for the Peace Corps means reaching people with a special motivation to join a unique program. It's one thing to say to young Americans, "Come join the foreign aid program" and another thing to say, "Come join the Peace Corps." It was important that the Peace Corps maintain its unique identity in order to recruit the right kind of people.

Third. Many countries abroad welcome the Peace Corps because it is not tied in to the traditional forms of foreign aid. Prime Minister Nkrumah told us: "Come as doers, not advisers." And we received a warm welcome from U Nu in Burma, who several years ago asked our existing aid programs to leave his country. To submerge the Peace Corps in the foreign-aid program would have blurred its image in the eyes of some of those leaders.

Fourth. Our separateness from the aid program has created especially enthusiastic response from colleges, universities, and voluntary agencies that have not found it feasible to work in partnership with existing aid programs for various reasons.

Fifth. Our status as an agency within the State Department gives us an opportunity to work directly with Congress in a way that should help us more accurately to reflect the will of Congress.

I hope you realize that none of these arguments is an attempt to minimize the importance of foreign aid as such; I believe strongly in assisting the underdeveloped countries and our allies as we have been doing. I am simply stating the reasons why we felt, and why the President suggested, that the Peace Corps could best do its job as a separate entity from foreign aid although cooperating fully with the foreign-aid administrator. Perhaps the best case was stated in an editorial in the Newark (N.J.) News of May 5, which I quote in full:

"Whatever the prospects of the Peace Corps winning friends among the primitive

countries, they are brightened by the President's ruling that it is to be a semi-autonomous agency. This spares it from being lost among existing foreign-aid agencies and gives it a chance to make a vigorous start at least.

"Now, the Peace Corps will report directly to the Secretary of State. It will also deal directly with Congress for its funds. Both seem sensible decisions. For one thing, it should be a distinct advantage for the Peace Corps to tackle its job free of redtape and accumulated prejudices against other foreign-aid agencies.

"Best of all, it puts the Peace Corps purse strings where they belong—in the hand of Congress. That should give the agency a powerful incentive to succeed, and also insures a swift and merciful termination if the experiment fails."

Sincerely,

ROBERT SARGENT SHRIVER, Jr.,
Director.

APPEAL FOR BASIC RESEARCH

Mr. HUMPHREY. Madam President, I should like to comment upon one particular phase of H.R. 7851, the appropriation bill for the Department of Defense in the 1962 fiscal year.

I refer to basic research within the overall category of "Research, development, testing, and evaluation."

It is an unfortunate fact, in my judgment, that the full amounts requested in the budget presentation by the Department of Defense for basic research were not approved by our Senate committee or by the House Committee on Appropriations. In my judgment, not only should the full amounts have been approved, but larger sums should have been requested for the next fiscal year.

Basic research provides the indispensable foundation for expanding knowledge for the revolutionary weapons systems of tomorrow. There is not a single major advanced weapons system today—whether it is nuclear weaponry, guided missiles, or any other weapon—which would have been possible without basic research.

In addition, the by-products from basic research, as supported by the Department of Defense, tend to repay themselves manifold in terms of eventual civilian-type advances, useful to our entire population.

FORTUNATE INCREASE

The Appropriations Committee should be congratulated for increasing the basic research total for the 1962 fiscal year to $174 million for the three services, as compared with 1961 fiscal year obligations of $152.4 million.

The only problem about these figures is that they do not help to make up for a critical lag which occurred in basic research in previous years and which started in 1953.

INFLATION REDUCES PROGRAMING

It has been computed that from 1952 onward, Defense-supported basic research should have been increased by 12 percent per year in order to cope with rising costs. Unfortunately it did not rise by anything like that level. Had it so risen, on a uniform basis each year, then by the 1962 fiscal year, basic research should have been at the level of $225 million per year. Instead, as we have seen, it will be funded at only $174 million per year. In effect, we have not made up for past deficiencies.

THE PRICE OF NEGLECT IN PRIOR YEARS

This country is going to pay a price for not doing so. Technology will be seeking basic knowledge which simply will not be there, because it has not been discovered. And so it is my hope that every possible administrative action will be taken—consistent with the Congress statutory provision—to help make up for past losses. I hope, too, that the Department of Defense and the Bureau of the Budget will, in their preparation for the 1963 fiscal year budget, take note of these facts.

Let us see specifically what our Senate committee provides for, as regards basic research in the Department of the Navy.

The Senate committee appropriated $8.1 million more for Navy basic research than was provided in the previous fiscal year. But this amount is still $2 million under the budget presentation. The Navy total is $69.7 million for the 1962 fiscal year. Compare this with an overall appropriation for Navy research, development, testing, and evaluation of $1.3 billion; $69 million in relation to $1.3 billion is a very modest ratio. It is a far lower proportion for basic research than a major size American corporation in almost any industry with rapid obsolescence could tolerate.

In the case of the Air Force, the Committee on Appropriations allowed for an increase of $8.4 million more than the amount appropriated in the prior fiscal year. But this is still $2 million under the budget presentation. The Air Force's total of $42.1 million is in shockingly low proportion to the overall Air Force research, testing, and evaluation budget of $2 billion.

In the case of the Department of the Army, there are no specific figures available. The Army is apparently redoing its accounting in distinguishing between "basic" and "applied" research.

General Trudeau had testified before the House committee that it was his hope that the Army's basic research might reach 5 percent of its research total. I have a high esteem for General Trudeau, but 5 percent is, in my judgment, too low a proportion. It is the lowest ratio of all the services.

Now, I am well aware that the Army must set aside adequate funds for developing and testing weapons which may be fairly close to operational use. I am aware of the other needs for every available dollar, over and above the needs of basic research.

I simply want to point out that sooner or later, the Army or any other service is going to pay a price for having neglected its investment in basic research. Already, the services are paying a price. Already, they are running out of basic knowledge in trying to anticipate bold new weapons systems.

APPROPRIATIONS COMMITTEES REFERENCE TO REPORT BY GOVERNMENT OPERATIONS COMMITTEE

The next point that I should like to make is by way of comment on the observation on page 55 of the Senate and House reports, quoting from a report released by another committee on the management of scientific information:

> There has been recent criticism by another committee of the management of scientific information. It was stated that unknowing duplication and "tragic and intolerable waste of men, money, and material" had resulted from poor management of these programs and it was recommended that a Science Information Exchange for the registration of all current research projects of the Government be established. This committee requests that the Department of Defense give this matter close attention.

I am delighted that the Committees on Appropriations urged DOD attention to this other report.

The latter report was Senate Report No. 263, 87th Congress.

The report was entitled "Coordination of Information on Current Scientific Research and Development Supported by the U. S. Government."

I had personally filed this report on behalf of the Committee on Government Operations.

The findings and conclusions of the report were developed by the staff of the Subcommittee on Reorganization and International Organizations, of which I am chairman. The substance of the report was prepared at our request by Dr. Edward Wenk, Jr., an outstanding scientist, formerly senior science specialist, Legislative Reference Service, Library of Congress, and now with the Federal Council for Science and Technology.

I stand by that report completely. I believe that tremendous savings would be possible if there were improved management of scientific information by the Department of Defense. I refer to management of both prepublication information and postpublication information; that is, the data on an estimated 160,000 projects still in progress and after the projects have been completed.

I serve notice that I intend to inquire further of the Department of Defense as to what it proposes to do pursuant to the recommendations made within that report. And I intend to take it up further with the Bureau of the Budget and the very able Office of the Special Assistant to the President for Science and Technology.

Hearings have already been held within the past 2 weeks on this subject matter in the Subcommittee on Reorganization and International Organizations.

But the reference by the Committees on Appropriations to Senate Report No. 263 appears regrettably in the Appropriations Committee report under an incongruous caption of "basic research."

Actually, our Government Operations report related primarily to management of information on applied research and development.

Senate Report 263 did not make any reference to duplication in basic research. The really serious duplication, the costly duplication which occurs, is in applied research and more especially, in developmental efforts.

The areas of knowledge and of man's ignorance are so broad that the chances of duplication in basic research are relatively small.

In addition, the costs of basic research are infinitesimally small compared to the costs of applied research and development.

I would not want, therefore, our Government Operations Committee observations on duplication in applied research and in development to be interpreted as in any way questioning the importance of multiple efforts, particularly in basic research.

Indeed, on pages 227 and 228, we quoted Mr. Charles Hitch, now DOD Comptroller, on the value of intentional multiple efforts:

3. There should be more duplication, the cheaper it is to duplicate. More weapon systems should be developed than are ultimately procured (it may have made sense to develop two intermediate-range ballistic missiles—Thor by the Air Force and Jupiter by the Army—yet not to buy quantities of both for operational use). There should be more duplication in the development of difficult or critical components than in the development of whole weapon systems. And there should be most duplication in exploratory development and research, where the cost of trying another path or testing it is usually a tiny fraction of prototype fabrication costs.

HEARING BY GOVERNMENT OPERATIONS SUBCOMMITTEE

Finally, I should like to note that I am commenting at length on this subject at this time, because, on July 26, the Senate Government Operations Subcommittee, of which I am privileged to be chairman, addressed itself to this very problem. We considered it from the standpoint of "Federal budgeting for research and development."

We did not consider basic research from an appropriations standpoint. The matter of appropriations is not within the prerogative of the Committee on Government Operations. Our interest is in clear, sensible, orderly budgeting. As provided under the rules of the Senate, rule XXV specifies that the Committee on Government Operations is responsible for review of budgeting and accounting. We looked at the long-range needs of our Nation—the needs for continuity and stability in research, including basic research.

We heard testimony from Dr. Harold Brown, Director of the Office of Defense Research and Engineering. Dr. Brown presented a very enlightened view. As a distinguished scientist he confirmed the invaluable role of basic research. He pointed out that ODDRE had appealed in effect to the services to increase their requests for basic research. In my judgment, it should not have been necessary for ODDRE to have made such an appeal. The services themselves should have asked for a sizable increase in their own best interests.

Our Government Operations Committee is interested in "economy and efficiency." For the Department of Defense to scrimp on basic research is, in my judgment, false economy. For the Department to fail to provide for long-range continuity in basic research to the fullest extent allowed by Congress is likewise shortsighted and self-defeating.

Madam President, I ask unanimous consent that excerpts from the testimony at the hearing before the Subcommittee on Reorganization and International Organizations of the Committee on Government Operations, on July 26, 1961, be printed at this point in my remarks.

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

EXCERPTS FROM HEARING ON "FEDERAL BUDGETING FOR RESEARCH AND DEVELOPMENT" HELD BEFORE SUBCOMMITTEE ON REORGANIZATION AND INTERNATIONAL ORGANIZATIONS, COMMITTEE ON GOVERNMENT OPERATIONS, U.S. SENATE, JULY 26, 1961

Senator HUMPHREY. Why is it that in report after report the Department of Defense has been advised to increase the proportion of its spending which it allots for basic research and, yet, despite this fact, year after year the respective services have hardly asked for any increases in basic research?

The Hoover Commission, for example, in 1955, urged more basic research, and so did virtually every other report which I have seen on this subject, and we have got some reports here that relate to it.

I am not unaware of the ceilings that the Appropriations Committee puts on some of these matters. I am just a new member of that committee. It is a rather interesting experience. But it appears that when the Army, Navy, and Air Force have made their applications within the executive branch to the Office of the Secretary of Defense and then to the Bureau of the Budget, they have been exceedingly skimpy in asking for a fair share for basic research out of the total to be allotted. In other words, your starting blocks are not very good.

I realize that the track is a little slippery and there are a few impediments along the way, that you do not charge too fast at the beginning.

The taxpayers have paid for a great many studies which invariably come up with the recomemndation that each of the services should increase its amount for basic research. Question to Dr. Brown:

I have here the Arthur D. Little Co. report of November 1960, and it recommends that the Department of Defense increase its basic research. To what extent has the Office of the Secretary of Defense actually carried out that Arthur D. Little recommendation?

And this was a publicly sponsored research study that cost a considerable sum of money, and I am sure that it is well worth it.

Mr. BROWN. You have somewhat countered my defense already by pointing out that not everything that was proposed has been approved. But in the fiscal 1962 budget—this happened before I arrived and I know about it and approve it very strongly—after consultation with the services, my office prevailed upon them to increase their basic research requests in the case of each service by about $10 million.

This was not in fact equivalent for all services because some of them had extra expenses carried over because of projects they had started in the past year which ate into this $10 million somewhat.

However, this total increase in the order of $30 million for the total Department of Defense, I am not sure whether it meets all the criteria of all the people, including myself and yourself, Mr. Chairman, who are interested in basic research, but it is a real start.

Even after discounting it for the inflationary increase in costs, as you know, the Defense Appropriation Subcommittee of the House of Representatives cut each of these requests by about $2 million on the basis that $2 million was not a very large fraction of $10 million, and a still smaller fraction of the total amount for basic research.

As the year proceeds and money may become available by transfer authority, we will see what we can do about restoring some of this. But, of course, basic research always competes with other things, and it has the unfortunate characteristic of being less urgent, although not thereby less important, than other matters, and things are often decided on the basis of urgency rather than on the basis of importance.

Let me say a few general words about my attitude toward basic research and its position in the Department of Defense.

The Department of Defense sponsors—well, the Department of Defense has about half the budget, the Federal budget. I guess it will have a little more than a half now.

Senator HUMPHREY. It will have 60 percent of it.

Mr. BROWN. It also sponsors, pays for, more than half, perhaps two-thirds, of the research, development, test—R.D.T. & E.—that is done in the Government. I think it proper that it should do a proportion of basic research somewhat smaller than that because there are some other agencies which have a clearer mandate in the direction of basic research. It does pay a smaller fraction of basic research than of total R. & D. expenditures.

I would also expect that total research and development expenditures of the Federal Government will go up. They are at the moment of the order of—I am sorry, basic research—it depends so much on how you count basic research that I do not want to give a percentage.

But, clearly, they can afford to go up a good deal more and they will go up a good deal more.

The question which we in the Department of Defense and which I personally am presented with is:

How shall the Department of Defense participate in this increase?

I do not believe that the Department of Defense should participate proportionately. That is, I do not think the Department of Defense basic research appropriations should go up substantially faster than national basic research expenditures. The question really is:

Should it stay at a constant 1961 dollar level, allowing for inflation, or should it go up proportionately to the total natural expenditures?

I think the answer is somewhere in between those two, and without further study I would not want to make a decision one way or the other.

Having a scientific background myself, I will again be biased in the direction of having it be at least a proportionate expenditure to the increase of the total Federal expenditure. But perhaps something less than that is indicated.

Senator HUMPHREY. Now, let me just be very practical with you.

We all know that we need basic research. The question is the amount, who takes on the responsibility. This is the unheralded type of research that people sometimes heap scorn upon, those who just do not know what they are talking about. I have even heard important people in Government heap scorn upon basic research.

Basic research is like the water table. You do not get much water out of the well if the water table goes down, and we have tended in this country to be exploiters. We have exploited our minerals, exploited our land, exploited our forests, and now we have got to go back and rebuild it all over and people are trying to find out how to get an oak tree to grow 100 years in 5 because we took out all the oak trees, and it gets rather difficult.

Even God could not do that and we have got a few folks around here that are finding out they are not even that smart. So I am a basic research man very much, and have

been for a long time, and I recognize that here again all of the practical, sensible people will point with scorn on many basic research projects saying these are just boondogglers and visionaries and sort of wild-eyed fellows looking at all this stuff. That is what we hear frequently.

But the one Department of Government that can expend money for this and get by with it is the Department of Defense, because all you fellows have to say is, "Well, it is for the security of the country," and people run for cover.

But if the National Science Foundation or the U.S. Public Health Service, or some group over here that does not have the cloak of the Department of Defense wrapped around it, but just has the cloak of science wrapped around it, or a college professor, or a university, why, there are always a lot of these practical folks around here that will want to run them right out of the ball park.

But they do not run you out because you have got tanks around you, planes and helicopters, admirals and generals and colonels, and this puts people with a certain degree of respect for your activities.

So what I am saying to you is, do not be too skimpy. You know as a scientist how important this is, very much so, and I realize that your responsibility payrollwise, jurisdictionwise, is to the Department of Defense, but you have got a bigger responsibility than that, just like I have got a bigger responsibility than to the Senate.

You have got a responsibility to your own professional standards, to your own conscience, to your own country, and what you believe is best for the country for the future. You may not have a job long that way, but it is a noble thought. I want to leave it with you because I know that unless we get the Department of Defense to take on more work in basic research, that basic research in this country is going to be sacrificed, and you know it, too, because every university where most of this work is done is today hard pressed to take care of the growing school population.

So they give up basic research in order to put in more classrooms, to buy a little more equipment, to put in a new dormitory. This is a fact.

Here is a nice little report that the Navy had done and I am impressed by reports. I have got two rooms up in the attic filled with reports that no one has read. We are the greatest reporting nation in the world. Is that not pretty? We have learned how to do this real well, and when I traveled and made some study on research overseas, everybody was impressed with our reports as to how we should do this.

But, now the Navy paid for this report and, yet, I understand that the Navy is actually spending less proportionately today on basic research than it did 10 years ago, even though the absolute minimums for basic research have been increased. Now, a word from my friend from the Navy here. Dr. Wakelin had to leave. I would like to know how the Navy justifies this kind of skimpy attitude on basic research.

Admiral Martell?

Admiral MARTELL. Senator, I think that there has been a change in the accounting procedures here quite markedly. The Navy's basic research has gone up quite proportionately over the years.

For instance, this last year they asked for a $10 million increase over about a $50 million basic research program. When you change your accounting system from research and development, when the Navy's program previously was around $500 million, it is now up around $1.3 to $1.4 billion, because we are now paying for what moneys that used to go into procurement are now included in account, obviously, you are going to depress things that you have to carry appropriately at a level basis.

I think that a great deal of study has to be put in on what basis you account for this, and I think that the truth of the matter is that the Navy has supported basic research tremendously. It has been one of the big factors in the Department of Defense and, in fact, it is not going down.

Mr. BROWN. Lest Admiral Martell be thought to be prejudiced, let me defend the Navy, too.

I think that it is so that right at the end of the war the Office of Naval Research, practically singlehanded, saved basic research in many areas of science in this country. O. & R. has continued to be a very effective manager, and, if I may say so, lobbyist for basic research since that time. The Navy has done a good job and has set a good example in running its research program.

It has expanded in the fields like oceanography where it certainly properly belongs, and taken the lead in many. I think that we should not let a change in bookkeeping, which is involved in doubling the total research and development expenditures apparently by in fact moving Polaris missiles from procurement to research and development, when they are used for research and development, to mislead us as to what is actually happening in the fraction of research that gets done.

I think the significant fact is that the Navy asked for, and the Department of Defense approved, a 20-percent increase in its basic research expenditures last year, and most of that increase was granted by the House Defense Appropriations Subcommittee.

Senator HUMPHREY. This is a remarkable report. I just notice this one little sidnote in the margin. It says:

"Applied research and development tend to proceed more rapidly and at a lower cost when adequately backed by basic research."

And, interestingly enough, the amount of money that the Government is putting into basic research, as compared to industry, is very small, and, of course, as compared to the universities.

Now, recently the Government has gone into aiding universities very heavily with research projects, but frequently on applied research—more often on applied research.

We need the backing, the vigorous backing, on top.

Dr. Brown, you are just the man for it, and I thought I would just emphasize it to you, because you are in the Department of Defense, and you are going to be hard pressed now to spend all of our money, more and more money, for the immediate. I work on the proposition that we are going to be wrestling around with these problems when you and I are dead and we will still be arguing with the Soviet Union, if there is anything left to argue about 25 years from now, and I am hopeful that there will be something to argue about.

I would like to kind of look ahead, and I do not think we get ahead without these people in basic research. They have got that long-term look; these fellows really have eyes that bend with the horizon. They look way on over on the other side, and I would like to have us do the same thing.

So you just put that down and tell the Secretary of Defense, about this, will you?

Now, the Army has the lowest figure of any of the services. Who wants to defend the Army here?

General?

General ELY. It is a very difficult thing to defend. It is a matter, again, of the funds available and the accent given. I do not think the Army programers have been willing to give the accent to basic research in the past few years that it merited, but I think, along with what you have said, that we definitely have seen the light.

General Trudeau is shooting for presently 5 percent of the Army R. & D. budget in basic research, on which, again, you get into the matter of definition, but our present definition of basic research, we feel that we have something in the range of $35 million, say.

This would mean that our target is in the neighborhood of $50 million to $60 million, and we are trying to get there. We get packed down with our own programers once in a while, but our goal is up and we hope to keep it there.

Senator HUMPHREY. I have had a visit with General Trudeau on several matters. I have a high regard for him. And I am not unaware of the pressures under which the Departments operate, and I am not unaware of the fact that occasionally we write in a few limitations around here that make it a little more difficult.

My plea to you, General, is the same as to Dr. Brown and to the admiral. You are the only ones who can really save this program. This is a fact. Fortunately, through the National Science Foundation, which has gained greater prestige as time has gone on, through its larger appropriations it is doing some pretty good work.

Again, the Department of Defense has the main burden of responsibility, and it is rightly so, because I think that the Department of Defense possibly has a greater stake in basic research than any other Department.

I think the security of our country may well be dependent upon this. I voted yesterday for $549 million for NASA, an appropriation, to help get it through in a hurry, where many people said, "Let's cut it back; let's cut off $200 million." I am not for that kind of business.

I think that this may be a turning point in the scientific and technological history of civilization. We are exploring now far out here in the areas that we ordinary people know little or nothing about.

It is an area of mystery for us. I could not help but think—you know, we use the simple example of Christopher Columbus. He went shopping around looking for somebody to help him, and he finally got that King and Queen of Spain on his side, primarily the Queen, and they sent these ships off here. For a while Spain was a world power, and I think Spain was a world power simply because Spain financed one of the first great exploration projects.

There has been a good deal of basic research done on this, too, about the nature of the world, its surface, and that projected Spain as a world power. She did not last long. It was not because of any failure of Columbus, but back home. But I could not help but think yesterday—although I did not say this yesterday because we were trying to get the money and I wanted it in a hurry, but today we are visiting—I could not help but think how important it was for us to take this chance and maybe it will all be wasted, I do not know. But I am convinced that if you do not do it, we will not be around to waste anything.

So I am on the side of taking an extra chance on these things.

TRANSACTION OF ADDITIONAL ROUTINE BUSINESS

By unanimous consent, the following additional routine business was transacted:

REPORTS OF COMMITTEE ON ARMED SERVICES

The following reports of a committee were submitted:

By Mr. ERVIN, from the Committee on Armed Services, without amendment:

S. 2079. A bill to retrocede to North Carolina jurisdiction over the southern, east-

bound lanes of North Carolina Highway 24, and the eastern, northbound lanes of U.S. Highway 17, as these highways traverse and parallel Camp Lejeune, N.C. (Rept. No. 656).

By Mr. CANNON, from the Committee on Armed Services, without amendment:

H.R. 181. An act to amend sections 3253 and 8253 of title 10, United States Code (Rept. No. 657).

By Mr. THURMOND, from the Committee on Armed Services, without amendment:

H.R. 4321. An act to amend section 303 of the Career Compensation Act of 1949 to authorize the transportation of dependents and baggage and household effects of certain retired members (Rept. No. 658).

By Mr. BUSH, from the Committee on Armed Services, without amendment:

H.R. 7657. An act to amend chapter 47 (Uniform Code of Military Justice) of title 10, United States Code, to provide a specific statutory authority for prosecution of bad check offenses (Rept. No. 659).

By Mr. BARTLETT, from the Committee on Armed Services, without amendment:

H.R. 7722. An act 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 (Rept. No. 660).

By Mrs. SMITH of Maine, from the Committee on Armed Services, without amendment:

S. 1240. A bill to authorize the Secretary of Defense to lend certain Army, Navy, and Air Force equipment and provide certain services to the Girl Scouts of the United States of America for use at the 1962 Girl Scouts senior roundup encampment, and for other purposes (Rept. No. 661); and

H.R. 4323. An act to amend the Career Compensation Act of 1949 with respect to special pay for diving duty, and for other purposes (Rept. No. 662).

RESOLUTION

INCREASED EXPENDITURES FOR COMMITTEE ON ARMED SERVICES—REPORT OF A COMMITTEE

Mr. RUSSELL, from the Committee on Armed Services, reported an original resolution (S. Res. 189) increasing the limit of expenditures for hearings before the Committee on Armed Services, which was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Committee on Armed Services hereby is authorized to expend from the contingent fund of the Senate, during the Eighty-seventh Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134(a) of the Legislative Reorganization Act, approved August 2, 1946.

U.S. DISARMAMENT AGENCY FOR WORLD PEACE AND SECURITY—CHANGE OF REFERENCE

Mr. FULBRIGHT. Madam President, some time ago, S. 2180, to establish a U.S. Disarmament Agency for World Peace and Security, was referred to the Committee on Government Operations. It is one of those bills that could have been referred to either the Committee on Foreign Relations or the Committee on Government Operations. I have discussed this matter with the chairman of the Committee on Government Operations, the distinguished senior Senator from Arkansas [Mr. McCLELLAN]. He has no objection to having the bill referred to the Committee on Foreign Relations, and I ask unanimous consent that such action be taken.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, August 3, 1961, he presented to the President of the United States the enrolled bill (S. 857) to provide for the establishment of Cape Cod National Seashore.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. HUMPHREY. Madam President, if there is no further business to be transacted, I move that the Senate adjourn under the order previously entered, until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 6 o'clock and 51 minutes p.m.) the Senate adjourned, under the order previously entered, until tomorrow, Friday, August 4, 1961, at 10 o'clock a.m.

NOMINATIONS

Executive nominations received by the Senate August 3, 1961:

COAST AND GEODETIC SURVEY

I nominate Capt. James C. Tison, Jr., to be Deputy Director of the Coast and Geodetic Survey with the rank of rear admiral for a term of 4 years, pursuant to law, vice Rear Adm. Charles Pierce, retiring.

INTERNATIONAL MONETARY FUND

Frank A. Southard, Jr., of New York, to be U.S. Executive Director of the International Monetary Fund for a term of 2 years. (Reappointment)

U.S. ATTORNEY

Brockman Adams, of Washington, to be U.S. attorney for the western district of Washington for the term of 4 years, vice Charles P. Moriarty.

THE JUDICIARY

Guthrie F. Crowe of the Canal Zone to be U.S. district judge for the district of the Canal Zone for a term of 8 years. He is now serving in this office under an appointment which expired July 2, 1960.

J. Cullen Ganey, of Pennsylvania, to be U.S. circuit judge for the third circuit, vice a new position.

U.S. MARSHAL

George A. Bukovatz, of Montana, to be U.S. marshal for the district of Montana for the term of 4 years, vice Louis O. Aleksich.

CONFIRMATIONS

Executive nominations confirmed by the Senate, August 3, 1961:

TREASURY DEPARTMENT

Crane C. Hauser, of Illinois, to be an Assistant General Counsel in the Department of the Treasury (Chief Counsel for the Internal Revenue Service).

BUREAU OF CUSTOMS

George K. Brokaw, of California, to be collector of customs for customs collection district No. 28, with headquarters at San Francisco, Calif.

Anton Sestric, Jr., of Missouri, to be collector of customs for customs collection district No. 45, with headquarters at St. Louis, Mo.

Joseph P. Rostenkowski, of Illinois, to be collector of customs for customs collection district No. 39, with headquarters at Chicago, Ill.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 3, 1961

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D.D., offered the following prayer:

Joel 2: 32: *And it shall come to pass, that whosoever shall call on the name of the Lord shall be delivered.*

Almighty God, as we again enter upon a day of serious business, may our minds and hearts be delivered from a sense of the futility of our adventures and efforts to establish the kingdom of peace and good will among men.

We humbly acknowledge that we are so frequently tempted to take counsel with our anxieties and fears and allow them to fetter and shackle us and undermine our faith in Thy divine sovereignty and our loyalty to the noble traditions of our God-fearing forefathers who purchased, with blood and sacrifice, the blessings of the freedom which we now enjoy.

Inspire and help us to hasten that blessed day of prediction when all the sinister forces of evil, that enslave and enthrall humanity, shall be conquered and destroyed and the spirit of man, which our Lord came to set free, shall be too strong for chains and too large for imprisonment.

Hear us, in the name of the Captain of our salvation. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. McGown, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested a bill of the House of the following title:

H.R. 7035. An act making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1962, and for other purposes.

The message also announced that the Senate insists on its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HILL, Mr. RUSSELL, Mr. MAGNUSON, Mr. STENNIS, Mr. PASTORE, Mr. MONRONEY, Mr. KUCHEL, Mrs. SMITH of Maine, and Mr. ALLOTT to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 77. An act to establish the Chesapeake and Ohio Canal National Historical Park

in the State of Maryland, and for other purposes;

S. 981. An act to extend certain authority to the Secretary of the Interior exercised through the Geological Survey of the Department of the Interior, to areas outside the national domain; and

S. 1899. An act to increase the fees of jury commissioners in the U.S. district courts.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 857) entitled "An act to provide for the establishment of Cape Cod National Seashore."

INDEPENDENT OFFICES APPROPRIATION BILL, 1962

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House at the conference of the two Houses on the bill H.R. 7445 may have until midnight Friday, August 4, to file a conference report thereon, and that said report may be printed in the CONGRESSIONAL RECORD notwithstanding the fact that the House may not be in session.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TOUGHER POLICIES AND LAWS NEEDED IN CUBAN AIRCRAFT HIJACKING

Mr. EDMONDSON. 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 Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the people of the United States have good reason to be outraged today by another flagrant violation of both American rights and law, in which Cuban bandits apparently are involved. I refer to the hijacking of the Continental Airlines jet airliner, and the forceful kidnaping and detention of both passengers and crew by the armed hijackers.

There seems to be some question among lawyers about the applicability of Federal kidnaping laws in cases of this kind, although I have seen no briefs on the legal question.

The act of actual seizure of passenger aircraft, endangering the lives of people aboard, is a vicious and heinous crime calling for extreme penalties of law, and there should be no question of any kind about the availability of such penalties.

Since a number of bills already have been introduced on this question, and since hearings on the matter are likely next week, my only purpose at this time is to urge that Congress proceed as quickly as possible to clarify laws on this important subject—and to make it clear also that the law carries with it the death penalty in aggravated cases.

Added toughness in the law should be accompanied without delay by added toughness on the part of both the administration and law enforcement officers in countering and dealing with the criminals responsible.

It should also be clear that the time has come to adopt a much harder and tougher policy toward the Kremlin-dominated gang in Cuba which has been inspiring, if not actually masterminding, the acts of air piracy in our country.

The people are not only ready for a tougher policy all along the line; the people are rightfully demanding it.

TRAVEL PER DIEM ALLOWANCE FOR GOVERNMENT EMPLOYEES

Mr. FASCELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk 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, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 6, insert:

"SEC. 5. Paragraph (3) of section 553 of title 28, United States Code, is amended by striking out '10 cents' and inserting in lieu thereof '12 cents' and by inserting immediately after the words 'the actual cost of' the words 'parking fees,'."

Page 2, after line 6, insert:

"SEC. 6. The Director of the Administrative Office of the United States Courts shall promulgate, in accordance with section 604(a)(7) and section 456 of title 28 of the United States Code, such regulations as he may deem necessary to effectuate the increases provided by this Act."

Page 2, after line 6, insert:

"SEC. 7. The seventh paragraph under the heading 'Administrative Provisions' in the Senate section of the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 68b), is amended by striking out '$12' and inserting in lieu thereof '$16', and by striking out '$25' and inserting in lieu thereof '$30'."

Page 2, line 7, strike out "5" and insert "8".

Page 4, line 8, strike out "6" and insert "9".

Page 4, line 9, strike out "2870' and insert "287o".

Page 4, line 13, strike out "7" and insert "10".

Page 5, line 1, strike out "8" and insert "11".

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

LEGISLATIVE APPROPRIATION BILL, 1962

Mr. STEED. Mr. Speaker, I call up the conference report on the bill (H.R. 7208) making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 834)

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H.R. 7208) "making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 42.

That the House recede from its disagreement to the amendments of the Senate numbered 45, 46, 47, 48, 50, and 51, and agree to the same.

The committee of conference report in disagreement amendments numbered 44 and 52.

TOM STEED,
MIKE KIRWAN,
CLARENCE CANNON,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

JOHN O. PASTORE,
DENNIS CHAVEZ,
MIKE MONRONEY,
HUBERT H. HUMPHREY,
CARL HAYDEN,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
GORDON ALLOTT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 42, 44, 45, 46, 47, 48, 50, 51, and 52 to the bill (H.R. 7208) making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each such amendment; namely:

SENATE

Amendment No. 42: Administrative provisions: Eliminates language proposed by the Senate relative to official travel.

JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Amendment No. 44: Reported in disagreement.

ARCHITECT OF THE CAPITOL

Amendments Nos. 45 through 48: Salaries: Adjust salaries for the Architect, Assistant Architect, and Second Assistant Architect as proposed by the Senate.

Amendment No. 50, Legislative Garage: Appropriates $79,000 as proposed by the Senate instead of $49,000 as proposed by the House.

LIBRARY OF CONGRESS

Amendment No. 51: Revision of Annotated Constitution: Appropriates $25,000 as proposed by the Senate.

Amendment No. 52: Collection and distribution of Library materials (special foreign currency program): Reported in disagreement. The managers on the part of the

House will offer a motion to concur in the Senate amendment, with an amendment to delete the proviso making the funds available until expended.

The conferees expect that at least the contribution of $5,000 offered by the recipient libraries through the Association of Research Libraries will be made available to the Library of Congress to help defray the expenses of this pilot project during fiscal year 1962 and also expect the Librarian to take immediate steps to obtain a more substantial contribution in this and future years.

TOM STEED,
MIKE KIRWAN,
CLARENCE CANNON,
WALT HORAN,
JOHN TABER,
Managers on the Part of the House.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield to the gentleman from Iowa.

Mr. GROSS. Mr. Speaker, I have two questions to ask the gentleman. Is my understanding correct that item No. 42 providing certain travel allowances for Members of the other body was stricken in conference?

Mr. STEED. That is correct; the present law remains as it is.

Mr. GROSS. This is my other question: Am I correctly informed that the $30,000 for painting of the cement ceiling of the legislative garage represents the lowest bid that could be obtained for that work?

Mr. STEED. I will say to the gentleman that it is our understanding from the Architect that this is an estimate of what the painting will cost. They will submit it to competitive bid as soon as this bill is adopted, and they hope, perhaps, to save a little.

Mr. GROSS. I should think they would be able to save more than a little. The gentleman says it has not been submitted to competitive bid; is that correct?

Mr. STEED. Not at this time. There has been no money provided for it.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. STEED. I yield.

Mr. HOFFMAN of Michigan. It is my understanding that when this bill was originally before the House it contained language which made it possible retroactively to pay bills incurred by certain Members and employees back to July 12, 1960. Is that right?

Mr. STEED. I assume the gentleman has reference to amendment No. 42. It was not in the bill when it was before the House. It was inserted by the Senate and removed in conference.

Mr. HOFFMAN of Michigan. I thought I saw it in H.R. 7208 somewhere.

Mr. STEED. Yes, but as amended by the Senate.

Mr. HOFFMAN of Michigan. Yes, as amended.

Mr. STEED. The matter was not included in the version of the bill as the House passed it. It came into the bill by action of the Senate.

Mr. HOFFMAN of Michigan. That would allow the payment of expenses of certain Members and employees which had been incurred back as far as July 12, 1960, but which the House has said should not be paid.

Mr. STEED. Under the language as adopted a year ago, travel under committee orders was prohibited under certain circumstances.

Mr. HOFFMAN of Michigan. The payment was prohibited by an act of law?

Mr. STEED. Last year, yes. The Senate amendment would have removed that prohibition.

Mr. HOFFMAN of Michigan. The conferees took it out. Is it correct to say that was taken out because some of the reporters gave publicity to it, and protests were made later? Is not that right?

Mr. STEED. I think the gentleman and I have a very complete understanding on this whole matter. I would not presume to read what was in the minds of the Members of the other body when they agreed to remove it.

Mr. HOFFMAN of Michigan. I am not talking about the Members of the other body or the other body, I am asking if the gentleman does not agree with me that it was publicity that caused that provision to be taken out.

Mr. STEED. I would suspect that it could have a bearing on it.

Mr. HOFFMAN of Washington. It is my humble opinion that we enact legislation but, after all, the greatest influence in determining what we do or do not do is this publicity. That is to say, I would not say the gentleman, but perhaps I do some things that I would not do if I were quite sure my folks at home were going to know about it.

Mr. STEED. This is a housekeeping bill, and we want the public to scrutinize the items. There is nothing in the bill which should bring criticism upon any of us.

Mr. HOFFMAN of Michigan. Perhaps I have been aided in that action by the investigation of a subcommittee engaged in protecting the rights of the people to know, a subcommittee headed by the gentleman from California [Mr. Moss]. For the last 5 years he has been endeavoring to get information out of the executive branch. Here is an example of the fact that if it is applied to the legislative branch we get action sometimes.

Mr. STEED. Mr. Speaker, of the 52 Senate amendments to this bill, the House on Monday last agreed to 43 of them which dealt solely with Senate expenses. We took nine amendments to conference and reached a settlement on all of them, although two are reported in technical disagreement.

As indicated earlier, in amendment No. 42, the Senate had proposed to liberalize present restrictive law on reimbursable travel expenses for Senators between Washington and their home States. In conference, they receded. Present law on the matter will therefore remain applicable.

Amendment 44 as agreed to makes the usual provision, for 1 more year, for expenses of the Joint Committee on Reduction of Nonessential Federal Expenditures.

In amendments Nos. 45 through 48, the Senate adjusted the salaries of the three top positions in the Architect's organization and we have concurred. I might add that in the opinion of some, the rates specified in the amendments are not as high as they should be, but we could not, under the rules, agree to more than the highest rates submitted to the conference. In this connection, I would point out that last year the House, in the second supplemental bill, approved rates of $22,000, $20,200, and $18,500, respectively, for the three positions but these were dropped in conference on insistence of the Senate that they be deferred for consideration in the regular 1962 bill, as has now been done. Perhaps the matter can be again considered at some future date.

I have mentioned before that at the insistence of the Senate, we agreed to the $30,000 in amendment 50 to repaint the ceiling of the legislative garage. It has not been painted since 1932. We have consistently denied the item, feeling it not essential, but the Senate insists it ought to be done.

Amendment No. 51, to which we have agreed, provides $25,000 to bring up to date the Annotated Constitution. The House had disallowed the budget request of $34,200, it appearing that there was no urgency to do the work this year. The Library restudied the matter and found that by some slight administrative adjustments they could get by with $25,000. The publication is useful. There have been five previous editions. The Government Printing Office sells a substantial quantity.

We have gone along with the foreign currency proposition in amendment No. 52. It involves $400,000, but all but $36,500 of that is to buy from the Treasury foreign currencies now owned by the Treasury. The budget before us when the bill was in the House was for $721,000, including $67,200 of hard dollar expenditures and $653,800 to buy foreign currencies from the Treasury. We turned it down, primarily because we felt some reasonable arrangement should be worked out whereby the libraries which are to be the recipients of the foreign materials to be acquired in the United Arab Republic, India, and Pakistan would bear more of the costs involved.

The Senate explored that matter and also asked the Library to scale the entire proposition down to the bare feasible minimum. We have accepted the Senate position, but as pointed out in the statement of the managers, we feel that increased contributions should be made by the recipient libraries. In our report we said:

The conferees expect that at least the contribution of $5,000 offered by the recipient libraries through the Association of Research Libraries will be made available to the Library of Congress to help defray the expenses of this pilot project during fiscal year 1962 and also expect the Librarian to take immediate steps to obtain a more substantial contribution in this and future years.

Mr. Speaker, the final conference report is under the total budget estimates

by $650,737. I include a comparative financial summary of the bill at various stages of consideration for the RECORD at this point:

Summary of legislative branch appropriation bill, 1962 (H.R. 7208)

Group	Budget estimates (revised)	Passed House	Passed Senate	Conference action	Conference action compared with—		
					Budget estimates	House	Senate
Senate	$28,355,225	(1)	$28,421,840	$28,421,840	+$66,615	+$28,421,840	
House of Representatives	48,226,635	$47,856,835	47,856,835	47,856,835	−369,800		
Joint offices and items	4,063,842	4,063,300	4,090,090	4,090,090	+26,248	+26,790	
Architect of the Capitol	19,187,000	[1] 17,051,500	19,256,600	19,256,600	+69,600	+2,205,100	
Botanic Garden	489,000	489,000	489,000	489,000			
Library of Congress	17,637,100	16,768,700	17,193,700	17,193,700	−443,400	+425,000	
Government Printing Office	18,124,000	18,124,000	18,124,000	18,124,000			
Grand total	136,082,802	104,353,335	135,432,065	135,432,065	−650,737	+31,078,730	

[1] By custom, House omits all items under the "Senate" heading and those items under the Architect of the Capitol pertaining solely to the Senate.

Mr. DOMINICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute out of order, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. DOMINICK. Mr. Speaker, yesterday I reported to you that I had introduced a bill to amend the Federal Aviation Act in order to provide criminal penalties for interference with flight crews on commercial aircraft, for carrying concealed weapons, and for piracy or attempted piracy. Although it seemed to me that this was a timely bill because of the recent action of the Cubans in commandeering an Eastern Air Lines plane and forcing it to land in Havana, I did not realize how particularly pertinent it was until the news came out concerning the Continental Airlines plane hijacked this morning by Cubans.

Continental Airlines is headquartered in Denver. I know the people who operate this very fine line, and I know many of the people who are on the flight crews. I thought I should advise you of the most recent information that I have, the State police have disabled this jet aircraft by rifle fire which blew out the tires and damaged an engine and caused a fuel leak which prevented the Cubans from taking off in the jet out of the El Paso International Airport to go to Havana. This has, apparently, prevented the airplane from taking off, but the status of the hostages in the airplane and the Cuban pirates themselves has not yet been settled. It seems plain to me, action on legislation to provide penalties for crimes of this kind is not only urgently needed, and I am sure this is shared by the very able subcommittee chairman, but that on a broader scale the United States must take action which will prevent further deeds of this kind. In my opinion, these acts can be directly traced to the Cuban fiasco and the complete loss of respect for this country occasioned by our failure to follow through to protect American lives and interests in Cuba. As long as we remain weak-kneed in our foreign policy approach to Cuba and as long as we permit acts of piracy to continue without holding the existing government in Cuba directly responsible, we will continue to suffer indignities, to endanger American lives and to degrade American principles.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield?

Mr. DOMINICK. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I have a copy of the gentleman's bill before me. I certainly want to commend him for his effort to toughen up the law. However, does not the gentleman feel that a really tough approach to this problem would be to include the death penalty in his bill which, I understand, the bill does not provide at the present time?

Mr. DOMINICK. I am very flexible as to the penalty provisions of the bill, I can assure the gentleman from Oklahoma.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 44: Page 20, line 10, insert:

"JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

"For an amount to enable the Joint Committee on Reduction of Nonessential Federal Expenditures to carry out the duties imposed upon it by section 601 of the Revenue Act of 1941 (55 Stat. 726), to remain available during the existence of the committee, $26,790, to be disbursed by the Secretary of the Senate."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 44 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 52: Page 30, line 7, insert:

"COLLECTION AND DISTRIBUTION OF LIBRARY MATERIALS

"(*Special foreign currency program*)

"For necessary expenses for carrying out the provisions of section 104(n) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(n)), $400,000 of which $363,500 shall remain available until expended for the purchase of foreign currencies which accrue under that Act and which the Treasury Department shall determine to be excess to the normal requirements of the United States."

Mr. STEED. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STEED moves that the House recede from its disagreement to the amendment of the Senate numbered 52 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"COLLECTION AND DISTRIBUTION OF LIBRARY MATERIALS

"(*Special foreign currency program*)

"For necessary expenses for carrying out the provisions of section 104(n) of the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1704(n)), $400,000 of which $363,500 shall be available for the purchase of foreign currencies which accrue under that Act and which the Treasury Department shall determine to be excess to the normal requirements of the United States."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS, 1962

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7035) making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1962, with Senate amendments thereto, disagree to the amendments of the Senate and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

Mr. LAIRD. Mr. Speaker, reserving the right to object, I do this to inform the House that this bill as it passed the Senate last night adds $833 million to this appropriation bill as compared with the action of the House of Representatives.

Last night I addressed a letter to the President of the United States and also to the Secretary of Health, Education, and Welfare, in which I outlined the additions over and above President Kennedy's add-on budget request.

In my letter to the Secretary I asked for complete backup information, justification, and programing and his opinion of each of the add-on items.

I will have to object to this bill's going to conference until the information is supplied which I requested in my letters of last night. The letter to the President and the letter to the Secretary of HEW are as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 2, 1961.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: As recently as last Tuesday, in your address to the Nation, you stated:

"Meanwhile, to help make certain that the current deficit is held to a safe level, we must keep down all expenditures not thoroughly justified in budget requests."

Last May 25, when you addressed a joint session of the Senate and the House of Representatives, I remember your saying:

"Moreover, if the budget deficit now increased by the needs of our security is to be held within manageable proportions—if we are to preserve our fiscal integrity and world confidence in the dollar—it will be necessary to hold tightly to prudent fiscal standards; and I must request the cooperation of the Congress in this regard—to refrain from adding funds or programs, desirable as they may be, to the budget."

This admonition came too late to temper House action on H.R. 7035, the appropriation bill for the Departments of Labor and Health, Education, and Welfare, for we had passed the bill 8 days before you delivered your message; and it appears to have fallen on deaf ears in the Senate. Taking just the Department of Health, Education, and Welfare, the Senate bill would appropriate $260 million more than requested and 27 of 70 appropriation items exceed the budget requests. I hope this action distresses you as much as it does me. From the statements you have made, I know that it must.

It is not that these programs are not worthwhile and desirable, for they are. But also it is not as if the Department had been starved in the past. The budget, including your amendments, for 1962 is over twice as large as the appropriation bill enacted for fiscal year 1957.

The bill as it passed the Senate is almost $1 billion in excess of the bill as it passed the House. I assume the differences will be considered in a conference of the two bodies. There are many of us in the House who are ready and willing to help you preserve the fiscal integrity of our Nation. It seems to me that this bill is a test of that very concept of Government.

It would help those of us who join you in feeling so strongly about our responsibility to preserve fiscal integrity and the value of the dollar if you would give us the benefit of your views on H.R. 7035.

It perhaps would not be proper for me to ask you if you would veto the bill if it were presented to you in the form it passed the Senate; however, a definite statement of your opinion with regard to these increases above your budget will be appreciated and should prove helpful to us in further deliberations on this bill in conference.

I am also addressing a letter to the Secretary of Health, Education, and Welfare asking for an analysis and his opinion concerning the details of Senate action on appropriations for his Department.

With best wishes and kindest personal regards, I am,

Sincerely yours,

MELVIN R. LAIRD,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 2, 1961.

Hon. ABRAHAM A. RIBICOFF,
Secretary of Health, Education, and Welfare, Washington, D.C.

MY DEAR MR. SECRETARY: Enclosed is a copy of a letter I have just sent to the President concerning the 1962 appropriation bill for the Departments of Labor, and Health, Education, and Welfare asking for his opinions concerning the bill as it passed the Senate. I would very much appreciate it if you would furnish additional information and your opinions in order that those of us in the House who wish to assist the President in preserving our fiscal integrity may be as effective as possible.

Please furnish budget schedules by object, activity, and personnel for each Senate increase showing the pertinent data for 1961, the 1962 budget request, House action and Senate action. In addition please have prepared a narrative statement of the effect of the Senate increase. Lastly, but by no means of least importance, I would like your opinion regarding each Senate increase and your recommendation as to the proper level of financing. With regard to the last item it would be helpful if you would elaborate on your statement of opinion to give your reasons therefor.

In addition to changes in dollar amounts, the Senate committee wrote into their report many instructions and expressions of legislative intent. It appears to me that some of these may be of sufficient significance to warrant the attention of the conference committee. I would therefore appreciate it if you would submit to me an analysis of each of the excerpts set forth below, including the effect on the program, 1962 cost and estimated future cost where applicable, and your opinion as to whether or not it should be negated or revised in connection with the conference report.

On page 19, in connection with air pollution:

"There is an urgent need for broad-scale epidemiological studies of the amount of chronic respiratory disease in a variety of environments—heavily industrialized areas and contrasting suburban and rural areas. These studies would entail pulmonary function measurements on individuals as well as extensive air sampling. Years of cooperation between Federal, State, local, and university authorities will be necessary in order to provide the data needed; such studies can be initiated with the increased funds allowed by the committee."

On page 20, in connection with radiological health:

"The committee is providing $1 million to permit the development of a program of research and demonstrations and special projects in the States to assist State and local agencies and other institutions to accomplish these objectives.

"A portion of this program money may be used to establish a laboratory facility to serve the northeastern part of the country, to provide minimum radiochemical, analytical, and other services to States including the training of State radiation protection personnel."

On page 28, in connection with clinical research center program:

"They may be awarded in the form of research center grants which are made solely for the support of the basic physical resources and services essential to the conduct of a broad program of research, but do not provide support for the substance of the research program."

On page 28, in connection with clinical research center program:

"In inaugurating and providing for the expansion of the grants for clinical research centers the committee was aware that in the initial phase of these centers, a substantial portion of many of the grants would have to be spent on the renovation and alteration of space and on permanent equipment if the programs were to succeed. Such expenditures constitute a proper use of these funds provided they are directly related to the requirements of the center and provided they do not constitute wholly new construction."

On page 29, in connection with use of project grant funds for renovations, alterations, and permanent equipment:

"The committee's attention has been called to a question of the propriety of using research project and training grant funds for space renovation, alteration, and the purchase of equipment. * * * The specific guidelines for administering this aspect of the grant program were discussed in detail by the committee and were found to provide a sound basis for responsible executive action. In the view of the committee this has been, and continues to be, a proper and necessary use of these funds."

On page 30, in connection with personnel problems:

"The committee has considered the problem and is convinced that the most immediately effective step which can be taken is to raise the salary which may be paid to key scientific and executive staff members from the present level of $19,000 to $25,000."

On page 32, in connection with general research and services:

"The committee therefore directs that the division give special attention to the training of research anesthesiologists and to the support of scientific research project and program grants in anesthesiology."

On page 36, in connection with mental health activities:

"The training programs of the NIMH have provided the major support for the production of mental health manpower during the past decade, but the need for still greater support remains urgent. The committee believes, furthermore, that the program will be most effective if support is expanded and extended to all categories of mental health personnel in all areas of professional activity, including personnel who provide clinical services as well as those who do research and those who teach."

On page 37, in connection with mental health activities:

"For the coming year, the committee recommends that the sum of $2.5 million be spent on the fight against juvenile delinquency and suggests that a sizable portion of the increase go into the training of skilled personnel who can work effectively with juvenile delinquents in community activity projects."

On page 38, in connection with mental health activities:

"The committee therefore recommends $10 million for State-control programs, $4 million over the budget request. The committee directs the Institute to devote the major portion of the increase to lifting the minimum allocation for the poorer States."

On page 40, in connection with National Heart Institute:

"The committee, therefore, recommends that $21 million be provided for training grants and fellowships so that these essential programs can be suitably expanded. The committee specifically directs that part of these funds be used to increase the general medical school training grants in cardiovascular disease from $25,000 to $40,000."

On page 40, in connection with National Heart Institute:

"As a first step in this direction, the committee recommends that the sum of $1 million of the research grant funds be allocated to the improvement of scientific communications in the field of heart disease."

On page 40, in connection with National Heart Institute:

"In view of its strong interest in the problems of the aging and in recognition of the need for further growth of this program, the committee has included funds in the amount of $1 million for planning of a gerontological research facility to be located on the grounds of the Baltimore City Hospital."

On page 44, in connection with allergy and infectious disease activities:

"In light of the progress that has been made in this and other areas, the committee recommends that the appropriation for the National Institute of Allergy and Infectious Diseases be increased by $2 million to initiate a program to develop and test prototype vaccines for the common cold and other respiratory infections."

On page 46, in connection with neurology and blindness activities:

"The committee therefore directs that $11 million of approved funds be used for the training programs, with $1 million to go for the training of clinical investigators and

$500,000 to expand the clerkship program which has proved so feasible and such a stimulus to the other training programs."

On page 46, in connection with neurology and blindness activities:

"The committee is pleased to note the development of a small training program in pediatric neurology, and urges that this be expanded as rapidly as possible."

On page 47, in connection with neurology and blindness activities:

"The committee believes that immediate steps should be taken to initiate a program of professional and technical assistance in this area. * * * These activities, in the view of the committee, would include provision of consultative services, conduct and support of demonstrations, assistance in the establishment and conduct of diagnostic treatment services, support of professional training and health educational activities, and aid in the development of laboratory services and other control activities. For these purposes, the committee has added $4,200,000 to the appropriation for neurology and blindness activities to be utilized for direct operations and for grants-in-aid in this area."

On page 48, in connection with neurology and blindness activities:

"The committee feels that a collaborative research project might usefully be set up among existing speech and hearing centers and directs that $1 million be set aside for the purpose."

You cooperation will, I am sure, help us in our mutual endeavor to maintain fiscal responsibility and integrity in our National Government.

With best wishes and kindest personal regards, I am,

Sincerely yours,

MELVIN R. LAIRD,
Member of Congress.

Mr. FOGARTY. Mr. Speaker, will the gentleman yield?

Mr. LAIRD. I yield to the gentleman from Rhode Island.

Mr. FOGARTY. Of that $833 million the other body added to our bill, I think about $722 million were in budget amendments submitted to the Senate after the bill passed the House, largely because of legislation that Congress has recently passed. I hope that the gentleman from Wisconsin will not delay this bill, because it deals with the health of the people of the country, with unemployment compensation, public assistance, and other things of great importance to our Nation. I hope we can work out something that will allow the bill to go to conference.

Mr. LAIRD. I agree with the gentleman from Rhode Island that there are many programs affected by this bill. I would inform the House, however, that we have a continuing resolution which is presently in effect, so that none of these programs will be hurt in any way. The terms of the continuing resolution recognize the appropriation level established in the House-passed bill, and it seems to me that before we go into a conference on a bill with a large unbudgeted add-on, it is essential that we have the facts and figures so we can properly present the House position in conference.

I would like to state to the gentleman that, included in the $722 million he spoke of, there was a request for some $490 million for unemployment compensation to be added on in the Senate. It was a budget amendment. However, the Senate added only $390 million of that particular request. This shows up as a phony cut of $100 million. The Senate uses this phony budget reduction for funding other programs.

I think it is important for us to have complete information from the Secretary who has final responsibility for these programs as to the earmarking that has been done by the Senate in this bill. I have here a list of the projects that are earmarked in the Senate report, and that list consists of six pages and gives a schedule of many projects that have not as yet been considered by the administration or the Department of Health, Education, and Welfare.

Mr. FOGARTY. Mr. Speaker, will the gentleman yield further?

Mr. LAIRD. I shall be happy to.

Mr. FOGARTY. Would the gentleman be willing to consider sending the bill to conference with the understanding that no conference will be held until a week from Monday or Tuesday? That should give the gentleman time to secure such additional information as he may feel that he needs.

Mr. LAIRD. I have the highest respect and admiration for the gentleman from Rhode Island. I have worked closely with him on this appropriation bill, but until I have the information requested in the letters which I mailed last night, I feel constrained to object to this bill's going to conference.

Mr. Speaker, I object.

The SPEAKER. Objection is heard.

REORGANIZATION PLAN NO. 6

Mr. GROSS. Mr. Speaker, I offer a privileged motion dealing with Reorganization Plan No. 6.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. GROSS moves to discharge the Committee on Government Operations from further consideration of House Resolution 335, introduced by Mr. MONAGAN, disapproving Reorganization Plan No. 6, transmitted to Congress by the President on June 12, 1961.

The SPEAKER. Is the gentleman in favor of the resolution?

Mr. GROSS. Mr. Speaker, I am in favor of the disapproving resolution, yes.

The SPEAKER. The gentleman is entitled to 30 minutes.

The gentleman from Florida will be recognized for 30 minutes.

Mr. GROSS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I have no desire to take time on my own with respect to Reorganization Plan No. 6 which deals with reorganization of the Federal Home Bank Board. I am opposed to all of these reorganization plans in principle, and because it is impossible to amend them and otherwise deal with them under normal legislative procedure. I refuse to be a rubberstamp for any President. I have offered the motion to call up the resolution in the House for the purpose of giving those who desire to do so an opportunity to vote against this reorganization plan.

Mr. Speaker, I now yield 10 minutes to the youngest 85-year-old Member of the House of Representatives, the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, the vision, the wisdom of those who gave us the Constitution have been demonstrated by our present position as a nation, by the degree of freedom enjoyed by each of us.

It was a knowledge of history and the experience of those who wrote the Constitution that caused them to fear a centralization of power, to provide that the representatives of the people should be given sole legislative power, the Executive, elected by the people, charged with the duty of enforcing the laws so written, and, should doubt or controversy as to the meaning of that legislation arise, gave to a comparatively independent group whose members held their position either during good behavior or for life, the responsibility of interpreting the laws the Congress wrote, the legality of the acts of those charged with its enforcement.

While man's thinking, his desires, and his conduct have never remained static, and that is as it should be, that which has proven itself good should not be discarded until something demonstrated to be better has been found.

Grandmother did not discard the kerosene and later the gasoline mantle lamp, until Edison and others of like desire had given us the light bulb.

Fulton had to take his ride on the Hudson before those who loved to travel the seas discarded their sails.

These memories bring me to the method of legislating which is today before the House.

It may seem and it probably is true that today the Congress sometimes forgets its masters, the people at home. But if it writes legislation which the people do not support, as for example, the prohibition law, it is either repealed or becomes dormant.

If it fails to write legislation which the people demand, Congress, perhaps reluctantly but inevitably, enacts something which at least appeases the people, as for example we did when the Wagner law, the Taft-Hartley law, the Landrum-Griffin law were put upon the books. Many other illustrations could be given.

But neither from the people nor from the press—sometimes the people's spokesman and the press is one force which unquestionably molds our thinking and our actions more than does any other—has come a demand that the people's representatives, the Congress whose Members are accountable to them every 2 or 6 years, should surrender its legislative power to the executive department.

Yet because some were restless, always in favor of a change but never willing to consider the effect of a change, have insisted, we have changed our legislative process, transferred to the Chief Executive the function of writing legislation, retaining only the veto power formerly a privilege of the Executive. The trend has been to take duties and functions from the people's servants, transfer them to the Executive and the courts, thus establishing a trend toward centralization of power: dictatorship, a danger the writers of the Constitution tried to avoid.

Because I took an oath to, with the help of God, support constitutional prin-

ciples, I find it impossible to go along with any reorganization plan, no matter how advantageous it might be. Hence, those of us who oppose this surrender of constitutional power insist that we be given an opportunity to record that opposition.

Nor do many of us believe that the Supreme Court is justified in shaping legislation, either by a strained construction or by frankly stating that we cannot express our intent or do not mean what we said when the law was written.

My conviction that the Congress should write legislation, that in some degree at least it is aware of the desires of the people and of the measures necessary to give them what they want, was somewhat strengthened by recent acts of the executive department when it sent some 800 U.S. marshals into the South to see to it that individuals might exercise the basic right to enjoy privileges which were available to others. Assuming the Attorney General had in mind only affording an opportunity to the freedom riders to exercise a fundamental right, even though the freedom riders and those who supported them knew, as did the Attorney General, that rioting would result. It follows there is some justification for doubting his singleness of purpose, that is, equal civil rights for all, when we know, as we do, that he has taken no action to protect—or at least given no publicity whatever to the protection of the individual who desires to exercise his right to earn a livelihood by crossing a massed picket line even though the denial of that right has admittedly resulted in delay of the program for our national defense and caused an excessive cost.

Notwithstanding the attempt or the tendency of the Supreme Court to assume some of our functions by telling us we do not know exactly what we are driving at or that we have not accurately expressed our meaning, and the apparent desire on the part of the executive department to write legislation for us there remains with many the conviction that the Constitution, however defective it may be, is the best form of government yet devised.

I am led to my conclusion that the Supreme Court and the members of the Court are not the possessors of superior or at least greatly superior knowledge by a recent decision which that Court handed down on June 19, last, in connection with Wisconsin legislation and the action of the Wisconsin Supreme Court in requiring lawyers to join what might be termed a closed shop. Four judges wrote the opinion, two dissented, and one concurred by a very brief statement. But listen to this, and this is the opinion of Justice Harlan, concurred in by Justice Frankfurter. Justice Harlan said:

> The reason given by the four members who wrote the opinion can hardly be regarded as anything but trivial.

When two Justices of the Supreme Court say that of four other members, it makes me think that perhaps some of the Members of the Congress know a little something about writing legislation.

But that is not all that was said in that case. Justice Black, dissenting, said:

> I do not believe that either the bench, the bar, or the litigants will know what has been decided in this case.

That statement is worthy of some thought. When a Justice of the Supreme Court, after consideration, says of four other members of the Court, that he does not know what they decided, it is no time to belittle the functions of the Congress to restrict its power, which is what we are doing when we reverse the legislative process and let the President write legislation and retain to ourselves only the power of veto.

Having many times advocated the retention by the Congress of the legislative, and for that matter all other duties and responsibilities of the Congress, we now come to a momentary consideration of the thought that the Congress should so act that it may retain the confidence and the respect of the people who have selected us in preference to usually several hundred thousand other reputable citizens in our districts.

We are called upon and we must appropriate for national defense funds which we do not have, much of which must be borrowed, thus placing upon future generations the burden of paying for our freedom. That we are justified in doing if by that action we make secure our future freedom and if—and this is a big if—we heap debt upon them for only those things which are necessary, forgetting until they and our Nation are secure, desirable measures which are not necessary.

We must, as the President said, make sacrifices. That necessity is not just theory or campaign oratory. It is the personal responsibility to do with less which rests upon each of us.

It brings me to our own housekeeping situation which should be corrected for often our people judge us by what we do as well as by what we say.

Over the years unfortunately there has grown up a habit or a custom of Members of Congress enjoying privileges, benefits, to which legally we are not entitled and for which the people, not we as individuals pay.

That is the situation which has prevailed for a number of years—which some hope will be improved by the conference report just adopted.

When the legislative branch appropriation bill came before the House on May 19, the report stated, and I read:

> In accordance with custom no funds are appropriated in the bill for requirements of the Senate * * *. The Senate will insert these.

Over the years, as we all know, Congressmen were entitled to reimbursement at 20 cents a mile for one trip one way from their place of residence to Washington. Then there grew up the custom of members on a committee, of taking other trips, sometimes to the district, sometimes abroad. Some of those trips taken under committee jurisdiction were undoubtedly very helpful and resulted in better legislation, in the saving of a great deal of money. Some of them, as I think every Member of this House who has been here a few years well knows, were not necessary and should never have been made, were what the press calls junkets.

We should adequately police the Congress, that is, ourselves.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Is the gentleman then suggesting that perhaps we ought to have some kind of reorganization plan to take care of the situation with respect to the House; both branches for that matter?

Mr. HOFFMAN of Michigan. As I understand, we do not have anything to do with what the other body does except as we appropriate money to carry out their wishes.

But, listen, my dear friend, I have often said to Members or to individuals who oppose me in the primaries—I have had three State senators do it in years gone by—if anyone in the district thought that he could be a better Congressman, give better service than was given, then it was his privilege and it was his duty—his duty—to be a candidate. That would seem to be fair, for none of us is entitled to hold office unless we render satisfactory service. And, I know an editor, for example, the editor and the publisher of several dailies—and I put in the RECORD recently his opinion of Congressmen, which, boiled down, says we are a total waste. He should give the people at least one worthwhile Congressman by becoming a candidate.

When I get the idea that I cannot represent the people, must depend upon the administration to do my thinking, I will quit, resign. No; I think we should make our own decisions, police our own organization. I think we know how to do it. But, you know, someone learned years ago that sin was rather attractive. Eve apparently thought the apple attractive and tasty and spending the other fellow's money really enjoyable.

Mr. GROSS. Will the gentleman yield further?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. GROSS. Somewhere—I do not know exactly where it is—there is a document which is supposed to list the expenditures of Members of Congress who have traveled the preceding year. I believe that law became effective last July.

Mr. HOFFMAN of Michigan. Did you say to limit them?

Mr. GROSS. List expenditures of Members. It is my recollection that it became effective last July 12. Could the gentleman tell me where that document might be found? I think my colleague refers to House action which required from the Committee on Administration a report giving the amount of, the reason for, when, why, and by whom travel and other items of expense were made by Members on or off committee. I understood a partial report was made but was told it was sent to the Speaker's desk, has not yet been available to Members or the press.

Mr. HOFFMAN of Michigan. We did try to limit expenses. Public Law 86-628 of the 86th Congress, effective July

12, 1960, was written to limit our own reimbursement. On the last page of that you will find a—do you want me to read it to you? You know all about it. You do more reading of our laws and our reports, I think, although I do not know, than any other Member of Congress. That is why I follow along in your wake.

Mr. GROSS. Does the gentleman agree that perhaps we have the right to know—the people have the right to know?

Mr. HOFFMAN of Michigan. Certainly the people have the right to know how much, when we spend the dollar. I do not wish to be involved in a controversy with the distinguished chairman of the Information Subcommittee of the Committee on Government Operations. He has been insisting for a long, long time—5 years at least upon the peoples right to know what their Government is doing and on the overall proposition I agree with him. I doubt he has made any real progress. He insists we have a right to know what all executive departments are doing. I am following along with his theory that, this being the people's government, the people are entitled to know what we have been doing, how, and for what purposes we have been spending the money.

Mr. GROSS. That is right.

Mr. HOFFMAN of Michigan. Of course, it is exempted as to the manner in which a President is using the exclusive power given him by the Constitution. We all knew that before.

Because a bill gave some Member four trips from Washington to their place of residence at public expense and proposed legislation provided that:

The contingent fund of the Senate is hereafter made available for the payment of mileage, to be computed at 10 cents per mile by the nearest usual route, between Washington, District of Columbia, and a point in the home State of the Senator involved, for not to exceed four round trips originating and terminating in Washington, District of Columbia, made by employees in each Senator's office in any fiscal year, such payment to be made only upon vouchers approved by the Senator containing a certification by such Senator that such travel was performed in line of official duty, but the mileage allowed for any such trip shall not exceed the round trip mileage by the nearest usual route between Washington, District of Columbia, and the residence city of the Senator involved.

It was sent to conference—the report we just adopted.

We had attempted to limit such expenditures by enacting Public Law 86-628, 86th Congress, H.R. 12232, July 12, 1960, which stated:

No funds made available in this or any other Act shall be used to pay the expenses of travel or subsistence for any trip made by any Senator or Representative between the District of Columbia and his home State in the case of a Senator, or his district in the case of a Representative, other than (1) trips which are specifically authorized by law for mileage or transportation expense of Senators and Representatives, (2) official participation in the funeral services of deceased Senators or Representatives, or (3) official trips originating in the Senator's State or Representative's district during periods when Congress is not in session.

But when H.R. 7208 came back to us it carried this language:

Notwithstanding any other provision of law, any funds available for the payment of travel and subsistence expenses of members of committees of the Senate may hereafter be used for payment, in accordance with regulations promulgated by the Committee on Rules and Administration, of such expenses incurred by such Members for official travel on committee business performed at any time subsequent to July 12, 1960, regardless of place of departure or destination.

Which if it became law would in effect repeal our restrictions just quoted, authorize payment of disbursements made subsequent to July 12, 1960.

It may be that Members of Congress because of the ever-increasing multiplicity of duties, accompanied of course by a great deal of responsibility, do not receive adequate compensation for their services. If that be true then we should openly and after debate provide for whatever additional compensation or fringe benefits we should have. Make the increases effective after, not before, the next election. There is evidence that some Members of Congress have, at public expense, taken trips abroad, to their districts, without an adequate improvement in congressional service. The tendency has been to increase the sums paid to us and to congressional employees either as a per diem allowance or for travel and subsistence.

Assuming that the sums heretofore paid for such services are inadequate, the time when the President tells us that supreme sacrifices by all are necessary, is not the time to increase those allowances. For again permit me to add, we are judged by what we do and not by what we say and if we as individuals make no financial or other sacrifices, our plea that our people do with less will fall on unreceptive ears.

There has been a grievous overuse of public facilities all costing more money by individuals on the Federal payroll. This misuse has examples in practically every branch of the Government including the legislative branch and the Members of Congress.

Because certain members of the press called attention to this diversion of public funds by Members of the Congress, a few days ago it was announced that objection would be made when the conference report on the legislative appropriation bill, H.R. 7208, was called up, thus sending the measure to the Rules Committee where the real existing situation would be disclosed.

The Member who proposed to make that objection was persuaded that if conferees were appointed the retroactive provision—to July 12, 1960—of the bill which authorized reimbursement for the payment of travel and subsistence of members of committees would be stricken.

It was stricken and it is fair to say that one reason was a desire to avoid publicity as well perhaps as a belated conviction that this was no time for the granting of such an allowance. Reference is now made to the provision carried in H.R. 7208 and which was stricken, and to yesterday's action of a subcommittee of the House Administration Committee because in my humble judgment, as the gentleman from California [Mr. MOSS], chairman of the Special Government Information Subcommittee of the Committee on Government Operations so often, through the expenditure of public funds, has expressed the view that the people have a right to know what their Government is doing, applies to the legislative as well as to the executive department.

The opportunity, the duty, to retain our form of government, to, at this time of reported emergency, make a personal sacrifice, is available.

Our people will judge us by what we do when our own personal interests are involved—not by what we say.

No one in the House has a greater desire to consult his people than has your servant nor do I know of anyone in the House—if there is, I feel sorry for him—who has less money to pay for that trip. I would love it, but I do not want to now cause that expense, nor should we cause the public to pay the cost of trips home made by staff members. Let me ask my distinguished adviser from Iowa, can we take our employees along under this?

Mr. GROSS. Two trips are provided for two of your employees each year.

Mr. HOFFMAN of Michigan. That is the way I read the approval of a subcommittee of the House Administration Committee yesterday. I read part of House Joint Resolution 114:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Clerk of the House of Representatives shall reimburse, out of the contingent fund of the House of Representatives, not more than two employees in each Member's office for one round trip for each such employee in each fiscal year by the nearest route usually traveled between Washington, District of Columbia, and the Member's residence in the district he represents. Such reimbursement shall be at the rate of 10 cents per mile, and shall be made on vouchers approved by the Member which shall contain a certification by him that the travel was performed in line of official duty.

SEC. 2. Each Member shall be reimbursed, out of the contingent fund of the House of Representatives, for transportation expenses incurred by him in traveling, on official business, by the nearest usual route, from Washington, District of Columbia, to his place of residence in the district he represents, and return, for not to exceed two such round trips in each fiscal year. Such reimbursement shall be in addition to the mileage authorized by section 17 of the Act of July 28, 1866, as amended (2 U.S.C. 43).

Mr. GROSS. I take it the gentleman is reading the House joint resolution that was reported yesterday by a subcommittee of the House Administration Committee. Is that correct?

Mr. HOFFMAN of Michigan. Yes, that is correct; House Joint Resolution 114.

It all boils down to this. Yesterday we went along with the appropriation for defense that, as stated by our colleague from New York, Mrs. ST. GEORGE, brought our total to $47.5 billion. Undoubtedly we will be required before long to appropriate other funds. Notwithstanding what may be said, every

Member of this House knows that somewhere there is a limit to what we can do. If you want to be advised as to the present financial situation of our country, I suggest that you read, as I have read—at least twice—the statement put in the RECORD by our colleague from North Carolina [Mr. JONAS]. He knows whereof he speaks. He is a member of the Appropriations Committee. He has no purpose except to serve his country—his judgment is sound.

So I will conclude by saying, let us set an example of personal sacrifice before we ask somebody else to sacrifice.

If for the better performance of our duties we need more money for necessary expenses I will go along providing the need is shown and made effective after another election has been held—the voters given an opportunity to again choose a Congressman.

Mr. FASCELL. Mr. Speaker, I yield to the gentleman from New York for a unanimous-consent request.

Mr. DEROUNIAN. 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. DEROUNIAN. Mr. Speaker, I am shocked over the hijacking of a Continental 707 just out of El Paso, Tex. I call for instant action to recover what little remains of the guts of American foreign policy. The world must know that Castro is not stronger than the will of our Government.

Our cry today is "billions for Berlin but not a care for the American people." Our administration has reluctantly and belatedly taken a firm stand in Europe but forgotten about the Communist threat in Asia, Africa, and especially in Cuba—only 90 miles from our shores. This threat has now extended into the continental United States—twice inside of 10 days. Robbery of American private property and kidnaping of American citizens has been met by a policy of debate, delay, and defeat.

We have become the laughing stock of the world. President Kennedy has asked for extra money and extra men to bolster our defenses against the Communist conspiracy, but while we in Congress are glad to give it to him, he forgets that the cold war cannot be won by men and money if we merely respond to Communist probing time after time by negotiation. What will win the cold war is determination and good old-fashioned American get-up-and-go.

We have given the world high-sounding phrases, but we have backed down recently whenever action has been required. The world has looked to America for leadership but has found only blundering retreat. Now it is in the open for all to see that a little twerp of a man, holding nary a high card in his hand, has managed to bluff the leaders of the most powerful Nation in the world and forced them to cower in a corner while he violates U.S. property and person within our own continental limits.

Our administration must "quit them like men and be strong." The picture of a few paltry men defying the armed might of the United States must be reversed, and instantly. I am sure that the people of the United States did not expect the New Frontier to turn out to be nothing more than a policy of bowing down before an enemy weak, insignificant, but willing to stand up and be counted. It is certainly long past time that we followed George Washington's advice and "put none but Americans on guard tonight."

Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his 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. ALGER. Mr. Speaker, this morning another tragic drama is being played out at the International Airport in El Paso, Tex. The script for this drama is being written because of the failure of the Kennedy administration to reassert the traditional American policy of protecting American lives and property wherever they are threatened, anywhere in the world. The latest act in this drama concerns the attempting hijacking, by Cuban nationals, of another American plane out of the skies over American territory. The plane is now at the El Paso airport only because it did not have enough fuel to continue to Havana.

From the reports we are receiving from El Paso, this attempt to seize this plane was a well-organized effort indicating the support of the Cuban Government behind these acts of piracy. Mr. Speaker, we cannot let this situation continue any longer. Castro is making this powerful Nation appear ridiculous in the eyes of the world. Why should Khrushchev believe we will take positive action in Berlin when we cringe before Castro? Why should small and weak countries trust our leadership unless we exert a firm and positive leadership which gives them hope of victory.

There must be no further procrastination with the serious threat the Communist conspiracy poses in Cuba. We must take positive action now to show the world that America is capable and determined to protect American lives and property. There is only one course of action open to us and that is to use the full might of American military forces to bring about the return of the plane and other American property already in Castro's hands and to free Cuban people from the misery and slavery communism has imposed upon them. The most effective blow we could strike at this moment to prevent all-out war over Berlin, or to keep the Soviet Union from further sapping our prestige and resources is to give Fidel Castro the rest of this day to return the plane he has already hijacked and to make arrangements for the return of other stolen American property in the amount of some billion and a half dollars. Failure to act upon his part at the expiration of today's deadline should call for immediate occupation of Cuba to guarantee the return of freedom to that unhappy island.

The time has long past for the President to come forth with a firm and positive policy in dealing with Castro. His silence in the face of Castro's continued arrogance and contempt for the feeble U.S. protests, merely worsens the world situation and makes the possibility of all-out war more serious.

Mr. Speaker, I have said repeatedly in the past few weeks that the United States cannot allow the Communists to dictate where and when the final decision on the freedom of mankind shall be made. War will be prevented only so long as the United States presents a firm and strong policy and that means a speedy buildup of nuclear power, reaffirmation of the policy of massive retaliation, and making it perfectly clear to Khrushchev that if he is so foolish as to plunge the world into war, we will determine the time and place and the weapons to be used. It is in keeping with this kind of policy, in the self-interest of the United States that I call upon the President to take action now to stop Cuban piracy over America and to bring about the return of property he has already stolen.

Mr. FASCELL. Mr. Speaker, the hijacking of the Continental Airlines plane and the previous one of the Eastern Air Lines plane highlights the continuance of the problem we have in Cuba. Coming from Miami, having lived closer to and been more deeply concerned with this Cuban problem, I cannot help but feel that we are fast arriving at a time when very definitive action must be taken. I have felt for a long time, under two administrations, that whether it is good or bad, effective or ineffective, at least as a matter of symbol if nothing else the United States should unilaterally impose a complete embargo on Cuba as a start.

I also believe we should undertake by whatever means possible concerted action to have our Latin friends join us in whatever economic or military action may be necessary to deal with Cuba and communism in the Western Hemisphere.

Failing that in a reasonable time, I reiterate, it becomes necessary for us to act in our own self interest.

With respect to this latest incident, which just occurred, it is inconceivable that we can have American citizens or Castro's Communist agents or sympathizers endangering the lives of our people and disrupting our whole aviation system. Accordingly, I am now requesting and urging the appropriate committees of the Congress to immediately undertake within their respective jurisdictions whatever action this Congress can take: The Committee on the Judiciary with respect to enlarging the kidnaping laws or providing penalties stronger than now exists for piracy. The legislative committee which has jurisdiction over the subject matter of regulations and security for aviation. The Immigration and Naturalization Subcommittee to investigate and recommend whatever steps necessary to tighten security measures in our receiving and processing of Cuban refugees.

The international issue, of course, is not directly within our jurisdiction.

Yet, many of us have spoken strongly and this House has adopted the Selden and Fascell resolution expressing the sense of Congress on the Cuban question.

Mr. Speaker, I would like to yield at this time to the gentleman from Mississippi [Mr. WILLIAMS] 4 minutes.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to proceed out of the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, the several instances which have occurred recently involving the hijacking of aircraft, and more especially the outrage still in process of being committed this morning in El Paso, have pointed up the immediate need for legislation to deal with this problem. Several bills have been introduced already providing various ways to cope with this problem. This includes a bill which I introduced at the request of the Federal Aviation Agency, and an identical bill sponsored by our colleague, Hon. BYRON ROGERS of Colorado. Other bills dealing with the subject have been introduced by Mr. DOMINICK, of Colorado, and Mr. CHELF, of Kentucky.

The Subcommittee on Transportation and Aeronautics of the Committee on Interstate and Foreign Commerce had originally scheduled hearings on this subject to begin on next Friday, August 11. However, in view of the immediate urgency of the problem, I think it appropriate to announce to the House this morning that the subcommittee has moved up these hearings to begin on Monday, August 7.

Not only the hijacking and piracy of aircrafts, but other crimes committed aboard air carriers have become increasingly numerous during the past few months and it is imperative, in my opinion, that the Congress take the necessary steps to provide protection for passengers and crew members alike. Our committee intends to recommend appropriate legislation as soon as possible.

Personally, however, I doubt that Cuban hijacking of American aircraft can be stopped by mere passage of legislation. Since these particular crimes have an international flavor, in my opinion there is but one way to stop these Cuban hoodlums from continuing these insults against our people and that is through immediate and firm executive action. Recalling the Electra incident, and now in view of what is presently going on in El Paso, I would urge the President to issue an ultimatum to Castro demanding, first, that he order these hoodlums at El Paso to release the passengers, crew, and aircraft immediately; and, secondly, that Castro return the Electra hijacked several days ago.

Mr. Speaker, the time is at hand when firm action must be taken to stop this international piracy and these insults against our people. Should Castro fail or refuse to accede to such an ultimatum, I think the President would be justified in taking such action as might be necessary to recover the Electra and stop these assaults against the peace and dignity of the United States of America.

The American people are fed up with Castro, and I am certain that they would support any action that might be necessary, even to the extent of using the Armed Forces in order to protect our country against this Communist threat only 90 miles from our shores.

Mr. FASCELL. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. FASCELL. I want to compliment the distinguished chairman of the Transportation and Aeronautics Subcommittee for responding so quickly on the needed legislation and for his strong position on dealing with communism in Cuba and the Western Hemisphere.

Mr. WILLIAMS. I thank the gentleman.

Mr. MACGREGOR. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. MACGREGOR. I would like to commend the gentleman for the urgency expressed in his words. Does the gentleman not agree that the President's strongly supported program of alliance for progress cannot possibly succeed as long as we permit the cancer of Castroism to grow throughout Latin America?

Mr. WILLIAMS. I quite agree that the time has come that we should do something to halt these acts.

Mr. MACGREGOR. I commend the gentleman.

Along with most Members of Congress, I support President Kennedy's alliance for progress in Latin America. But that program will not have time to get off the ground if the spread of communism throughout Central and South America is not checked. Fidel Castro and his Communist government in Cuba operate in defiance of the Monroe Doctrine. Is that doctrine dead?

An armed Communist camp 90 miles from Florida is growing daily in strength. With Russian Mig–17 aircraft and trained pilots, Castro is fast developing a jet fighter capability. We must also expect the building of Cuban missile bases, with missiles soon to be in place and aimed against our country.

Now, within the space of 10 days, Castro and his Communist agents have twice committed acts of international piracy or attempted piracy. Will the Kennedy administration take positive and effective action? Or is Castro to be given free rein to continue terrorizing Americans and appropriating American property within our own country

If Castro will not immediately order his agents at El Paso to surrender, and will not honor a demand from President Kennedy to return the Eastern Air Lines Electra within 48 to 72 hours, I feel the American people would support the following steps if they would be taken by our executive branch:

First, impose an air and sea embargo around and above the island of Cuba;

Second, establish a free government within Cuba truly representative of the Cuban people, with governmental leaders transported to Cuba by parachute, surface ship, or submarine; and

Third, extend diplomatic recognition to that free government and give it the military assistance it needs to eliminate communism and to restore freedom to Cuba.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. GROSS. Mr. Speaker, I yield the gentleman from Mississippi 2 additional minutes.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. DEVINE. I wish to commend the chairman of the Subcommittee on Transportation and Aeronautics for his expeditious approach to this serious problem.

The Members of the House are entitled to know the latest details in connection with this hijacking of this 707 Continental Airlines plane.

It is my understanding there were about 79 passengers on the flight from Los Angeles to El Paso. It was taken over at gunpoint by two individuals described as Cubans. I understand they found they did not have fuel to take them to Cuba and they set the plane down at El Paso to refuel. I understand further that one lady became hysterical, whereupon all passengers, except four hostages, were released, and the crew of six remained. They are being held at gunpoint as of now.

Since that time it is my understanding that the highway patrol has arrived on the scene and together with the FBI disabled the 707 plane by firing machinegun bullets through the tires. It is also my understanding that the alleged Cubans have made a demand for the exchange of a DC–7B for the 707, and that the Continental Airlines have acceded to this request. It is on its way but has not arrived.

Mr. Speaker, the United States cannot afford to yield 1 more inch.

Again I wonder whose decision it is? Who can make a decision like that? Is this another example of our weak-kneed policies? It is disgraceful.

The hijackers and people inside the plane could be themselves disabled temporarily but not hurt by merely introducing nauseating gas or tear gas in the plane's air-conditioning system, just as it now stands at the airport.

Mr. DOMINICK. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Colorado.

Mr. DOMINICK. I want to carry on with what the gentleman from Ohio has just been telling us.

I just received word from Denver that an airplane was being sent down there to effect the exchange that it is now about an hour away. Continental Airlines has made a very strong statement that the safety of the crew and the passengers is their primary responsibility. Subject to that and dependent upon what they can do with this process of exchange I do not know what their plans are, but I am very sure they have a plan.

This is an inexcusable situation, and in my opinion is going to affect the feelings of the American public in general about flying in our own country.

We have got to take action to stop this.

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. FASCELL. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. HOFFMAN of Michigan. I wanted to ask the gentleman in regard to this program if this discussion we have had this morning is not an illustration that Congress is able to take care of the situation without waiting for any plan to come down from the White House.

Mr. WILLIAMS. I quite agree; however, the White House has already submitted legislative recommendations through the Federal Aviation Agency.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. COLLIER. I, too, would like to compliment the chairman of our subcommittee and observe that in dealing with this problem we should not overlook the possibility of taking security measures within the airport facilities themselves in the country to protect our travelers against further occurrences of this type.

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Speaker, I ask unanimous consent to speak out of order, 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. JOHANSEN. Mr. Speaker, I want also to associate myself with my colleagues in commending the gentleman from Mississippi [Mr. WILLIAMS] for the announcement and for the action that he has disclosed a few moments ago.

Mr. Speaker, I am today introducing a bill providing for the mandatory death penalty for any person convicted of seizing or hijacking—or conspiring to seize—any type of aircraft by force, or threat of force, while the crew and/or passengers are aboard the plane.

I urge immediate and favorable consideration of this bill by the House.

It should be obvious by now that no American plane crews or passengers are safe from the threat of this type of criminal activity which involves kidnaping, aerial piracy, and the threat of murder.

There appear to be strong grounds for believing that these crimes are being carried out at the direct order of Fidel Castro and his Communist gangsters. In any event, it is obvious that he willingly and eagerly accepts the fruits of these depredations.

Certainly no intelligent American will be taken in for a moment by Castro's attempt to equate his acceptance and retention of stolen property with judicial actions lawfully seizing Cuban planes in this country for the satisfaction of claims of creditors of the Cuban Government in payment of just debts.

A simple analogy is in order with respect to this preposterous claim: There are circumstances in which a bank may lawfully attach a depositor's funds in payment of an overdue note. By the sort of logic Castro asserts, the depositor would then be justified in committing a bank robbery or in accepting and retaining money stolen from the bank.

The current depredations of Cuban gangsters against American planes, crews, and passengers of course reflect a much broader problem. The simple unpalatable truth is that our policies of indifference, inaction, and appeasement toward Castro's seizure of American property in Cuba, kidnaping and imprisonment of American citizens, and destruction of the rights of the Cuban people are coming home to roost in a most shocking fashion.

While I believe that we must address ourselves vigorously and relentlessly to the problem of hijacked planes—as my bill proposes to do—we will continue to deceive ourselves if we do not deal forthwith with the larger problem and threat of the Communist kidnaping of the unhappy island and people of Cuba.

The time has come for the Government of the United States to insist upon an immediate fulfillment of the joint obligations of the members of the Organization of American States with respect to Cuba. Failing to secure this joint action at once, the Government of the United States should unilaterally take all steps necessary—including military liberation of Cuba—to eliminate this dangerous Communist stronghold in Cuba.

Mr. ALGER. Mr. Speaker, will the gentleman yield?

Mr. JOHANSEN. I yield to the gentleman from Texas.

Mr. ALGER. Mr. Speaker, I want to associate myself with what the gentleman has just said, and suggest that the greater principle America has always stood for is that American might follows American citizens and American property wherever they may be in the world. It is overdue that some action be taken in this matter of Cuba. To continue to follow the inept policy of ignoring every unlawful and warlike act perpetrated by Castro, is to invite further degradation from him and any other ambitious despot. There is no more effective way to gain respect and to protect American citizens than to make it perfectly clear to the world that we have the strength and the will to enforce traditional American policy of protecting our people wherever they may be. We have not done this in Cuba but we can brook no further delay in doing so by using whatever means necessary to get back stolen American property and put an end to the Communist menace which now enslaves the people of Cuba and presents a constant danger to our own citizens, abroad and even on our own soil.

Mr. FASCELL. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas [Mr. ALFORD].

Mr. ALFORD. Mr. Speaker, I commend the distinguished gentleman from Mississippi on his very fine statement this morning, and also the statement of the gentleman from Florida, that we should proceed immediately unilaterally. Words are insufficient at this time. Action is what America needs and demands.

A short time ago I introduced a resolution calling for implementation of the Monroe Doctrine. Our distinguished majority leader called for the implementation of the Monroe Doctrine a year ago. Let us proceed immediately for the sake of our country.

Mr. FASCELL. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the Committee on the Judiciary, the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

QUARANTINE CUBA

Mr. CELLER. Mr. Speaker, we must behave like a great nation, our leaders must be patient and statesmanlike. But our patience is exhausted. Statesmanlike diplomacy has proven fruitless. The irritations, insults, and crimes are too acute and pervasive to be any longer overlooked or treated lightly. They cannot be regarded as mere irresponsible acts of individual Cubans. They are Castro inspired.

Mr. Speaker, what has happened today is piracy. Pirates must be dealt with drastically. Castro can stop this piracy in a thrice. He refuses. He is guilty. He has not even returned the other hijacked plane.

What is the answer? I would quarantine Cuba. I would throw a naval and aerial blockade around Cuba until Castro purges himself and gives proof that he will not permit nor encourage recurrences of such excesses.

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. CASEY] may extend his remarks at this point in the RECORD and include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CASEY. Mr. Speaker, almost a week ago I wrote the President recommending that an immediate economic embargo be placed on Red Cuba by the United States.

In addition, I urged the President to call upon our allies in the Organization of American States, and our other alliances, to join with us in this effort to topple the Red dictator—and bring freedom and liberty to our friends in Cuba. As yet, the President has not acted. While I considered introduction of legislation to attain this objective, I preferred to give the President time to act.

But it is gratifying to me to see that the gentleman from Florida, Representative PAUL ROGERS, introduced legislation in this House to accomplish this same end—to prohibit shipment in interstate or foreign commerce of articles imported into the United States from Cuba.

I commend my colleague for this bill, and, because I feel so strongly on this matter, I join with him today in introducing a similar measure. I urge my

colleagues in the House to join in this effort, and I urge the Committee on Interstate and Foreign Commerce to schedule early hearings on these measures.

The American people cannot understand the reluctance of their Government to act in this matter. We have suffered repeated humiliations; our property has been stolen; our citizens have been jailed, mistreated, and, in some cases, even executed. Yet, trade is permitted to continue.

The time is long overdue for action, and it is within the power of this House to see that action is taken.

I am taking the liberty of inserting the letter that I wrote to the President, containing my recommendations, which I urge the Members of this body to study and, if they feel such recommendations are meritorious, join with my colleague in introducing a companion bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., July 28, 1961.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: The American people have suffered repeated humiliation, as well as heavy financial loss, by actions of the Communist regime now in power in Cuba. To me, the events of recent days make it imperative that our Nation take as strong and determined a stand for freedom and liberty in our own hemisphere as we have for the beleaguered people of Berlin.

Many citizens, including Members of Congress, have urged that you take military action, either in the form of Armed Forces invasion or naval blockades. I personally do not feel qualified or well enough informed at this time to make this recommendation to you, since I do not have benefit of the restricted intelligence reports available only to you to properly form an opinion. I know that you are weighing these demands against the probable reactions and results.

The responsibility you bear is a heavy one, and I can see that unilateral action on our part through direct intervention has many ramifications that could be detrimental to our Nation. A naval blockade, as requested by many, would be ineffective without the complete cooperation of our Latin American neighbors in imposing an economic embargo, for an airlift to Cuba would be as effective as history proved our airlift to Berlin to be.

I do feel qualified to make the following recommendations. I strongly urge that an economic blockade be imposed immediately. I wholeheartedly recommend that you stop the purchase of any and all items from Cuba, and at the same time prohibit from export any goods of any nature to Cuba.

I ask that you immediately call upon those nations who proclaim to be our friends to also institute this economic blockade, and by a united front the Organization of American States should lead the way.

This will call for some sacrifice in trade by the other nations of the world, but the United States and its citizens have been sacrificing for a good many years through our foreign aid program to help these very same nations bolster their economies.

Now is the time for these nations to make some repayment on this aid. I am confident that such action should immediately call to the attention of Cuba that they have as a leader one who does not merit their support and one who cannot be trusted to head a nation in harmony with the rest of the world.

I urge your serious consideration of these recommendations at this critical period.

I wish to state, Mr. President, that whatever your decision might be, it is my opinion that the people of the 22d District of Texas will stand behind you in the strongest action that you deem advisable to free the people of Cuba from despotism.

Respectfully,

BOB CASEY.

Mr. GROSS. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. AVERY].

Mr. AVERY. Mr. Speaker, I shall address myself to Reorganization Plan No. 6. I merely want to state that I have not studied this plan as much as I have Reorganization Plans Nos. 2 and 5. I would like to state, however, Mr. Speaker, my friends in the savings and loan business advise me that Mr. McMurray is doing an excellent job under the present organization and would continue to do a good job if the reorganization plan is not disapproved.

Mr. GROSS. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Speaker, I have never hesitated to oppose attempts to usurp power or to create domineering bureaucracy, but I am frank to admit that Reorganization Plan No. 6 does not fall into these categories. For one thing, this plan has the support of the savings and loan business, which is the only business affected by the Federal Home Loan Bank Board. The savings and loan business is a very active and vocal group and you can be sure you would be hearing from them if this plan had the detrimental effect that some of its opponents say it does. I well recall another reorganization plan affecting the Federal Home Loan Bank Board several years ago which the savings and loan business did vigorously oppose and which the House rejected. So if this plan were controversial or defective you would have heard from your savings and loan constituents. But I would be surprised if anyone has received even a single letter of opposition. I know I have none, even though there are a great number of active savings and loans in my district.

There are a great many valid and important issues with which the House should concern itself, but this does not appear to be one of them. I have known the Chairman of the Federal Home Loan Bank Board, Joseph McMurray, for many years and he has always been a vigorous, dedicated administrator. I am sure he has the confidence of the many Members of the House who have known him through his previous work both here in Washington and as Housing Commissioner of New York. The Federal Home Loan Bank Board has a very important task in directing the savings and loan business to its maximum usefulness in the important field of thrift and homeownership. We should give them the organizational setup needed to do their job.

Mr. GROSS. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the motion offered by the gentleman from Iowa [Mr. GROSS].

The motion was rejected.

AGRICULTURAL BILL OF 1961

Mr. COOLEY. Mr. Speaker, I call up the conference report on the bill (S. 1643) 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 services, to protect the interest of consumers, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 839)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1643) 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 services, to protect the interest of consumers, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Agricultural Act of 1961'.

"DECLARATION OF POLICY

"Sec. 2. In order more fully and effectively to improve, maintain, and protect the prices and incomes of farmers, to enlarge rural purchasing power, to achieve a better balance between supplies of agricultural commodities and the requirements of consumers therefor, to preserve and strengthen the structure of agriculture, and to revitalize and stabilize the overall economy at reasonable costs to the Government, it is hereby declared to be the policy of Congress to—

"(a) afford farmers the opportunity to achieve parity of income with other economic groups by providing them with the means to develop and strengthen their bargaining power in the Nation's economy;

"(b) encourage a commodity-by-commodity approach in the solution of farm problems and provide the means for meeting varied and changing conditions peculiar to each commodity;

"(c) expand foreign trade in agricultural commodities with friendly nations, as defined in section 107 of Public Law 480, 83d Congress as amended (7 U.S.C. 1707), and in no manner either subsidize the export, sell, or make available any subsidized agricultural commodity to any nations other than such friendly nations and thus make full use of our agricultural abundance;

"(d) utilize more effectively our agricultural productive capacity to improve the diets of the Nation's needy persons;

"(e) recognize the importance of the family farm as an efficient unit of production

and as an economic base for towns and cities in rural areas and encourage, promote, and strengthen this form of farm enterprise;

"(f) facilitate and improve credit services to farmers by revising, expanding, and clarifying the laws relating to agricultural credit;

"(g) assure consumers of a continuous, adequate, and stable supply of food and fiber at fair and reasonable prices;

"(h) reduce the cost of farm programs by preventing the accumulation of surpluses; and

"(i) use surplus farm commodities on hand as fully as practicable as an incentive to reduce production as may be necessary to bring supplies on hand and firm demand in balance.

"TITLE I—SUPPLY ADJUSTMENT AND PRICE STABILIZATION

"SEC. 101. This title may be cited as the 'Agricultural Enabling Amendments Act of 1961'.

"Subtitle A—Consultation on agricultural programs

"SEC. 102. (a) Notwithstanding any other provision of law, whenever the Secretary of Agriculture determines that additional legislative authority is necessary to develop new agricultural programs involving supply adjustments or marketing regulations through marketing orders, marketing quotas, or price support programs with respect to any agricultural commodity, or to make substantial revisions in any existing agricultural legislation or programs, he may consult and advise with farmers, farm organizations, and appropriate commodity organizations, if any, for the commodity involved, to review the problems involved, the need for new legislation, and the provisions which should be included in any such proposed legislation.

"(b) In addition, whenever and to the extent he deems such action necessary or desirable, the Secretary of Agriculture may consult and advise with any person or group of persons, or organizations, including farmers, handlers, processors, or others connected with the production, processing, handling, or use of the commodity involved, with respect to the problems involved and need for legislation and the provisions which should be included in any such proposed legislation.

"(c) In order that the Secretary of Agriculture may be assured of being able to obtain the advice of any such person or organization, he is authorized, whenever he determines such action necessary, to pay for each day's attendance at meetings and while traveling to and from such meetings, transportation expenses and in lieu of subsistence, a per diem in the amount authorized under the Travel Expense Act of 1949 for Federal employees. No salary or other compensation shall be paid.

"SEC. 103. If the Secretary of Agriculture, after such consultation and receipt of such advice as provided in section 102 of this Act, determines that additional legislative authority is necessary to develop agricultural programs involving supply adjustments or marketing regulations through the use of marketing orders, marketing quotas or price-support programs, he shall formulate specific recommendations in the form of proposed legislation which shall be submitted to the Congress together with a statement setting forth the purpose and need for such proposed legislation.

"SEC. 104. Nothing in this Act shall be deemed to limit the authority of the Secretary of Agriculture under other provision of law or to establish or consult with advisory committees.

"Subtitle B—1962 wheat program

"SEC. 121. Section 334 of the Agricultural Adjustment Act of 1938, as amended, is amended by inserting (1) after (c) and adding a new subparagraph (2) following subparagraph (c)(1) to read as follows:

"'(2) Notwithstanding any other provision of law, each old or new farm acreage allotment for the 1962 crop of wheat as determined on the basis of a minimum national acreage allotment of fifty-five million acres shall be reduced by 10 per centum. In the event notices of farm acreage allotments for the 1962 crop of wheat have been mailed to farm operators prior to the effective date of this subparagraph (2), new notices showing the required reduction shall be mailed to farm operators as soon as practicable.'

"SEC. 122. (a) In lieu of the provisions of item (1) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(1)), the following provisions shall apply to the 1962 crop of wheat:

"'(1) If a national marketing quota for wheat is in effect for the marketing year beginning July 1, 1962, farm marketing quotas shall be in effect for the crop of wheat which is normally harvested in 1962. The farm marketing quota for such crop of wheat shall be the actual production of the acreage planted to such crop of wheat on the farm less the farm marketing excess. The farm marketing excess shall be an amount equal to twice the normal yield of wheat per acre established for the farm multiplied by the number of acres of such crop of wheat on the farm in excess of the farm acreage allotment for such crop unless the producer, in accordance with regulations prescribed by the Secretary and within the time prescribed therein, establishes to the satisfaction of the Secretary the actual production of such crop of wheat on the farm. If such actual production is so established, the farm marketing excess shall be such actual production less the actual production of the farm wheat acreage allotment based upon the average yield per acre for the entire 1962 wheat acreage on the farm: *Provided, however,* That the farm marketing excess shall not be larger than the amount by which the actual production, so established, exceeds the normal production of the farm wheat acreage allotment.'

"(b) Notwithstanding the provisions of item (2) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(2)), the rate of penalty on wheat of the 1962 crop shall be 65 per centum of the parity price per bushel of wheat as of May 1, 1962.

"(c) In lieu of the provisions of item (3) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(3)), the following provisions shall apply to the 1962 crop of wheat:

"'(3) The farm marketing excess for wheat shall be regarded as available for marketing, and the penalty and the storage amount or amounts of wheat to be delivered to the Secretary shall be computed upon twice the normal production of the excess acreage. If the farm marketing excess so computed is adjusted downward on the basis of actual production as heretofore provided the difference between the amount of the penalty or storage computed on the basis of twice the normal production and as computed on actual production shall be returned to or allowed the producer or a corresponding adjustment made in the amount to be delivered to the Secretary if the producer elects to make such delivery. The Secretary shall issue regulations under which the farm marketing excess of wheat for the farm shall be stored or delivered to him. Upon failure to store, or deliver to the Secretary, the farm marketing excess within such time as may be determined under regulations prescribed by the Secretary the penalty computed as aforesaid shall be paid by the producer. Any wheat delivered to the Secretary hereunder shall become the property of the United States and shall be disposed of by the Secretary for relief purposes in the United States or friendly foreign countries or in such other manner as he shall determine will divert it from the normal channels of trade and commerce.'

"(d) Item (7) of Public Law 74, Seventy-seventh Congress, as amended (7 U.S.C. 1340(7)), is amended to read as follows:

"'(7) A farm marketing quota on any crop of wheat shall not be applicable to any farm on which, under regulations prescribed by the Secretary, the actual acreage planted to wheat for harvest of such crop does not exceed 15 acres: *Provided, however,* That a farm marketing quota on the 1962 crop of wheat shall be applicable to any farm on which the acreage of wheat exceeds the smaller of (1) 13.5 acres, or (2) the highest number of acres actually planted to wheat on the farm for harvest in any of the calendar years 1959, 1960, or 1961.'

"(e) Subsection (d) of section 335 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1335(d)), is hereby repealed effective with the 1962 crop of wheat.

"(f) Section 336 of the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1336), is amended by adding at the end thereof the following: 'Notwithstanding any other provision hereof, farmers who have not produced in excess of 13.5 acres of wheat in at least one of the years 1959, 1960, or 1961 shall not be entitled to vote in the referendum conducted with respect to the national marketing quota for the marketing year beginning July 1, 1962.'

"SEC. 123. Price support for the 1962 crop of wheat shall be made available, as provided in section 101 of the Agricultural Act of 1949, as amended, except that price support shall be made available only to cooperators, only in the commercial wheat-producing area, and if marketing quotas are in effect for the 1962 crop of wheat, wheat of such crop shall be eligible for price support only if the producers on the farm on which the wheat is produced participate in the special 1962 wheat program formulated under section 124 to the extent prescribed by the Secretary.

"SEC. 124. (a) If marketing quotas are in effect for the 1962 crop of wheat, producers on any farm, except a farm on which a new farm wheat allotment is established for the 1962 crop, in the commercial wheat-producing area shall be entitled to payments determined as provided in subsection (b) upon compliance with the conditions hereinafter prescribed:

"(1) Such producers shall divert from the production of wheat an acreage on the farm equal to either (i) 10 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961: *Provided,* That such acreage in each of such years did not exceed 15 acres, or (ii) 10 per centum of the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended.

"(2) In 1962, such diverted acreage shall be devoted to conservation uses including summer fallow, approved by the Secretary, and such measures shall be taken as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents: *Provided,* That such diverted acreage may be devoted to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary, subject to the condition that no payment shall be made with respect to diverted acreage devoted to any such commodity.

"(3) The total acreage of cropland on the farm in 1962 devoted to soil-conserving uses, including summer fallow and idle land, but excluding the acreage diverted as provided above and acreage diverted under the special 1962 program for feed grains, shall not be

less than the total average acreage of cropland devoted to soil-conserving uses including summer fallow and idle land on the farm in 1959 and 1960. Certification by the producer with respect to such acreage may be accepted as evidence of compliance with the foregoing provision. The total average acreage devoted to soil-conserving uses, including summer fallow and idle land, in 1959 and 1960 shall be subject to adjustment to the extent the Secretary determines appropriate for abnormal weather conditions or other factors affecting production, established crop-rotation practices on the farm, changes in the constitution of the farm, participation in other Federal farm programs, or to give effect to the provisions of law relating to release and reapportionment or preservation of history.

"(4) If the diversion of acreage is made pursuant to the provisions of (1)(i) of this subsection (a), the actual acreage of wheat planted on the farm for harvest in 1962 shall not exceed 90 per centum of the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961; and if the diversion of acreage is made pursuant to the provisions of (1)(ii) of this subsection (a), the farm shall be in compliance with the 1962 farm wheat acreage allotment.

"(b)(1) Upon compliance with the conditions prescribed in subsection (a) producers on the farm shall be entitled to payments which shall be made by Commodity Credit Corporation in cash or wheat equal to 45 per centum of the value, at the basic county support rate per bushel for No. 1 wheat of the 1961 crop for the county in which the farm is considered as being located for the administration of farm marketing quotas for wheat in effect at the time the payment rates for the 1962 special wheat program are established, adjusted to reflect changes between the national support rates for the 1961 and 1962 crops, of the number of bushels equal to the adjusted yield per acre of wheat for the farm, multiplied by the number of diverted acres other than acres devoted to castor beans, guar, safflower, sunflower, or sesame.

"(2) The Secretary may make such adjustments in yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual yields for the farm for the 1959 and 1960 crop years, such yields shall be used in making determinations.

"(3) The Secretary shall provide by regulations for the sharing of payments among producers on the farm on a fair and equitable basis. The medium of payment shall be determined by the Secretary. If payments are made in wheat, the value of the payments in cash shall be converted to wheat at the market price of wheat as determined by Commodity Credit Corporation. Wheat received as payment-in-kind may be marketed without penalty but shall not be eligible for price support.

"(c)(1) Producers who divert acreage on the farm under subsection (a) may divert additional acreage on the farm not in excess of the larger of three times the amount diverted under subsection (a) or such acreage as will bring the total acreage diverted to 10 acres: *Provided*, That the total acreage diverted under subsection (a) and this subsection (c) shall not exceed the larger of (i) the highest actual acreage of wheat planted on the farm for harvest for any of the years 1959, 1960, or 1961, but not to exceed 10 acres or (ii) the 1962 wheat acreage allotment.

"(2) Payments shall be made with respect to the acreage diverted under this subsection (c) in accordance with the terms and conditions prescribed in subsection (a): *Provided*, That (i) 60 per centum shall be substituted for 45 per centum in computing the amount of the payment, (ii) the acreage diverted under this subsection (c) shall be added to and deemed to be acreage diverted under subsection (a) for the purposes of paragraphs (2) and (3) of subsection (a), and (iii) if the diversion under subsection (a) is made pursuant to (1)(i) of said subsection, the actual acreage planted to wheat for harvest on the farm in 1962, shall be reduced below the highest actual acreage of wheat planted on the farm for harvest in any of the years 1959, 1960, or 1961, by the total amount of acres diverted under subsection (a) and this subsection (c), or, if the diversion under subsection (a) is made pursuant to (1)(ii) of said subsection, the 1962 wheat acreage on the farm shall be reduced by the total amount of acres diverted under subsection (a) and this subsection (c) below whichever of the following acreages is the larger—

"(A) the farm acreage allotment for the 1962 crop of wheat which would be in effect except for the reduction thereof as provided in section 334(c)(2) of the Agricultural Adjustment Act of 1938, as amended;

"(B) the highest actual acreage of wheat planted on the farm for harvest for any of the years 1959, 1960, or 1961, but not to exceed fifteen acres.

"(d) Any acreage diverted from the production of wheat to conservation uses for which payment is made under the program formulated pursuant to this section shall be in addition to any acreage diverted to conservation uses for which payment is made under any other Federal program except that the foregoing shall not preclude the making of cost-sharing payments under the agricultural conservation program or the Great Plains program for conservation practices carried out on any acreage devoted to soil-conserving uses under the program formulated pursuant to this section.

"(e) The Secretary may provide for adjusting any payment on account of failure to comply with the terms and conditions of the program formulated under this section.

"(f) Not to exceed 50 per centum of any payment to producers under this section may be made in advance of determination of performance.

"(g) The program formulated pursuant to this section may include such terms and conditions, in addition to those specifically provided for herein, as the Secretary determines are desirable to effectuate the purposes of this section.

"(h) Wheat stored to avoid or postpone a marketing quota penalty under the Agricultural Adjustment Act of 1938, as amended and supplemented, shall not be released from storage for underplanting based upon acreage diverted under subsection (a) or (c) above, and in determining production of the 1962 crop of wheat for the purpose of releasing wheat from storage on account of underproduction the normal yield of the diverted acres shall be deemed to be actual production of 1962 wheat.

"(i) The Secretary is authorized to promulgate such regulations as may be necessary to carry out the provisions of this section.

"(j) The Commodity Credit Corporation is authorized to utilize its capital funds and other assets for the purpose of making the payments authorized herein and to pay administrative expenses necessary in carrying out this section during the period ending June 30, 1962. There is authorized to be appropriated such amounts as may be necessary thereafter to pay such administrative expenses.

"SEC. 125. Section 334(e) of the Agricultural Adjustment Act of 1938, as amended, relating to increased allotments for durum wheat, is amended to read as follows:

"'(e) If, with respect to any of the 1962, 1963, and 1964 crops of wheat, the Secretary determines that the acreage allotments of farms producing durum wheat are inadequate to provide for the production of a sufficient quantity of durum wheat to satisfy the demands therefor (but not including export demand involving a subsidy by, or a loss to, the Federal Government), he shall increase the farm marketing quotas and acreage allotments for such crop of wheat for farms located in counties in the States of North Dakota, Minnesota, Montana, South Dakota, and California, designated by the Secretary as counties which (1) are capable of producing durum wheat (class II), and (2) have produced such wheat for commercial food products during one or more of the five years immediately preceding the year in which such crop is harvested. The Secretary shall determine the percentage factor by which the average acreage of durum wheat (class II) produced during the last two-year period for which statistics are available (excluding any increases in durum wheat acreage as a result of increases in wheat acreage allotments authorized by this subsection) must be increased to satisfy such demand. The wheat acreage allotment for any farm established for such crop without regard to this subsection, after reduction in the case of the 1962 crop as required by section 334(c)(2), (hereinafter referred to as the "original allotment") shall be increased by an acreage computed by multiplying the average acreage of durum wheat (class II) on the farm during such two-year period (excluding any increase in the acreage of durum wheat as a result of an increase in the wheat acreage allotment for the farm authorized by this subsection) by such percentage factor: *Provided*, That such increased allotment shall not exceed the cropland on the farm well suited to wheat. The increase in the wheat acreage allotment for any farm shall be conditioned upon the production of an acreage of durum wheat (class II) at least equal to the average acreage of such wheat produced during such two-year period plus the number of acres by which the allotment is increased. Any increases in wheat acreage allotments authorized by this subsection shall be in addition to the National, State, and county wheat acreage allotments, and such increases shall not be considered in establishing future State, county, and farm allotments. The provisions of paragraph (6) of Public Law 74, Seventy-seventh Congress (7 U.S.C. 1340(6)), and section 326(b) of this Act, relating to the reduction of the storage amount of wheat shall apply to the allotment for the farm established without regard to this subsection and not to the increased allotment under this subsection. As used in this subsection the term "durum wheat" means durum wheat (class II) other than the varieties known as "Golden Ball" and "Peliss." Any farm receiving an increased allotment under this subsection shall not be required as a condition of eligibility for price support, or permitted, to participate in the special 1962 wheat program formulated under section 124 of the Agricultural Act of 1961. The Secretary shall give growers and millers of durum wheat and manufacturers of semolina products an opportunity to present their views and recommenadtions, prior to making any determination hereunder.'

"Subtitle C—1962 feed grain program

"SEC. 131. Section 105(c) of the Agricultural Act of 1949 is amended by adding the following new paragraphs (3) and (4):

"'(3) The level of price support for the 1962 crop of corn shall be established by the Secretary at such level not less than 65 per centum of the parity price therefor as the Secretary may determine. Price support for corn, grain, sorghums, and barley shall be made available on not to exceed the normal production of the 1962 acreage of corn, grain sorghums, and barley of each eligibile farm based on its average yield per acre for the 1959 and 1960 crop acreage.

"'(4) The Secretary shall require as a condition of eligibility for price support on the 1962 crop of corn and grain sorghums that the producer shall participate in the special agricultural conservation program for 1962 for corn and grain sorghums to the extent prescribed by the Secretary and (except in the case of a producer of malting barley as hereinafter described) shall not knowingly devote an acreage on the farm to barley in excess of the average acreage devoted on the farm to barley in 1959 and 1960. The Secretary shall require as a condition of eligibility for price support on the 1962 crop of barley that the producer shall participate in the special agricultural conservation program for 1962 for barley to the extent prescribed by the Secretary and shall not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960: *Provided*, That no producer of malting barley shall be required to participate in the special agricultural conservation program for 1962 for barley if such producer has previously produced a malting variety of barley, plants barley only of an acceptable malting variety for harvest in 1962, does not knowingly devote an acreage on the farm to barley in excess of 110 per centum of the average acreage devoted on the farm to barley in 1959 and 1960, and does not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960.'

"SEC. 132. Section 16 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by adding the following new subsection:

"'(d) Notwithstanding any other provision of law—

"'(1) The Secretary shall formulate and carry out a special agricultural conservation program for 1962, without regard to provisions which would be applicable to the regular agricultural conservation program, under which, subject to such terms and conditions as the Secretary determines, conservation payments in amounts determined by the Secretary to be fair and reasonable shall be made to producers who divert acreage from the production of corn and grain sorghums, and barley, respectively, to an approved conservation use and increase their average acreage of cropland devoted in 1959 and 1960 to designated soil conserving crops or practices including summer fallow and idle land by an equal amount: *Provided, however*, That any producer may elect in lieu of such payment to devote such diverted acreage to castor beans, guar, safflower, sunflower, or sesame, if designated by the Secretary. In order to be eligible for a payment, a producer (other than a producer of malting barley as described in section 105(c)(4) of the Agricultural Act of 1949) who participates in the special agricultural conservation program of 1962 for corn and grain sorghums must not knowingly devote an acreage on the farm in excess of the average acreage devoted on the farm to barley in 1959 and 1960, and a producer who participates in the special agricultural conservation program for 1962 for barley must not knowingly devote an acreage on the farm to corn and grain sorghums in excess of the average acreage devoted on the farm to corn and grain sorghums in 1959 and 1960. Such special agricultural conservation program shall require the producer to take such measures as the Secretary may deem appropriate to keep such diverted acreage free from insects, weeds, and rodents. The acreage eligible for payments in cash or in an equivalent amount in kind under such conservation program shall be an acreage equivalent to 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960 or up to twenty acres, whichever is greater. Such payments in cash or in kind at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops may be made on an amount of the commodity not in excess of 50 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. Payments in kind only may be made by the Secretary for the diversion of up to an additional 20 per centum of the average acreage on the farm planted to corn and grain sorghums, or barley, in the crop years 1959 and 1960. Payments in kind on such additional acreage may be made at the basic county support rate for the 1961 crop in effect at the time payment rates for the special feed grain program for 1962 are established, adjusted to reflect any changes between the national support rates for the 1961 and 1962 crops on an amount of corn and grain sorghums, or barley, not in excess of 60 per centum of the normal production of the acreage diverted from the commodity on the farm based on its adjusted average yield per acre for the 1959 and 1960 crop acreage. The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

"'(2) There are hereby authorized to be appropriated such amounts as may be necessary to enable the Secretary to carry out this section 16(d). Obligations may be incurred in advance of appropriations therefor and the Commodity Credit Corporation is authorized to advance from its capital funds such sums as may be necessary to pay administrative expenses in connection with such program during the fiscal year ending June 30, 1962, and to pay such costs as may be incurred in carrying out section 133 of the Agricultural Act of 1961.

"'(3) The Secretary shall provide by regulations for the sharing of payments under this subsection among producers on the farm on a fair and equitable basis and in keeping with existing contracts.'

"SEC. 133. Payments in cash shall be made by Commodity Credit Corporation and payments in kind shall be made through the issuance of negotiable certificates which the Commodity Credit Corporation shall redeem for feed grains and, notwithstanding any other provision of law, the Commodity Credit Corporation shall, in accordance with regulations prescribed by the Secretary, assist the producer in the marketing of such certificates at such time and in such manner as the Secretary determines will best effectuate the purposes of the special feed grain program for 1962 authorized by this Act. In the case of any certificate not presented for redemption within thirty days of the date of its issuance, reasonable costs of storage and other carrying charges, as determined by the Secretary, for the period beginning thirty days after its issuance and ending with the date of its presentation for redemption shall be deducted from the value of the certificate.

"SEC. 134. Notwithstanding any other provision of law, the Secretary may place such limits on the extent that producers may participate in the special feed grain conservation program for 1962 authorized by this Act as he determines necessary because of an emergency created by drought or other disaster, or in order to prevent or alleviate a shortage in the supply of corn, grain sorghums, or barley.

"Subtitle D—Marketing orders

"SEC. 141. The Agricultural Adjustment Act, as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

"(1) Section 2 is amended by adding at the end thereof a new paragraph (5) reading as follows:

"'(5) Through the exercise of the power conferred upon the Secretary of Agriculture under this title, to continue for the remainder of any marketing season or marketing year, such regulation pursuant to any order as will tend to avoid a disruption of the orderly marketing of any commodity and be in the public interest, if the regulation of such commodity under such order has been initiated during such marketing season or marketing year on the basis of its need to effectuate the policy of this title.'

"(2) Section 8a(5) is amended to read as follows:

"'(5) Any person exceeding any quota or allotment fixed for him under this title by the Secretary of Agriculture and any other person knowingly participating or aiding in the exceeding of such quota or allotment shall forfeit to the United States a sum equal to the value of such excess at the current market price for such commodity at the time of violation, which forfeiture shall be recoverable in a civil suit brought in the name of the United States.'

"(3) Section 8c(2) is amended—

"(a) by inserting '(A)' after 'applicable only to';

"(b) by inserting after 'grapefruit,' where it first appears 'cherries, apples, or cranberries,';

"(c) by striking out 'and Idaho, and not including fruits, other than olives and grapefruit, for canning or freezing)' and inserting in lieu thereof 'Idaho, New York, Michigan, Maryland, New Jersey, Indiana, California, Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, and Connecticut, and not including fruits for canning or freezing other than olives, grapefruit, cherries, cranberries, and apples produced in the States named above except Washington, Oregon, and Idaho)';

"(d) by striking out 'soybeans,'; and

"(e) by striking the period at the end and inserting in lieu thereof the following: '; and (B) any agricultural commodity (except honey, cotton, rice, wheat, corn, grain sorghums, oats, barley, rye, sugarcane, sugarbeets, wool, mohair, livestock, soybeans, cottonseed, flaxseed, poultry (but not excepting turkeys), eggs (but not excepting turkey hatching eggs), fruits and vegetables for canning or freezing, and apples), or any regional or market classification thereof, not subject to orders under (A) of this paragraph, but not the products (including canned or frozen commodities or products) thereof. No order issued pursuant to this section shall be effective as to cherries, apples, or cranberries for canning or freezing unless the Secretary of Agriculture determines, in addition to other required findings and determinations, that the issuance of such order is approved or favored by processors who, during a representative period determined by the Secretary, have engaged in canning or freezing such commodity for market and have frozen or canned more than 50 per centum of the total volume of the commodity to be regulated which was canned or frozen within the production area, or marketed within the marketing area, defined in such order, during such representative period. No order issued pursuant to this section shall be applicable to peanuts produced in more than one of the following production areas: the Virginia-Carolina production area, the Southeast production area, and the Southwest production area. If the

Secretary determines that the declared policy of the title will be better achieved thereby (i) the commodities of the same general class and used wholly or in part for the same purposes may be combined and treated as a single commodity and (ii) the portion of an agricultural commodity devoted to or marketed for a particular use or combination of uses, may be treated as a separate agricultural commodity. All agricultural commodities and products covered hereby shall be deemed specified herein for the purposes of section 8c (6) and (7) of this title."

"(4) Section 8c(19) is amended to read as follows:

"'(19) For the purpose of ascertaining whether the issuance of an order is approved or favored by producers or processors, as required under the applicable provisions of this title, the Secretary may conduct a referendum among producers or processors and in the case of an order other than an amendatory order shall do so. The requirements of approval or favor under any such provision shall be held to be complied with if, of the total number of producers or processors, or the total volume of production, as the case may be, represented in such referendum, the percentage approving or favoring is equal to or in excess of the percentage required under such provision. The terms and conditions of the proposed order shall be described by the Secretary in the ballot used in the conduct of the referendum. The nature, content, or extent of such description shall not be a basis for attacking the legality of the order or any action relating thereto. Nothing in this subsection shall be construed as limiting representation by cooperative associations as provided in subsection (12) of this section.'

"(5) Section 8e is amended to read as follows:

"'Notwithstanding any other provision of law, whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of this Act contains any terms or conditions regulating the grade, size, quality, or maturity of tomatoes, avocados, mangoes, limes, grapefruit, green peppers, Irish potatoes, cucumbers, oranges, onions, walnuts, dates, or eggplants produced in the United States the importation into the United States of any such commodity, other than dates for processing, during the period of time such order is in effect shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of such order or comparable restrictions promulgated hereunder: *Provided*, That this prohibition shall not apply to such commodities when shipped into continental United States from the Commonwealth of Puerto Rico or any Territory or possession of the United States where this Act has force and effect: *Provided further*, That whenever two or more such marketing orders regulating the same agricultural commodity produced in different areas of the United States are concurrently in effect, the importation into the United States of any such commodity, other than dates for processing, shall be prohibited unless it complies with the grade, size, quality, and maturity provisions of the order which, as determined by the Secretary of Agriculture, regulates the commodity produced in the area with which the imported commodity is in most direct competition. Such prohibition shall not become effective until after the giving of such notice as the Secretary of Agriculture determines reasonable, which shall not be less than three days. In determining the amount of notice that is reasonable in the case of tomatoes the Secretary of Agriculture shall give due consideration to the time required for their transportation and entry into the United States after picking. Whenever the Secretary of Agriculture finds that the application of the restrictions under a marketing order to an imported commodity is not practicable because of variations in characteristics between the domestic and imported commodity he shall establish with respect to the imported commodity, other than dates for processing, such grade, size, quality, and maturity restrictions by varieties, types, or other classifications as he finds will be equivalent or comparable to those imposed upon the domestic commodity under such order. The Secretary of Agriculture may promulgate such rules and regulations as he deems necessary, to carry out the provisions of this section. Any person who violates any provision of this section or of any rule, regulation, or order promulgated hereunder shall be subject to a forfeiture in the amount prescribed in section 8a(5) or, upon conviction, a penalty in the amount prescribed in section 8c(14) of the Act, or to both such forfeiture and penalty.'

"Subtitle E—Wool

"SEC. 151. Section 703 of the National Wool Act of 1954, as amended (68 Stat. 910, 72 Stat. 994), is amended by striking from the second sentence thereof '1962' and inserting in lieu thereof '1966'.

"TITLE II—AGRICULTURAL TRADE DEVELOPMENT

"SEC. 201. Title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended as follows:

"(1) Section 101 is amended by adding at the end thereof a new subsection to read as follows:

"'(f) obtain rates of exchange applicable to the sales of commodities under such agreements which are not less favorable than the rates at which United States Government agencies can buy currencies from the United States disbursing officers in the respective countries.'

"(2) Effective January 1, 1962, section 103(b) is amended to read as follows:

"'(b) Agreements shall not be entered into under this title during the period beginning January 1, 1962, and ending December 31, 1964, which will call for appropriations to reimburse the Commodity Credit Corporation in a total amount in excess of $4,500,000,000: *Provided*, That agreements shall not be entered into during any calendar year of such period which will call for appropriations to reimburse Commodity Credit Corporation in amounts in excess of $2,500,000,000.'

"(3) Section 104 is amended—

"(a) by inserting after the words 'foreign currencies' in the introductory clause, the following: ', including principal and interest from loan repayments,';

"(b) by striking out in the final proviso in such section the language beginning with the words 'for the purpose' and ending with the words 'specified in' and inserting in lieu thereof the words 'pursuant to';

"(c) by adding after subsection (r) the following new subsection (s):

"'(s) For the sale for dollars to American tourists under such terms and conditions as the President may prescribe;';

"(d) by inserting in the second sentence of subsection (a) after the word 'made' where it first appears the words 'each year' and after the word 'be' where it first appears the words 'set aside in the amounts and kinds of foreign currencies specified by the Secretary of Agriculture and'; and by striking out from the third sentence of subsection (a) the words 'Particular regard shall be given to provide' and inserting in lieu thereof the words 'Provision shall be made'; and by striking out from the third sentence of subsection (a) the word 'may' and inserting in lieu thereof the words 'the Secretary of Agriculture determines to'; and by inserting in the third sentence after the word 'thereof' the following: '(not less than 2 per centum)'; and by inserting after the third sentence a new sentence as follows: 'Such sums shall be converted into the types and kinds of foreign currencies as the Secretary deems necessary to carry out the provisions of this subsection and such sums shall be deposited to a special Treasury account and shall not be made available or expended except for carrying out the provisions of this subsection'; and by striking out from the last sentence of subsection (a) the words 'agreements may be entered into' and by inserting in lieu thereof 'the Secretary of Agriculture is authorized and directed to enter into agreements'.

"(4) The first sentence of section 106 is amended by striking out 'or may reasonably be expected to be' and inserting 'at the time of exportation or donation'.

"(5) Section 109 is amended by striking out '1961' and substituting '1964'.

"SEC. 202. Title II of the Agricultural Trade Development and Assistance Act of 1954, as amended, is further amended as follows:

"(1) Section 203 is amended (a) by deleting the first sentence and substituting the following: 'Programs of assistance shall not be undertaken under this title during any calendar year beginning January 1, 1961, and ending December 31, 1964, which call for appropriations of more than $300,000,000 to reimburse the Commodity Credit Corporation for all costs incurred in connection with such programs (including the Corporation's investment in commodities made available), plus any amount by which programs of assistance undertaken in the preceding calendar year have called or will call for appropriations to reimburse the Commodity Credit Corporation in amounts less than were authorized for such purpose during such preceding year by this title as in effect during such preceding year,'; and (b) by deleting 'such' the first time it appears in the second sentence.

"(2) Section 204 is amended by striking out '1961' and substituting '1964'.

"SEC. 203. In the conduct of foreign market development programs, the Secretary of Agriculture is authorized to credit contributions from individuals, firms, associations, agencies, and other groups, and the proceeds received from space rentals, and sales of products and materials at exhibitions, to the appropriations charged with the cost of acquiring such space, products, and materials.

"TITLE III—AGRICULTURAL CREDIT

"SEC. 301. (a) This title may be cited as the 'Consolidated Farmers Home Administration Act of 1961'.

"(b) The Congress hereby finds that the statutory authority of the Secretary of Agriculture, hereinafter referred to in this title as the 'Secretary,' for making and insuring loans to farmers and ranchers should be revised and consolidated to provide for more effective credit services to farmers.

"Subtitle A—Real estate loans

"SEC. 302. The Secretary is authorized to make and insure loans under this subtitle to farmers and ranchers in the United States and in Puerto Rico and the Virgin Islands who (1) are citizens of the United States, (2) have a farm background and either training or farming experience which the Secretary determines is sufficient to assure reasonable prospects of success in the proposed farming operations, (3) are or will become owner-operators of not larger than family farms, and (4) are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

"SEC. 303. Loans may be made or insured under this subtitle for acquiring, enlarging, or improving farms, including farm buildings, land and water development, use and conservation, refinancing existing indebtedness, and for loan closing costs. In making or insuring loans for farm purchase, the Secretary shall give preference to persons who are married or have dependent families and, wherever practicable, to persons who are able

to make initial downpayments, or who are owners of livestock and farm implements necessary successfully to carry on farming operations.

"SEC. 304. Loans may also be made or insured under this subtitle to any farmowners or tenants without regard to the requirements of section 302 (1), (2), and (3) for the purposes only of land and water development, use and conservation.

"SEC. 305. The Secretary shall make or insure no loan under sections 302, 303, and 304 which would cause (a) the unpaid indebtedness against the farm or other security at the time the loan is made to exceed $60,000 or the normal value of the farm or other security, or (b) the loan to exceed the amount certified by the county committee. In determining the normal value of the farm, the Secretary shall consider appraisals made by competent appraisers under rules established by the Secretary. Such appraisals shall take into consideration both the normal agricultural value and the normal market value of the farm.

"SEC. 306. (a) The Secretary also is authorized to make or insure loans to associations, including corporations not operated for profit and public and quasi-public agencies, to provide for the application or establishment of soil conservation practices, the conservation, development, use, and control of water and the installation or improvement of drainage facilities, all primarily for serving farmers, ranchers, farm tenants, farm laborers, and rural residents, and to furnish financial assistance or other aid in planning projects for such purposes. No such loans shall be made or insured which would cause an association's unpaid principal indebtedness under this section and the Act of August 28, 1937, as amended, to exceed $500,000 in the case of direct loans and $1,000,000 in the case of insured loans at any one time.

"(b) The service provided or made available through any such association shall not be curtailed or limited by inclusion of the area served by such association within the boundaries of any municipal corporation or other public body, or by the granting of any private franchise for similar service within such area during the term of such loan; nor shall the happening of any such event be the basis of requiring such association to secure any franchise, license, or permit as a condition to continuing to serve the area served by the association at the time of the occurrence of such event.

"SEC. 307. (a) The period for repayment of loans under this subtitle shall not exceed forty years. The Secretary shall from time to time establish the interest rate or rates at which loans for various purposes will be made or insured under this subtitle but not in excess of 5 per centum per annum. The borrower shall pay such fees and other charges as the Secretary may require.

"(b) The Secretary shall take as security for the obligations entered into in connection with loans, mortgages on farms with respect to which such loans are made or such other security as the Secretary may require, and for obligations in connection with loans to associations under section 306, shall take liens on the facility or such other security as he may determine to be necessary. Such security instruments shall constitute liens running to the United States notwithstanding the fact that the notes may be held by lenders other than the United States.

"SEC. 308. Loans under this subtitle may be insured by the Secretary, aggregating not more than $150,000,000 in any one year, whenever funds are advanced or a loan is purchased by a lender other than the United States. In connection with insurance of loans, the Secretary—

(a) is authorized to make agreements with respect to the servicing of loans insured hereunder and to purchase such loans on such terms and conditions as he may prescribe, except that no agreement shall provide for purchase by the Secretary at a date sooner than three years from the date of the note; and

"(b) shall retain out of payments by the borrower a charge at a rate determined by the Secretary from time to time equivalent to not less than one-half of 1 per centum per annum on the principal unpaid balance of the loan.

Any contract of insurance executed by the Secretary under this subtitle shall be an obligation supported by the full faith and credit of the United States and incontestable except for fraud or misrepresentation of which the holder has actual knowledge.

"SEC. 309. (a) The fund established pursuant to section 11(a) of the Bankhead-Jones Farm Tenant Act, as amended, shall hereafter be called the Agricultural Credit Insurance Fund and is hereinafter in this subtitle referred to as the "fund". The fund shall remain available as a revolving fund for the discharge of the obligations of the Secretary under agreements insuring loans under this subtitle and loans and mortgages insured under prior authority.

(b) Moneys in the fund not needed for current operations shall be deposited in the Treasury of the United States to the credit of the fund or invested in direct obligations of the United States or obligations guaranteed by the United States. The Secretary may purchase with money in the fund any notes issued by the Secretary to the Secretary of the Treasury for the purpose of obtaining money for the fund.

"(c) The Secretary is authorized to make and issue notes to the Secretary of the Treasury for the purpose of obtaining funds necessary for discharging obligations under this section and for authorized expenditures out of the fund. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes shall bear interest at a rate fixed by the Secretary of the Treasury, taking into consideration the current average market yield of outstanding marketable obligations of the United States having maturities comparable to the notes issued by the Secretary under this subtitle. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and, for that purpose, the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act, as amended, are extended to include the purchase of notes issued by the Secretary. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

"(d) Notes and security acquired by the Secretary in connection with loans insured under this subtitle and under prior authority shall become a part of the fund. Notes may be held in the fund and collected in accordance with their terms or may be sold by the Secretary with or without agreements for insurance thereof at the balance due thereon, or on such other basis as the Secretary may determine from time to time. All net proceeds from such collections, including sales of notes or property, shall be deposited in and become a part of the fund.

"(e) The Secretary shall deposit in the fund such portion of the charge collected in connection with the insurance of loans at least equal to a rate of one-half of 1 per centum per annum on the outstanding principal obligations and the remainder of such charge shall be available for administrative expenses of the Farmers Home Administration, to be transferred annually and become merged with any appropriation for administrative expenses.

"(f) The Secretary may utilize the fund—

"(1) to make loans which could be insured under this subtitle whenever the Secretary has reasonable assurance that they can be sold without undue delay, and may sell and insure such loans. The aggregate of the principal of such loans made and not disposed of shall not exceed $10,000,000 at any one time;

"(2) to pay the interest to which the holder of the note is entitled on loans heretofore or hereafter insured accruing between the date of any prepayments made by the borrower and the date of transmittal of any such prepayments to the lender. In the discretion of the Secretary, prepayments other than final payments need not be remitted to the holder until the due date of the annual installment;

"(3) to pay to the holder of the notes any defaulted installment or, upon assignment of the note to the Secretary at the Secretary's request, the entire balance due on the loan;

"(4) to purchase notes in accordance with agreements previously entered into; and

"(5) to pay taxes, insurance, prior liens, expenses necessary to make fiscal adjustments in connection with the application and transmittal of collections and other expenses and advances authorized in section 335(a) in connection with insured loans.

"Subtitle B—Operating loans

"SEC. 311. The Secretary is authorized to make loans under this subtitle to farmers and ranchers in the United States and in Puerto Rico and the Virgin Islands who (1) are citizens of the United States, (2) have a farm background and training or farming experience which the Secretary determines is sufficient to assure reasonable prospects of success in the proposed farming operation, (3) are or will become operators of not larger than family farms, and (4) are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

"SEC. 312. Loans may be made under this subtitle for (1) paying costs incident to reorganizing the farming system for more profitable operation, (2) purchasing livestock, poultry, and farm equipment, (3) purchaisng feed, seed, fertilizer, insecticides, and farm supplies and to meet other essential farm operating expenses including cash rent, (4) financing land and water development, use, and conservation, (5) refinancing existing indebtedness, (6) other farm and home needs including but not limited to family subsistence, and (7) for loan closing costs.

"SEC. 313. The Secretary shall make no loan under this subtitle (1) which would cause the total principal indebtedness outstanding at any one time for loans made under this subtitle and under section 21 of the Bankhead-Jones Farm Tenant Act, as amended, to exceed $35,000: *Provided, however,* That not more than 25 per centum of the sums made available for loans under this subtitle may be used for loans which would cause such indebtedness of any borrower under said Acts to exceed $15,000, (2) for the purchasing or leasing of land other than for cash rent, or for carrying on any land leasing or land purchasing program, or (3) in excess of an amount certified by the county committee.

"SEC. 314. Loans aggregating not more than $500,000 in any one year may also be made to soil conservation districts which cannot obtain necessary credit elsewhere upon reasonable terms and conditions for the purchase of equipment customarily used for soil conservation purposes.

"SEC. 315. The Secretary is authorized to participate in loans which could otherwise be made by the Secretary under this subtitle which are made by commercial banks, cooperative lending agencies, or other legally organized agricultural lending agencies up to 80 per centum of the amount of the loan.

"SEC. 316. The Secretary shall make all loans under this subtitle at an interest rate not to exceed 5 per centum per annum, upon the full personal liability of the borrower and upon such security as the Secretary may prescribe. Such loans shall be payable in not more than seven years, but may be renewed for not more than five additional years.

"Subtitle C—Emergency loans

"SEC. 321. (a) The Secretary may designate any area in the United States and in Puerto Rico and the Virgin Islands as an emergency area if he finds (1) that there exists in such area a general need for agricultural credit which cannot be met for temporary periods of time by private, cooperative, or other responsible sources (including loans the Secretary is authorized to make under subtitle B or to make or insure under subtitle A of this title or any other Act of Congress), at reasonable rates and terms for loans for similar purposes and periods of time, and (2) that the need for such credit in such area is the result of a natural disaster.

"(b) The Secretary is authorized to make loans in any such area (1) to established farmers or ranchers who are citizens of the United States and (2) to private domestic corporations or partnership engaged primarily in farming or ranching provided they have experience and resources necessary to assure a reasonable prospect for successful operation with the assistance of such loan, and are unable to obtain sufficient credit elsewhere to finance their actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time.

"SEC. 322. Loans may be made under this subtitle for any of the purposes authorized for loans under subtitle A or B of this title.

"SEC. 323. The Secretary shall make no loan under this subtitle in excess of an amount certified by the county committee.

"SEC. 324. The Secretary shall make all loans under this subtitle at a rate of interest not in excess of 3 per centum per annum repayable at such times as the Secretary may determine, taking into account the purpose of the loan and the nature and effect of the emergency, but not later than provided for loans for similar purposes under subtitles A and B of this title, and upon the full personal liability of the borrower and upon such security as the Secretary may prescribe.

"SEC. 325. The Secretary may make loans without regard to the designation of emergency areas under section 321(a) to persons or corporations (1) who have suffered severe production losses not general to the area or (2) who are indebted to the Secretary for loans under the Act of April 6, 1949, as amended, or the Act of August 31, 1954, as amended, to the extent necessary to permit the orderly repayment or liquidation of said prior indebtedness.

"SEC. 326. The Secretary is authorized to utilize the revolving fund created by section 84 of the Farm Credit Act of 1933, as amended (hereinafter in this subtitle referred to as the 'Emergency Credit Revolving Fund'), for carrying out the purposes of this subtitle.

"SEC. 327. (a) All sums received by the Secretary from the liquidation of loans made under the provisions of this subtitle or under the Act of April 6, 1949, as amended, or the Act of August 31, 1954, and from the liquidation of any other assets acquired with money from the Emergency Credit Revolving Fund shall be added to and become a part of such fund.

"(b) There are authorized to be appropriated to the Emergency Credit Revolving Fund such additional sums as the Congress shall from time to time determine to be necessary.

"Subtitle D—Administrative provisions

"SEC. 331. For the purposes of this title and for the administration of assets under the jurisdiction of the Secretary of Agriculture pursuant to the Farmers Home Administration Act of 1946, as amended, the Bankhead-Jones Farm Tenant Act, as amended, the Act of August 28, 1937, as amended, the Act of April 6, 1949, as amended, the Act of August 31, 1954, as amended, and the powers and duties of the Secretary under any other Act authorizing agricultural credit, the Secretary may assign and transfer such powers, duties, and assets to the Farmers Home Administration, to be headed by an Administrator, appointed by the President, by and with the advice and consent of the Senate, without regard to the civil service laws or the Classification Act of 1949, as amended, who shall receive basic compensation as provided by law for that office.

"The Secretary may—

"(a) administer his powers and duties through such national, area, State, or local offices and employees in the United States and in Puerto Rico and the Virgin Islands as he determines to be necessary and may authorize an office to serve the area composed of two or more States if he determines that the volume of business in the area is not sufficient to justify separate State offices;

"(b) accept and utilize voluntary and uncompensated services, and, with the consent of the agency concerned, utilize the officers, employees, equipment, and information of any agency of the Federal Government, or of any State, territory, or political subdivision;

"(c) within the limits of appropriations made therefor, make necessary expenditures for purchase or hire of passenger vehicles, and such other facilities and services as he may from time to time find necessary for the proper administration of this Act;

"(d) compromise, adjust, or reduce claims, and adjust and modify the terms of mortgages, leases, contracts, and agreements entered into or administered by the Farmers Home Administration under any of its programs, as circumstances may require, but compromises, adjustments, or reductions of claims of $15,000 or more shall not be made without the approval of the Administrator: *Provided, however,* That—

"(1) compromise, adjustment, or reduction of claims shall be based on the value of the security and a determination by the Secretary of the debtor's reasonable ability to pay considering his other assets and income at the time of the action and with or without the payment of any consideration at the time of such adjustment or reduction;

"(2) releases from personal liability may also be made with or without payment of any consideration at the time of adjustment of claims against—

"(A) borrowers who have transferred the security property to approved applicants under agreements assuming the outstanding secured indebtedness;

"(B) borrowers who have transferred the security property to approved applicants under agreements assuming that portion of the secured indebtedness equal to the current market value of the security property or transferred the security property to the Secretary;

"(C) borrowers who have transferred the security property to other than approved applicants under agreements assuming the full amount of, or that portion of the secured indebtedness equal to, the current market value of the security property on terms not to exceed five annual installments with interest on the unpaid balance at a rate determined by the Secretary; and

"(D) borrowers who transfer security property under subparagraphs (B) and (C) above for amounts less than the indebtedness secured thereby may be released from personal liability only on a determination by the Secretary that each such borrower has no reasonable debt-paying ability considering his assets and income at the time of the transfer and the county committee certifies that the borrower has cooperated in good faith, used due diligence to maintain the security property against loss, and has otherwise fulfilled the covenants incident to his loan to the best of his ability;

"(3) no compromise, adjustment, or reduction of claims shall be made upon terms more favorable than recommended by the appropriate county committee utilized pursuant to section 332 of this title; and

"(4) any claim which has been due and payable for five years or more, and where the debtor has no assets or no apparent future debt-paying ability from which the claim could be collected, or is deceased and has left no estate, or has been absent from his last known address for a period of at least five years, has no known assets, and his whereabouts cannot be ascertained without undue expense, may be charged off or released by the Secretary upon a report and favorable recommendation of the county committee and of the employee having charge of the claim, and any claim involving a principal balance of $150 or less may be charged off or released whenever it appears to the Secretary that further collection efforts would be ineffectual or likely to prove uneconomical; and

"(5) partial releases and subordination of mortgages may be granted either where the secured indebtedness remaining after the transaction will be adequately secured or the security interest of the Secretary will not be adversely affected, and the transaction and use of proceeds will further the purposes for which the loan was made, improve the borrower's debt-paying ability, permit payments on indebtedness owed to or insured by the Secretary, or permit payment of reasonable costs and expenses incident to the transaction, including taxes incident to or resulting from the transaction which the borrower is unable to pay from other sources:

Provided further, That no such compromise, adjustment, or reduction shall be made hereunder after the claim has been referred to the Attorney General unless agreed to by the Attorney General.

"(e) collect all claims and obligations arising or administered under this title, or under any mortgage, lease, contract, or agreement entered into or administered pursuant to this title and, if in his judgment necessary and advisable, pursue the same to final collection in any court having jurisdiction.

"SEC. 332. (a) The Secretary is authorized and directed to appoint in each county or area in which activities are carried on under this title, a county committee composed of three individuals residing in the county or area, at least two of whom at the time of appointment shall be farmers deriving the principal part of their income from farming. Committee appointments shall be for a term of three years except that the first appointments for any new committee shall be for one-, two-, and three-year periods, respectively, so as to provide continuity of committee membership. The Secretary may appoint alternate committeemen. The members of the committee and their alternates shall be removable for cause by the Secretary.

"(b) The rates of compensation, the number of days per month each member may be paid, and the amount to be allowed for necessary travel and subsistence expenses, shall be determined and paid by the Secretary.

"(c) The committee shall meet on the call of the chairman elected by the committee or on the call of such other person as the Secretary may designate. Two members of the committee shall constitute a quorum. The Secretary shall prescribe rules governing the procedure of the committees and their duties, furnish forms and equipment necessary, and authorize and provide for the compensation of such clerical assistance as he finds may be required by any committee.

"SEC. 333. In connection with loans made or insured under this title, the Secretary shall require—

"(a) the applicant to certify in writing that he is unable to obtain sufficient credit elsewhere to finance his actual needs at reasonable rates and terms, taking into consideration prevailing private and cooperative rates and terms in the community in or near which the applicant resides for loans for similar purposes and periods of time;

"(b) except for loans under sections 306, 314 and 321(b)(2), the county committee to certify in writing that the applicant meets the eligibility requirements for the loan, and has the character, industry, and ability to carry out the proposed farming operations, and will, in the opinion of the committee, honestly endeavor to carry out his undertakings and obligations; and for loans under sections 306, 314 and 321(b)(2), the Secretary shall require the recommendation of the county committee as to the making or insuring of the loan;

"(c) an agreement by the borrower that if at any time it shall appear to the Secretary that the borrower may be able to obtain a loan from a production credit association, a Federal land bank, or other responsible cooperative or private credit source, at reasonable rates and terms for loans for similar purposes and periods of time, the borrower will, upon request by the Secretary, apply for and accept such loan in sufficient amount to repay the Secretary or the insured lender, or both, and to pay for any stock necessary to be purchased in a cooperative lending agency in connection with such loan;

"(d) such provision for supervision of the borrower's operations as the Secretary shall deem necessary to achieve the objectives of the loan and protect the interests of the United States; and

"(e) the applications of veterans for loans under subtitle A or B of this title to be given preference over similar applications of nonveterans on file in any county or area office at the same time. Veterans as used herein shall mean persons who served in the Armed Forces of the United States during any war between the United States and any other nation or during the Korean conflict and who were discharged or released therefrom under conditions other than dishonorable.

"SEC. 334. All property subject to a lien held by the United States or the title to which is acquired or held by the Secretary under this title other than property used for administrative purposes shall be subject to taxation by State, territory, district, and local political subdivisions in the same manner and to the same extent as other property is taxed: *Provided, however,* That no tax shall be imposed or collected on or with respect to any instrument if the tax is based on—

"(1) the value of any notes or mortgages or other lien instruments held by or transferred to the Secretary;

"(2) any notes or lien instruments administered under this title which are made, assigned, or held by a person otherwise liable for such tax; or

"(3) the value of any property conveyed or transferred to the Secretary,

whether as a tax on the instrument, the privilege of conveying or transferring or the recordation thereof; nor shall the failure to pay or collect any such tax be a ground for refusal to record or file such instruments, or for failure to impart notice, or prevent the enforcement of its provisions in any State or Federal court.

"SEC. 335. (a) The Secretary is authorized and empowered to make advances, without regard to any loan or total indebtedness limitation, to preserve and protect the security for or the lien or priority of the lien securing any loan or other indebtedness owing to, insured by, or acquired by the Secretary under this title or under any other programs administered by the Farmers Home Administration; to bid for and purchase at any execution, foreclosure, or other sale or otherwise to acquire property upon which the United States has a lien by reason of a judgment or execution arising from, or which is pledged, mortgaged, conveyed, attached, or levied upon to secure the payment of, any such indebtedness whether or not such property is subject to other liens, to accept title to any property so purchased or acquired; and to sell, manage, or otherwise dispose of such property as hereinafter provided.

"(b) Real property administered under the provisions of this title may be operated or leased by the Secretary for such period or periods as the Secretary may deem necessary to protect the Government's investment therein.

"(c) The Secretary may determine whether real property administered under this title is suitable for disposition to persons eligible for assistance under subtitle A. Any property which the Secretary determines to be suitable for such purposes shall, whenever practicable, be sold by the Secretary as expeditiously as possible to such eligible persons in a manner consistent with the provisions of subtitle A hereof. Real property which is not determined suitable for sale to such eligible persons or which has not been purchased by such persons within a period of three years from the date of acquisition, shall be sold by the Secretary after public notice at public sale and, if no acceptable bid is received then by negotiated sale, at the best price obtainable for cash or on secured credit without regard to the laws governing the disposition of excess or surplus property of the United States. The terms of such sale shall require an initial downpayment of at least 20 per centum and the remainder of the sales price payable in not more than five annual installments with interest on unpaid balance at the rate determined by the Secretary. Any conveyances under this section shall include all of the interest of the United States, including mineral rights.

"(d) With respect to any real property administered under this title, the Secretary is authorized to grant or sell easements or rights-of-way for roads, utilities, and other appurtenances not inconsistent with the public interest. With respect to any rights-of-way over land on which the United States has a lien administered under this title, the Secretary may release said lien upon payment to the United States of adequate consideration, and the interest of the United States arising under any such lien may be acquired for highway purposes by any State or political subdivision thereof in condemnation proceedings under State law by service by certified mail upon the United States attorney for the district, the State Director of the Farmers Home Administration for the State in which the farm is located, and the Attorney General of the United States: *Provided, however,* That the United States shall not be required to appear, answer, or respond to any notice or writ sooner than ninety days from the time such notice or writ is returnable or purports to be effective, and the taking or vesting of title to the interest of the United States shall not become final under any proceeding, order, or decree until adequate compensation and damages have been finally determined and paid to the United States or into the registry of the court.

"SEC. 336. No officer, attorney, or other employee of the Secretary shall, directly or indirectly, be the beneficiary of or receive any fee, commission, gift, or other consideration for or in connection with any transaction or business under this title other than such salary, fee, or other compensation as he may receive as such officer, attorney, or employee. No member of a county committee shall knowingly make or join in making any certification with respect to a loan to purchase any land in which he or any person related to him within the second degree of consanguinity or affinity has or may acquire any interest or with respect to any applicant related to him within the second degree of consanguinity or affinity. Any persons violating any provision of this section shall, upon conviction thereof, be punished by a fine of not more than $2,000 or imprisonment for not more than two years, or both.

"SEC. 337. The Secretary may provide voluntary debt adjustment assistance between farmers and their creditors and may cooperate with State, territorial, and local agencies and committees engaged in such debt adjustment, and may give credit counseling.

"SEC. 338. (a) There is authorized to be appropriated to the Secretary such sums as the Congress may from time to time determine to be necessary to enable the Secretary to carry out the purposes of this title and for the administration of assets transferred to the Farmers Home Administration.

"(b) When authorized by Congress, the Secretary is authorized to make and issue notes to the Secretary of the Treasury for the purpose of obtaining funds in such amounts as the Congress may approve annually in appropriation Acts for making direct loans under this title. Such notes shall be in such form and denominations and have such maturities and be subject to such terms and conditions as may be prescribed by the Secretary with the approval of the Secretary of the Treasury. Such notes shall bear interest at a rate fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the notes issued by the Secretary under this title. The Secretary of the Treasury is authorized and directed to purchase any notes of the Secretary issued hereunder, and for that purpose the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act, as amended, are extended to include the purchase of notes issued by the Secretary. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes shall be treated as public debt transactions of the United States.

"(c) The appropriations for loans made under the authority of subsection (a) and funds obtained in accordance with subsection (b) of this section, and the unexpended balances of any funds made available for loans under the item 'Farmers Home Administration' in the Department of Agriculture Appropriation Acts current on the date of enactment of this title, shall be merged into a single account known as the 'Farmers Home Administration direct loan account', hereafter in this section called the 'direct loan account'. All claims, notes, mortgages, property, including those now

held by the Secretary on behalf of the Secretary of the Treasury, and all collections therefrom, made or held under the direct loan provisions of (1) titles I, II, and IV of the Bankhead-Jones Farm Tenant Act, as amended; (2) the Farmers Home Administration Act of 1946, as amended, except the assets of the rural rehabilitation corporations; (3) the Act of August 28, 1937 (50 Stat. 869), as amended; (4) the item 'Loans to Farmers—1948 Flood Damage' in the Act of June 25, 1948 (62 Stat. 1038); (5) the item 'Loans to Farmers (Property Damage)' in the Act of May 24, 1949 (63 Stat. 82); (6) the Act of September 6, 1950 (64 Stat. 769); (7) the Act of July 11, 1956 (70 Stat. 525); and (8) under this title shall be held for and deposited in said account.

"The notes of the Secretary issued to the Secretary of the Treasury under said Acts or under this title and all other liabilities against the appropriations or assets in the direct loan account shall be liabilities of said account, and all other obligations against such appropriations or assets shall be obligations of said account. Moneys in the direct loan account shall also be available for interest and principal repayments on notes issued by the Secretary to the Secretary of the Treasury. Otherwise, the balances in said account shall remain available to the Secretary for direct loans under subtitles A and B of this title, and for advances in connection therewith, not to exceed any existing appropriation or authorization limitations and in such further amounts as the Congress from time to time determines in appropriation Acts. The amounts so authorized for loans and advances shall remain available until expended. Subject to the foregoing limitations, the use of collections deposited in the account may be authorized by the Congress in lieu or partially in lieu of authorizing the issuing of additional notes by the Secretary to the Secretary of the Treasury, and the account shall be budgeted on a net expenditure basis.

"(d) The Secretary may sell and assign any notes and mortgages in the direct loan account with the consent of the borrower or without such consent when the borrower has failed to comply with his agreement to refinance the indebtedness at the request of the Secretary. Such loans may be sold at the balance due thereon or on such other basis as the Secretary may determine from time to time.

"(e) At least 25 per centum of the sums authorized in any fiscal year for direct loans to individuals to be made by the Secretary under subtitle A of this title shall be allocated equitably among the several States and territories on the basis of farm population and the prevalence of tenancy, as determined by the Secretary.

"SEC. 339. The Secretary is authorized to make such rules and regulations, prescribe the terms and conditions for making or insuring loans, security instruments and agreements, except as otherwise specified herein, and make such delegations of authority as he deems necessary to carry out this title.

"SEC. 340. The President may at any time in his discretion transfer to the Secretary any right, interest, or title held by the United States in any lands acquired in the program of national defense and no longer needed therefor, which the President shall find suitable for the purposes of this title, and the Secretary shall dispose of such lands in the manner and subject to the terms and conditions of the title.

"SEC. 341. (a) Reference to any provisions of the Bankhead-Jones Farm Tenant Act or the Act of August 28, 1937 (50 Stat. 869), as amended, superseded by any provision of this title shall be construed as referring to the appropriate provision of this title. Titles I, II, and IV of the Bankhead-Jones Farm Tenant Act, as amended, and the Act of August 28, 1937 (50 Stat. 869), as amended, the Act of April 6, 1949 (63 Stat. 43), as amended, and the Act of August 31, 1954 (68 Stat. 999), as amended, are hereby repealed effective one hundred and twenty days after enactment hereof, or such earlier date as the provisions of this title are made effective by the Secretary's regulations except that the repeal of section 2(c) of the Act of April 6, 1949, shall not be effective prior to January 1, 1962. The foregoing provisions shall not have the effect of repealing the amendments to section 24, chapter 6 of the Federal Reserve Act, as amended, section 5200 of the Revised Statutes, section 35 of chapter III of the Act approved June 19, 1934 (D.C. Code, title 35, section 535), enacted by section 15 of the Bankhead-Jones Farm Tenant Act, as amended, and by section 10(f) of the Act of August 28, 1937 (50 Stat. 869), as amended.

"(b) The repeal of any provision of law by this title shall not—

"(1) affect the validity of any action taken or obligation entered into pursuant to the authority of any of said Acts, or

"(2) prejudice the application of any person with respect to receiving assistance under the provisions of this title, solely because such person is obligated to the Secretary under authorization contained in any such repealed provision.

"(c) If any provision of this title or the application thereof to any person or circumstance is held invalid, the remainder of the title and the application of such provision to other persons or circumstances shall not be affected thereby.

"SEC. 342. Title III of the Bankhead-Jones Farm Tenant Act, as amended, is further amended by the following new section 35:

"'SEC. 35. The provisions of this title shall extend to Puerto Rico and the Virgin Islands. In the case of Alaska, Puerto Rico, and the Virgin Islands, the term "county" as used in this title may be the entire area, or any subdivision thereof as may be determined by the Secretary, and payments under section 33 of this title shall be made to the Governor or to the fiscal agent of such subdivision.'

"TITLE IV—GENERAL

"SEC. 401. Section 16 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by changing the third sentence of paragraph (1) of subsection (b) to read as follows: 'Such contracts may be entered into during the period ending not later than December 31, 1971, with respect to farms and ranches in counties in the Great Plains area of the States of Colorado, Kansas, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming, designated by the Secretary as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors.'

"SEC. 402. The Act of July 1, 1958, as amended (72 Stat. 276), is further amended by adding a new section as follows:

"'SEC. 2. There is hereby authorized to be appropriated for the fiscal year beginning July 1, 1962, and for each of the four fiscal years thereafter, such sums as may be necessary to enable the Secretary of Agriculture, under such rules and regulations as he may deem in the public interest, to encourage consumption of fluid milk by children in the United States in (1) nonprofit schools of high school grade and under, and (2) nonprofit nursery schools, child-care centers, settlement houses, summer camps, and similar nonprofit institutions devoted to the care and training of children. For the purposes of this Act, "United States" means the 50 States and the District of Columbia.'

"SEC. 403. Section 202 of the Agricultural Act of 1949, as amended, is amended by striking the phrase 'December 31, 1961' each place it appears therein and inserting in lieu thereof the phrase 'December 31, 1964'."

And the House agree to the same.

HAROLD D. COOLEY,
W. R. POAGE,
CARL ALBERT,
PAUL C. JONES,
CHARLES B. HOEVEN,
PAGE BELCHER,
ALBERT H. QUIE,
Managers on the Part of the House.

ALLEN J. ELLENDER,
OLIN D. JOHNSTON,
SPESSARD L. HOLLAND,
JAMES O. EASTLAND,
GEORGE D. AIKEN,
MILTON R. YOUNG,
BOURKE B. HICKENLOOPER,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1643, 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 therefore, to improve distribution and expand exports of agricultural commodities, to liberalize and extend farm credit services, to protect the interest of consumers, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

Both S. 1643 and H.R. 8230 contain four titles. Title I deals with: (A) consultations with farmers in the development of agricultural programs; (B) 1962 Wheat Program; (C) 1962 Feed Grains Program; (D) amendments to the Agricultural Marketing Agreement Act of 1937; and (E) extension of the Wool Act of 1954. Title II deals with the extension and amendment of Public Law 480, The Agricultural Trade Development and Assistance Act. Title III deals with the consolidation and simplification of the agricultural credit laws administered by the Farmers Home Administration. Title IV deals with an extension of the Great Plains Conservation Program, and an extension of the special milk programs for children, the Armed Forces and veterans dairy program.

The House amendment struck out all after the enacting clause of the Senate bill and substituted the language of H.R. 8230 as passed by the House. The Committee of Conference has agreed upon a substitute to the House amendment which contains most of the provisions of the House bill. Following are the major provisions of each Title of the Conference substitute with an indication of the Conference Committee action:

Declaration of Policy: (Language of House bill accepted by Conference.)

TITLE I—SUPPLY AND PRICE STABILIZATION

Subtitle (A)—Consultation on Agricultural Programs: Provides authority for consulting and advising with farmers and farm and commodity organizations in developing agricultural programs. (Senate bill language accepted in lieu of House language on formulation of commodity programs.)

Subtitle (B)—1962 Wheat Program:

(1) A mandatory reduction of ten percent in wheat acreage and offers incentives for producers to reduce their acreage voluntarily another thirty percent to a maximum forty percent acreage curtailment on individual farms. A producer could retire up to forty percent of his allotment or ten acres, whichever is greater, and receive payment for such diversion. (The House bill provided for retirement up to forty percent or fifteen acres,

whichever is greater. The Senate did not have the fifteen-acre land retirement provision. The conferees accepted the House language but changed the fifteen acres to ten.)

Secretary of Agriculture Freeman has stated that "under such a program it would be our judgment that the support price (for wheat) should be fixed at a national average of $2 a bushel." This would be 83½ percent of parity. The support this year is $1.79 or 75 percent of parity.

(2) An exemption from marketing quotas limited to 13.5 acres per farm or the highest acreage planted for harvest in 1959, 1960 or 1961. The present exemption is fifteen acres. (House and Senate bills both carried this provision.)

(3) Price support limited to producers who do not exceed their reduced 1962 acreage allotment and who divert an acreage at least equal to ten percent of their previous acreage allotment to conservation uses, with payments in cash or in kind on up to forty-five percent of normal production for such diversion. (The Senate provided forty percent payments on the ten percent reduction, the House fifty percent. The conferees agreed upon forty-five percent. On diversion to conservation uses of the land affected by the compulsory ten percent reduction in acreage, the conferees accepted the language of the Senate bill which had been stricken by an amendment to the House bill. The House action would have had the effect of permitting producers to plant any other crops except crops under allotments on the ten percent of the wheat acreage they were required to retire, if they elected to forego their payments for retirement of such acreage.)

(4) Payments in cash or in kind up to sixty percent on normal production on wheat acres voluntarily removed from production above the mandatory ten percent diversion. (The Senate provided payments of fifty percent, the House sixty percent. The House figure was accepted by the conferees.)

(5) Authority for producers to plant castor beans, guar, sunflower, safflower, or sesame, if designated by the Secretary, subject to the conditions that no payment shall be made with respect to diverted acreage devoted to any such commodity. (The conferees accepted the House language but added guar to the list of crops which might be planted on diverted acres under such conditions.)

(6) Increases the marketing penalty from forty-five to sixty-five percent of parity price and establishes stricter computation of amount subject to penalty, in cases of noncompliance with allotments. (Both bills contained this provision.)

(7) Provides that where producers can prove their 1959 and 1960 acreage and yields, these figures shall be accepted.

(8) Authority for 3 years, beginning with 1962, for the Secretary to increase durum wheat acreage allotments if the supply warrants. No export subsidies on durum if acreage is increased. (Both bills had versions of this provision.)

Subtitle C—1962 Feed Grains Program:

(1) A voluntary retirement of acreage previously devoted to corn, grain sorghum, and barley. The 1962 program would add barley to the grain program in operation for corn and grain sorghum in 1961. A special exemption is provided for producers of malting barley. (These provisions generally were similar in Senate and House bills. The Senate language on malting barley was accepted, with an amendment limiting price supports to producers who do not exceed 110 percent of their 1959–60 average acreage.)

(2) Payments to producers on retired acreage up to fifty percent of the normal value of production on these acres, at the current support rate, for the first twenty percent of the corn, grain sorghum, and barley acres retired to a conservation use, and payment up to sixty percent of the normal value of production on land retired above twenty percent of the previous acreage in these crops. Any producer may place a minimum of twenty acres of cropland in conservation use and receive payments.

(3) A price support level determined at the discretion of the Secretary of Agriculture, but not less than sixty-five percent of parity. Under similar provision in the 1961 program the Secretary set the support of corn at $1.20 a bushel or 74 percent of parity, and grain sorghum at $1.93 a hundredweight or 78 percent of parity. The corn support in 1960 was $1.06 and grain sorghum, $1.52.

(4) As a condition of eligibility for price support a producer of corn, grain sorghum or barley (except as provided for malting barley) must participate in the acreage reduction program for these crops in 1962, to the extent prescribed by the Secretary. To be in compliance with the program, a producer of corn or grain must not increase his acreage of barley and a producer of barley must not increase his acreage of corn or grain sorghum.

(5) Omits a provision in the House bill which would have denied ACP assistance to draining wetlands, if the Secretary of the Interior had determined that such drainage would be injurious to wildlife.

Subtitle (D)—Marketing Orders:

(1) Adds to the Agricultural Marketing Agreement Act of 1937, peanuts by areas of production, turkeys and turkey hatching eggs, cherries and cranberries for canning or freezing; and also adds apples, both fresh and for canning and freezing (and products except canned or frozen products are covered) in Michigan, New York, New England, Maryland, New Jersey, Indiana, and California. The provision relating to peanuts requires that if any orders are developed for peanuts, each of such orders shall be limited to peanuts produced in one of the areas named in the bill. Tobacco would remain in the list of commodities where producers, if they wish, could develop marketing orders. Soybeans are deleted from this list. (The Senate language was followed generally in this section. Chicken hatching eggs were in the Senate bill but were dropped by the conferees.)

(2) Requires processors representing over fifty percent of the volume of cranberries, cherries, and apples for canning or freezing to approve any marketing order, as well as producers, before it can become effective.

(3) Also includes Senate provisions: (a) amending the above-parity provision of the Act to prevent termination of orders prior to the end of the marketing season; (b) changes the civil penalty provision to aid enforcement by reducing the penalty and dropping "willful"; (c) permits orders for groups or portions of commodities; (d) requires referendums for initial orders and that the ballot describe the order; and (e) provides for processor referendums in cases where processor approval is required.

(4) Adds to the commodities subject to import regulation under Section 8e, when marketing orders are in effect on the same commodities in the United States, oranges, onions, walnuts, and dates except dates for processing. The House bill would have extended the provisions of this subsection to cover all agricultural commodities for which marketing orders are in effect whereas the Senate bill added no new commodities to this subsection.

Subtitle (E)—Wool: Extends the National Wool Act for four years to March 31, 1966. (The Senate bill provided a three-year extension, the House bill five years.)

TITLE II—EXTENSION AND AMENDMENT OF PUBLIC LAW 480 (AGRICULTURAL TRADE DEVELOPMENT AND ASSISTANCE ACT)

(1) Amends Title I (Sales of Commodities for Foreign Currencies) of Public Law 480 to—

(a) Extend title for 3 years.

(b) Establish a limitation of $4.5 billion on disposal of surpluses under Title I agreements for a 3-year period and an annual limit of $2.5 billion. The House bill placed no dollar limitation on such sales but contained a provision requiring an advance notice to the appropriate committees of the provisions of all agreements involving commodities valued at more than five billion dollars.

(c) Authorize the use of foreign currencies for dollar sales to American tourists.

(d) Improve the agricultural market development activities in foreign nations by setting aside five percent of the foreign currencies acquired each year to this purpose and by requiring that not less than two percent of the foreign currency sales proceeds be convertible into the currencies of other foreign nations as the Secretary of Agriculture deems necessary to improve overall U.S. market development activities.

(2) Amends Title II (food donations to relieve distress among friendly peoples) to—

(a) Extend Title II for three years through December 31, 1964.

(b) Extend authority for economic development for three years through December 31, 1964.

(c) Continue present authorization of $300 million per year, plus carryover.

(d) Make annual limitation applicable to amount programed rather than amount spent.

(3) Makes no change in Title IV of Public Law 480 (authorizing sale of surplus commodities on long-term credit). The Senate and House bills were sharply different on proposed amendments to Title IV and the Committee of Conference believes that amendment of this Title should be deferred until the House and Senate Agriculture Committees have had an opportunity to devote further study to the matter. The House conferees point out, however, that the interest rate stipulated in Title IV was intended as a maximum and urge the Secretary to make such reductions in the rate as may be necessary to move commodities out of storage, where they are now costing annually as much as 25 percent of their value.

(4) The Conference Committee specifically approved and reiterated the statement of policy with respect to Public Law 480 which appeared in the House Report (Report No. 754) on the House bill (H.R. 8230). Following is the text of this statement of policy.

"STATEMENT OF POLICY

"Title II of H.R. 8230 amends and extends the Agricultural Trade Development and Assistance Act, commonly known as Public Law 480. The general character of the amendments is to reemphasize this committee's consistent position that whatever may be the collateral benefits to be derived from the operation of Public Law 480 (and the committee recognizes that they are many) the basic purpose of the statute is that of an adjunct to our domestic agricultural programs to provide an orderly and beneficial means of disposing of commodities which are acquired by the Commodity Credit Corporation pursuant to its statutory price support operation or are designated as surplus by the Secretary of Agriculture as part of his statutory obligation of carrying out agricultural stabilization programs.

"Since it is the assets of the Commodity Credit Corporation which are involved in every operation under Public Law 480, it

seems clear to this committee that the basic responsibility for handling those assets is and must remain with the officer of government, the Secretary of Agriculture, who has the responsibility and obligation of managing and accounting for those assets.

"This does not mean that these assets of the CCC and the programs derived from their use cannot be potent instruments of our national policy throughout the world. The production of American farms, through the Marshall plan and subsequent programs, saved a large part of Europe from communism following World War II. This productivity of our agriculture is today the greatest single stabilizing influence in the economy of the free world.

"If there is any single field of endeavor where American superiority over the Communist world is clearly apparent it is in the field of agriculture. Even today with all of the accomplishments the Russians are demonstrating in astronautics, both Russia and Red China are unable to feed themselves adequately and are turning to the free world for food supplies. It seems to this committee that the citizens of a developing nation, if given a proper choice, would far rather cast his lot with a nation which has demonstrated it knows how to produce food in abundance than with a nation that might be able to shoot him around the world in a rocket. The committee hopes that our abundant food supplies will be used wherever possible to help demonstrate this basic contrast.

"The record of the committee with respect to authorizations for Public Law 480 will show that it has never hesitated to make available all of the assets of the CCC which the executive branch has requested for use in effectuating our international policy. At the same time the committee does not want the direct benefits to the American people and particularly to the American taxpayer to be overlooked in favor of the indirect benefits which may flow from the use of our food supplies in the international field.

"One of the basic objectives to be kept in mind in this program is the development of future commercial markets for American agricultural commodities. Every program that is undertaken under Public Law 480 should be geared to this objective and should be carried on in a form that will have greatest possibility of future commercial market development. There should also constantly be borne in mind the policy that disposal of our agricultural surplus should always be made in the manner which will give the greatest practicable return to the United States and to the Commodity Credit Corporation.

"In this connection, the committee expresses its disappointment that those delegated the authority of making purchases of sugar throughout the world to replace the quota withdrawn from Cuba have not made such purchases the basis of additional sales of American agricultural commodities, as they were directed by law to do. In spite of the clear directive in the law that 'special consideration' should be given to those countries which agreed to purchase our agricultural commodities in return for our purchase of their sugar, not one dollar's worth of agricultural commodities have been sold in return for our purchase of more than a million tons of such sugar and specific offers to make such transactions have been refused.

"With respect to Public Law 480 and other forms of export the committee believes and intends that the following order of priority should govern our sales and other disposal of agricultural products: 1. Sales for cash dollars. 2. Sales for short-term dollar credit. 3. Barter for strategic and other material. 4. Sales on long-term dollar credit under title IV. 5. Sales for foreign currency. 6. Donations.

"The committee believes that rather than emphasizing one program to the exclusion of all others with respect to a particular country, there are many instances where the most appropriate type of transaction will involve several of the available methods of disposing of these commodities. It is gratified to know that the Department of Agriculture has taken steps to coordinate all disposal programs into a single agency where a representative of a foreign government or a potential foreign purchaser can sit down and talk to the same individual about cash purchases, dollar credit, barter, purchases for local currency, and donations.

"The Commodity Credit Corporation is the largest owner, buyer, and seller of agricultural commodities in the world. The fundamental differences between the functions of Government carried out in its proprietary capacity (such as commercial sales of Commodity Credit Corporation stocks) and disposal operations conducted in the furtherance of foreign policy objectives, must be recognized. With respect to the former, there is no reason or occasion for subordinating the judgment or discretion of the Secretary of Agriculture to that of other agencies of Government.

"In the case of disposal operations involving government-to-government arrangements in furtherance of foreign policy objectives, there needs to be interagency coordination. But even in these instances, the judgment of the Secretary of Agriculture should be given full effect except to the extent that overriding foreign policy considerations require otherwise. In such instances these objectives should be clearly defined so that the cost of such operations cannot be fairly assessed against or charged to agriculture. The committee is insistent that the primary responsibility for programs under Public Law 480 must remain in the Department of Agriculture, but it recognizes the need as referred to above for the coordination of these programs with the policies of the State Department including ICA, USIA, and others. In view of the foregoing the committee looks with favor upon the effort made by the President to coordinate the various interests involving foreign policy consideration at the White House level."

(5) Exchange of Sugar for Surplus Agricultural Commodities:

The Committee of Conference deplores the fact that the responsible Departments of the Government have not taken the opportunity in purchasing ex-quota sugar (that bought from nonquota countries as the result of withdrawal of the Cuban quota) to sell additional quantities of agricultural commodities.

In the law extending the Sugar Act from March 31, 1961, to June 30, 1962, Congress provided that "special consideration" in the purchase of ex-quota sugar should be given to those countries purchasing U.S. agricultural commodities. In spite of this requirement, not one pound of surplus commodities has been sold under this provision.

Authority to administer this provision of law was delegated by the President to the Secretary of Agriculture in Proclamation Number 3401 in these words:

"Do hereby continue the delegation to the Secretary of Agriculture of the authority vested in the President by Section 408(b)(2) and Section 408(b)(3) of the Sugar Act of 1948, as amended, such authority to be continued to be exercised with the concurrence of the Secretary of State."

In spite of this clear delegation of authority, the Department of Agriculture did not establish any regular procedures or method for receiving proposals to exchange sugar for agricultural commodities and it appears that the part played by the Department of State has been substantially larger than the "concurrence" required by the President.

In testimony before the House Agriculture Committee, an Assistant Secretary of State asserted that he did not agree with the directive of Congress with respect to the exchange of sugar for agricultural commodities, that he considered this to be poor policy, and assumed full responsibility for turning down specific proposals for such an exchange which have been made by delegations from foreign countries.

This position was reiterated by another Assistant Secretary of State in a letter to a Member of Congress in which he said: "From the foregoing considerations, it was decided that proposals to make allocations of sugar quotas conditional, upon purchases of surplus wheat or other commodities or products would complicate administration of the sugar program and would be contrary to sound commercial trade policy. This view was made known to officials of the Brazilian Government when they requested a discussion of the matter."

Obviously some subordinate officials in the Department of State not only frown upon the clear intent and meaning of legislation which has been enacted by Congress, but arrogantly and deliberately refuse to execute the laws enacted as Congress has clearly indicated such laws should be administered.

While these officials and representatives of the Executive Branch of the Government might not be guilty of malfeasance they very well may be guilty of misfeasance of office.

Apparently every roadblock that can possibly be arranged and devised has been provided to obstruct and to delay the disposition of surplus agricultural commodities except for foreign currencies. Certainly strategic materials vital in our own economy are worth far more to our Government, in exchange for our agricultural commodities, than are foreign currencies of doubtful value. We still need many strategic materials in our stockpiles, yet those who are administering our programs seem to prefer stockpiles of these currencies of doubtful value which have accumulated and are being accumulated in many nations around the world.

If these programs which Congress has initiated and authorized are not honestly and fairly administered and executed, only representatives of the Executive Branch of the Government can be blamed. In no one of these programs has Congress written mandatory provisions, but on many occasions Congress has indicated that strategic materials, or sales for dollars or dollar credit, are to be preferred to sales for foreign currency. Notwithstanding we continue to accumulate these currencies instead of strategic and vital materials. If some drastic action is not taken by the Executive Branch of the Government the disposal of our agricultural commodities will be retarded and the taxpayers will bear the burden of the storage costs involved.

TITLE III—AGRICULTURAL CREDIT

(1) Real estate loans:

(a) To persons who are or will become owner-operators of not larger than family farms. (The House bill had included holders of fractional interests if all owners joined in the mortgage).

(b) Available to all farm owners and tenants for soil and water conservation measures.

(c) May be made to certain nonprofit associations for soil and water conservation, drainage, and flood control, with an insured loan limit of $1,000,000 and a direct loan limit of $500,000. (The House bill had an insured loan limit of $2.5 million.)

(d) Sets the limit on loans to individuals for land acquisition at $60,000. (The Senate bill had no such limit.)

(e) Both insured and direct loans may be made up to 100 percent of normal value of the farm.

(f) Provides interest rate of not to exceed five percent plus fees. Out of five percent paid by insured loan borrowers, one-half of one percent to go to insurance fund and one-half of one percent now used for ad-

ministrative expenses could go to the lender as additional interest.

(g) In determining eligibility for real estate loans the Secretary must consider prevailing private and cooperative interest rates in the community and must determine that the applicant is a U.S. citizen, has farm background and either training or experience and is or will become a family farm owner-operator.

(2) Operating loans.

(a) Increases loan limit from $20,000 to $35,000, and limits term of loan to 7 years. (The House bill had provided $30,000 and 10 years.) Not more than twenty-five percent of the annual appropriation can be used to create borrower indebtedness in excess of $15,000.

(c) Authorizes participation loans up to eighty percent with private lenders.

(d) Provides interest rate of not to exceed five percent.

(e) Authorizes loans to soil conservation districts which are unable to obtain necessary credit elsewhere on reasonable terms and conditions, to purchase farm equipment customarily used for soil conservation purposes. Single loans are limited to $35,000 outstanding indebtedness and total loans cannot exceed $500,000 in any one year.

(f) In determining eligibility for operating loans the Secretary must consider prevailing interest rates in the local community and must determine that the applicant is a U.S. citizen, has farm background and either training or experience and is or will become a family farm owner-operator.

(3) Emergency loans:

(a) Authorized in areas suffering from natural disaster conditions. (The House bill has also provided for loans in an "economic emergency.")

(b) Provides interest rate of not to exceed three percent under terms applicable to regular real estate or operating loans.

(c) In determining eligibility for emergency loans the Secretary must consider any established farmer or rancher or citizen of the United States or a private domestic corporation or partnership engaged primarily in farming or ranching in designated areas with experience and resources sufficient for probable successful operation, and persons or corporations outside designated areas who have suffered severe production losses not general to the area.

TITLE IV—GENERAL

Contains the following provisions:

(1) Extension of Great Plains conservation program to December 31, 1971.

(2) Extension of the school milk program for five years through June 30, 1967, with the House provision requiring annual appropriations.

(3) Extension of the veterans and Armed Forces dairy programs for three years through December 31, 1964.

(4) Omits a House provision which would have made additional State and local penal and correctional institutions eligible for donation of surplus foods.

(5) Omits the Senate provision relating to Cooperatives for the reason that the Committee of Conference considers the Senate language to be unnecessary and a mere restatement of existing law.

The Committee of Conference hereby reaffirms, consistent with the policy embodied in the Capper-Volstead Act, the Cooperative Marketing Act of 1962, the Agricultural Marketing Act of 1929, as amended, the Farm Credit Act of 1933, as amended, and related legislation, the national policy of aiding and encouraging the organization, operation, and sound growth of farmer cooperatives to the end that the farmers of the Nation may through group action conduct their business operations effectively to obtain a fair share of the Nation's income.

The Committee of Conference construes existing provision of law to mean that two or more cooperative associations, as defined in the Agricultural Marketing Act of 1929, as amended, may act jointly in a federation of such cooperative associations, or through agencies in common, in performing those acts which farmers acting together in one such association may lawfully perform.

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W. R. POAGE,
CARL ALBERT,
PAUL C. JONES,
CHARLES B. HOEVEN,
PAGE BELCHER,
ALBERT H. QUIE,
Managers on the Part of the House.

Mr. COOLEY. Mr. Speaker, before presenting this conference report, I want to compliment and to commend the members of the staff of the House Committee on Agriculture, Mr. John Heimburger, Mr. Frank LeMay, Mr. Hyde Murray, and Mrs. Christine Gallagher, for the splendid work they have done. These four members of our staff have been with us through all the hearings, both the open hearings, the hearings in executive sessions, and the many conferences which have been held. They stayed with us through the long hours of the conference. Under my direction they prepared the conference report. We ended our labors at midnight last night, but they remained on duty until about 2 o'clock this morning.

Not only did these members of our professional staff perform the duties assigned to them, but the other members of our staff, the stenographic helpers, also worked long hours in the preparation of this report. I am certain that all the members of our great committee will join with me in thanking them for their splendid efforts.

Mr. Speaker, this long and hard fight for farm legislation started several months ago. I realized even before I introduced the administration's bill that it would become highly controversial. At the same time, I appreciated the fact that both our great President and our distinguished Secretary of Agriculture were prompted by the purest of motives when the bill was prepared and presented. While our committee was not willing to accept all of the recommendations of the President and the Secretary of Agriculture, I for one believe that we have saved just about all of the constructive provisions of the original bill. We eliminated most of the highly controversial provisions, and we now present the conference report which, if approved will provide programs, constructive programs, which will prove to be in the interest and welfare of all of the people of our Nation.

The bill in the final form now presented is not only good for producers, but it is likewise good for consumers and taxpayers. We believe that the programs provided by the legislation now under consideration will result in great financial savings to the taxpayers of the country. These programs will provide an abundance of food and fiber for the consumers of America. These programs will bring about a stability in the income of the agricultural producers of America.

All legislation is the result of compromise—and give and take. When the bill was first before the House, I agreed to accept and to take to conference certain amendments, and I assured the Members of the House that I would do the best I could to prevail upon Senate conferees to accept our bill and all House amendments thereto. That pledge I tried to keep, and I can assure you that all of the House conferees stood with me in my efforts to protect the House bill and all of the amendments here adopted. We were not completely successful in our efforts, but we did the best we could.

Here now is presented the finished product of our deliberations. We hope that this conference report, as presented, will be accepted.

Because the bill contains so many provisions and provides so many programs, we have worked through subcommittees in the preparation and presentation of the Agricultural Act of 1961. I am certain, therefore, that we shall be able to answer any questions which might be propounded concerning any of the provisions of this omnibus agriculture bill.

Mr. BROWN. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN. For some time we have had before this body on different occasions legislation dealing with the question of including under marketing orders American-raised dates; there has been some opposition to that type of legislation because of the fact that for many obvious reasons it has been necessary for the cake-mix, cookie, and other industries in this country to import dates from abroad.

I am happy to see that evidently your committee has worked out a very, very satisfactory compromise of that issue.

Mr. Speaker, I would like to refer, if I may for just a moment, to ask the chairman of the committee a question. I note on page 12, section 8e, as you have amended it, dealing with the Marketing Act, you do include dates and other commodities such as walnuts under the Marketing Act, giving certain authority to the Secretary of Agriculture to expand it, but you have written in there words "other than dates for processing" which, if I understand the language correctly and understand the intent of the conferees, means that imported dates that are brought into this country to be processed into food material, mixes, and so forth, will not come under the control of the Secretary of Agriculture's Marketing Act; is that correct?

Mr. COOLEY. The gentleman is entirely correct. The dates that come in for processing, that go into the manufacture of some food product, would not be affected by any provision of this bill.

Mr. BROWN. Your understanding, then, is the same as mine—that the words "for processing" mean the same thing as "manufactured"?

Mr. COOLEY. Yes; the same as "manufactured."

Mr. BROWN. I thank the gentleman. I have asked this question in order to fix the legislative history, and also legislative intent, in case there is any question.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. Yes; I am glad to yield to my colleague, the ranking minority member on the committee, and see if he concurs in what I have just said.

Mr. HOEVEN. Exactly; and I support the conference report.

Mr. BROWN. Mr. Speaker, if the gentleman will yield further, the word "processing" means "manufacture"?

Mr. HOEVEN. That is the intention of the conferees.

Mr. ARENDS. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Illinois.

Mr. ARENDS. While we, of course, accept the statement of the distinguished gentleman from North Carolina, the chairman of this great committee, I regret that we have not had an opportunity to study this conference report. It has just been made available, and it was included in the RECORD only this morning. I regret that we have not had an opportunity to fully understand what has been incorporated in it, although I want to say that I accept the gentleman's word.

Mr. SISK. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from California.

Mr. SISK. I should like to have one further clarification with relation to what the gentleman from Ohio [Mr. BROWN] said about dates. As I understand, the exception has to do with dates for manufacturing purposes only. I ask this in order to get a definition of the word "processing," because I would like to make sure that dates for sale in packages are covered. But we are talking about those dates only which will be ground up or cut up or in some manner used in baking or preparing other commodities of that type. Is that correct?

Mr. COOLEY. I think the gentleman is correct. Let me make this statement:

In referring to "dates for processing" the conference committee intended to distinguish between dates which are used in manufacturing cookies, candy, and other such products and dates which are sold as dates to consumers.

It is our understanding that virtually all imported dates are brought in in packages weighing about 70 pounds in which the dates are packed in a homogeneous mass. Before the dates are distributed to retail stores and other places for sale as dates it is our understanding that they are steamed and otherwise prepared for packing into retail containers. It may be that some of the dates which are used in manufacturing cookies and candy are also subjected to this steaming and handling process but it is not this process that the bill refers to.

The processing referred to in the bill is the processing of the dates into other commodities such as cookies or candy. Those which are used for this purpose will not be subject to the quality and grade regulations which will be established by the Secretary of Agriculture under the bill. Those which are used for sale as dates to consumers will be subject to such regulations.

Mr. SISK. I thank the gentleman.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Iowa.

Mr. HOEVEN. Because of certain pending litigation, a number of members of the Committee on Agriculture, including myself, have been very concerned about some language that appeared in our House committee report on the omnibus farm bill. I would like to ask the chairman for a clarification of this language.

At page 50 of the House Report No. 754 on H.R. 8230, the following statement appears:

> In the case of milk orders, compensatory payments to the pool may be required on milk not subject to the minimum pricing and pooling provisions of the order to prevent such milk from having an unfair competitive advantage over priced milk and impairing the effective operation of such provisions.

I would like to know if the committee intended this language to be a statement of policy on behalf of the committee or merely a description of how the Department of Agriculture has in the past been administering Federal milk marketing orders?

Mr. COOLEY. Mr. Speaker, in response to the gentleman's question let me say that the sentence to which he refers on page 50 of the committee report on H.R. 8230 is not to be regarded as a statement of policy on the part of the committee nor as any interpretation by the committee of the construction of existing law.

If the gentleman will look on page 49 of the committee report he will see that the sentence referred to occurs in a section of the report entitled "General Background." This background material was prepared for the committee by the Department of Agriculture in order to give those who might not be entirely familiar with the operation of the Marketing Agreement Act some background information on this act and the manner in which it is administered by the Department. This part of the report, therefore, has no significance other than that of a general statement about the present operation of the act.

Insofar as this whole section of the report is concerned, therefore, it is merely a statement of the manner in which the Agricultural Marketing Agreement Act is now operating and no part of it should be construed as either a declaration of the committee's intent with respect to such operations nor as construction of the meaning of any part of the existing law.

Mr. HOEVEN. I am happy to concur with the gentleman from North Carolina. That is my understanding, too.

Mr. COOLEY. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. ANDERSEN of Minnesota. Mr. Speaker, I make the point of order that a quorum is not present. Evidently I cannot secure the attention of the gentleman from North Carolina so that he will yield to me. I have been on my feet for some time asking him to yield.

Mr. COOLEY. I will yield to the gentleman after I have yielded to members of the committee.

Mr. ANDERSEN of Minnesota. If the gentleman will yield to me, I will withdraw the point of order.

Mr. COOLEY. I am yielding to everybody I can. I am yielding to members of the committee first.

Mr. ANDERSEN of Minnesota. Then I renew my point of order, Mr. Speaker.

Mr. COOLEY. Make the point of order. I will not yield to the gentleman under such circumstances.

The SPEAKER. Evidently a quorum is not present.

Without objection, a call of the House is ordered.

There was no objection.

CALL OF THE HOUSE

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 129]

Blatnik	Harrison, Va.	Pfost
Blitch	Harvey, Mich.	Pilcher
Bow	Healey	Powell
Buckley	Hébert	Quie
Cannon	Kearns	Rabaut
Cederberg	Kelly	Rhodes, Ariz.
Cramer	Keogh	Roberts
Curtis, Mass.	McSween	Santangelo
Davis, John W.	Macdonald	Scherer
Dawson	Mailliard	Shelley
Dooley	Mason	Teague, Tex.
Flynt	Miller, Clem	Thompson, N.J.
Gallagher	Miller, N.Y.	Weis
Gray	Morse	Wilson, Calif.
Hardy	Norrell	Zelenko

The SPEAKER pro tempore (Mr. PRICE). On this rollcall, 390 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

AGRICULTURAL ACT OF 1961

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin [Mr. JOHNSON].

Mr. JOHNSON of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a telegram.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. JOHNSON of Wisconsin. Mr. Speaker, I have a question to ask of the gentleman from North Carolina, the chairman of our committee. The same question was asked by Mr. HOEVEN. I have received two telegrams from the attorney general of Wisconsin, Mr. John Reynolds, and the deputy attorney general of Minnesota, Mr. Sydney Berde. The telegram reads as follows:

> Your attention is called to House Report No. 754 to accompany H.R. 8230, dated July 22, 1961. On page 50 the report says that in the case of milk orders compensatory payments may be required on unpooled milk. This statement contrary to the act was neither debated nor considered and is opposed by midwestern dairy interests in the manner now administered by Dairy Branch. Decision of Federal circuit courts

contrary to the statement in the report. Question is now in the U.S. Supreme Court and will be heard this fall. Urgent action requested to remove statement from conference report. Same statement appears at page 38 of Senate Report No. 566 to accompany S. 1643.

The statement you just read to Mr. HOEVEN applies to this language also; is that right?

Mr. COOLEY. I think the gentleman is right; yes.

Mr. JOHNSON of Wisconsin. I thank the gentleman.

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. HOEVEN].

Mr. HOEVEN. Mr. Speaker, we present to you a unanimous conference report on the omnibus farm bill. The conference report at best is only a skeleton of H.R. 6400, the original administration bill. Aside from the wheat section, what remains are mainly extensions and revisions of present laws. I think I should say in defense of the Committee on Agriculture and the conference committee that we have devoted a lot of time and effort to bringing this matter to a head in the form of a conference report.

There has been some criticism because the conference report was not available until this morning. I think that is understandable when I tell you that the conference committee sat in three long sessions, and as late as 9:15 last evening in an attempt to formulate this conference report and present it today. I am sure we are all interested in adjourning this session of the Congress as soon as possible, and so it is by way of trying to expedite the public business that this conference report is presented to you at this time.

In my humble judgment the conference report is much better than either H.R. 8230 or S. 1643 which passed the House only a few days ago. In the revision of my remarks I shall set out a complete list of everything that is in the bill and what has been taken out, so there will be no misunderstanding as to what is in the report.

The conferees have retained the policy statement which was incorporated in the House bill. This policy statement carries the so-called Latta amendment, which prohibits the exporting of subsidized agricultural commodities to any nations except friendly nations, a provision which is very timely and proper at this particular period in our Nation's history.

The bill provides for a 1-year wheat bill, which is really the only new feature in the report.

The report provides for a 1-year extension of the feed grain bill with one significant change, which I want to call to the attention of the Members of the House from the feed grain areas. We have had a lot of complaints about the determination of yields and acreage, so we have written the following provision into the bill:

The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage crop rotation practices, type of soil, soil and water conservation measures, and topography.

And this significant provision:

To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations.

So the burden of proof, as to yields, is on the farmer. If he can prove his particular yield, that will govern.

Further, some additions have been made in the marketing orders provision, including cherries, cranberries, turkeys, and turkey eggs. Chickens and hatching eggs are out. Apples of certain varieties are included. Peanuts are included on a regional basis to be determined by the particular regions involved. Soybeans are out. Oranges, walnuts, and dates, other than dates for processing, are included.

The conference report extends the Wool Act for 4 years. Let me say in passing that I think we have done a significant thing in limiting some of these permanent programs. The Wool Act is one of them. The conferees felt that the Congress should have the privilege and the prerogative of reviewing these programs every so often.

Public Law 480 is the section which deals with the disposal of surplus agricultural commodities. It is a law which is working out very well. I particularly regret the elimination of part of section 201 of title II regarding review of agreements over $5 million. I thought this was a very valuable provision in the bill, which would permit the Committee on Agriculture and the appropriate committee in the Senate to review any agreement in excess of $5 million.

Again, let me warn the House of Representatives that Public Law 480, which is within the jurisdiction of the Committee on Agriculture, is gradually being taken over in its administration by the State Department. We have constantly been fighting that trend. The elimination of this most important feature is another indication that the State Department is running the show.

If the Department of State wants to administer Public Law 480, let us surrender all of our rights and authority over to them, but let us not permit them to take over the way they have been doing.

Mr. ANDERSEN of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Minnesota.

Mr. ANDERSEN of Minnesota. I think the conferees have done a splendid job, especially in the determination of what a farmer shall have for his base under the feed grains section. I think also the conferees have done a splendid job in not agreeing to the inclusion of the so-called Reuss amendment which is simply a duck hunter's paradise at the expense of the small farmers in my area of Minnesota as well as in areas in South Dakota. The gentleman from Iowa is to be commended for his fine work for the farmers of the Midwest.

Mr. HOEVEN. I thank the gentleman for his contribution. May I also say in reply, I am satisfied that the new provision in the feed-grains section I referred to is going to result in more land being taken out of production.

Another provision of the conference report relates to agricultural credit, a nonpartisan, bipartisan effort which has been fully agreed upon.

The extension of the Great Plains conservation program for 10 years is also included.

The extension of the school milk program for 5 years is most important and let us not forget that. It is a very popular program.

The extension of veterans and Armed Forces dairy program for 3 years is also included.

The section relating to cooperators was completely eliminated. The conferees felt this provision was not necessary and that the provision was only a restatement of present law. However, I refer you to the report in this regard which specifically points out the conference position.

Section 404 regarding surplus food distribution to correctional institutions was eliminated from the bill.

A section of the marketing order which has created a lot of controversy relating to the so-called checkoff system for marketing research and advertising and so forth was completely eliminated from the bill.

So what we have left is a statement of policy which is not controversial.

The wheat bill, for 1 year. At least this is an attempt to do something about the wheat surplus problem.

Secondly, an extension of the feed-grains program, much revised and much more acceptable to the feed-grain areas of this country which, in my judgment, will result in more land being taken out of production.

Certain additions to the marketing orders.

The extension of the Wool Act.

The extension of Public Law 480.

The agricultural credit section.

Extension of Great Plains conservation program for 10 years.

Extension of the school milk program for 5 years.

Extension of veterans and Armed Forces dairy program for 3 years.

With the most controversial provisions eliminated from the bill. It has been cut down to size and should be acceptable to most Members.

In order that there may be no misunderstanding as to the major provisions in the conference report, I submit the following list of major provisions of conference report on S. 1643:

First. Declaration of policy: Accepted the House version which includes an expression of congressional intent that the administration shall in no manner either subsidize the export, sell, or make available any subsidized agricultural commodity to Soviet Russia or nations or areas dominated or controlled by communism.

Second. Formulation of new policies: Accepted the Senate version which authorizes the Secretary of Agriculture to

consult with farmers, farm organizations, commodity organizations, handlers, processors, consumers and others in the formulation of new farm programs. Any new program must be submitted to Congress for action in the traditional and constitutional manner.

Third. Wheat:

(a) Payment rates: Established payment rates of 45 percent of the farm average yield for the first mandatory 10-percent cut in wheat acreage and set the payment rate at 60 percent for the second voluntary 30-percent cut in wheat acreage. The Senate bill had provided for 40- to 50-percent rates, and the House bill had provided for 50 to 60 percent.

(b) Cross-compliance: Accepted Senate language in regard to cross-compliance for wheat producers. The amendment by Mr. BATTIN, of Montana, adopted on the House floor, was deleted by the conference.

(c) New farms: The conference accepted the House provision preventing farmers who receive a new farm allotment in 1962 from participating in the land retirement program in 1962.

(d) Guar: Conference accepted Senate provision which will allow wheat farmers to raise guar on acres diverted from wheat in lieu of payments—along with safflower, sunflower, sesame, and castor beans.

(e) Jennings amendment: Conference modified the Jennings amendment to allow small wheat farmers to place up to 10 acres into the special land retirement program in 1962. The House bill allowed these farmers to retire 15 acres. The Senate limited participation to 40 percent of the producer's allotment or planting.

(f) Durum wheat: Included a provision which will be effective for the next 3 years allowing the Secretary to increase the Durum wheat allotments in certain States, if the supply situation so requires. The conferees added a further restriction that if this special authority is used by the Secretary the export subsidy would have to be removed. The House bill was for 1962 only, the Senate bill was permanent.

Fourth. Feed grains:

(a) Wetland drainage: The conference struck from the House bill a provision adopted as an amendment by Mr. REUSS, of Wisconsin, which would have dealt with wetland drainage. There was no comparable provision in the Senate bill.

(b) Malting barley: The conferees accepted the modified version of the Senate provision on malting barley, allowing the production of up to 110 percent of the 1959–60 average farm acreage of barley.

(c) Escape clause: Accepted the Senate amendment which authorizes the Secretary to limit participation in the 1962 program due to emergencies or shortages of feed grains.

Fifth. Marketing orders:

(a) The following commodities are included in the conference bill: Cherries for canning or freezing, cranberries for canning or freezing, and apples both fresh and for canning or freezing in 12 States—New York, New Jersey, Maryland, Michigan, California, Indiana, Maine, Massachusetts, Rhode Island, Connecticut, New Hampshire, and Vermont—turkeys, turkey hatching eggs, tobacco, peanuts in three production areas—Southeast, Southwest, and Virginia-Carolina—and all commodities except those specifically excluded.

(b) The following commodities are specifically excluded from the conference bill: Chicken eggs for hatching, soybeans, honey, cotton, rice, wheat, corn, grain sorghum, oats, barley, rye, sugarcane, sugarbeets, wool, mohair, all livestock, cottonseed, flaxseed, poultry—other than turkeys—eggs—other than turkey hatching eggs—fruits and vegetables for canning and freezing—other than those listed in (a) above—and apples—other than those listed in (a) above.

(c) Any marketing order for apples in the States indicated in (a) above for canning or freezing, any marketing order for cherries for canning or freezing or any marketing order for cranberries for canning or freezing must be approved by processors representing more than 50 percent of the volume of such commodity during a representative period.

(d) Import restrictions: The conference bill adds onions, oranges, walnuts, and dates—except dates for processing—to the list of commodities which must meet the same standard when imported as that which must be met when produced in the United States under a marketing order. The House included all agricultural commodities in this provision and the Senate had no comparable section.

(e) Mandatory checkoff for research, advertising, and promotion: This provision was in the Senate bill and was dropped by the conferees.

(f) Expansion of orders to areas larger than a regional basis: This provision was in the Senate bill and was dropped by the conferees.

(g) Continuation of an order if the price of a commodity is in excess of parity: This provision was in the Senate bill and accepted by the conferees.

Sixth. Wool:

The conference bill extends the National Wool Act for 4 years to March 31, 1966. The House bill called for a 5-year extension; the Senate bill for a 3-year extension.

Seventh. Public Law 480:

(a) Time of extension: The conferees extended titles I and II of Public Law 480 for 3 years through December 31, 1964.

(b) Rate of expenditures: The conferees accepted the Senate provision which limits agreements under title I calling for appropriations to reimburse CCC to $4.5 billion with a provision that during any 1 year no more than $2.5 billion may be committed. The House provision calling for the submission of proposed title I agreements to the Committees on Agriculture of the House and Senate before such agreements could be finally consummated was dropped by the conferees after being initially included. Three hundred million dollars per year is authorized for title II.

(c) Tourist sales for dollars: The Findley amendment which was in the House bill was accepted by the conferees, thus allowing subsequent title I agreements to include a provision for the sale to American tourists for dollars for the foreign currencies accrued pursuant to the sale of surplus farm commodities.

(d) Title IV dollar sales: The conferees made no changes in title IV of Public Law 480. The House provisions calling for a number of amendments to this law were dropped.

(e) Market development: The conferees accepted the House provision which strengthens market development under Public Law 480. The conference bill earmarks 5 percent of the foreign currency sales from each transaction for this purpose and requires that 2 percent of such sales be in a convertible currency to be used for this worthwhile purpose.

Eighth. Title III, farm credit:

(a) Eligibility: The conferees accepted the Senate provision requiring the Secretary to consider local interest rates in determining whether an applicant is eligible for an FHA loan.

(b) Limit on real estate loans: The conferees accepted the House limitation of $60,000 on both insured and direct real estate loans.

(c) Soil and water conservation loans: The conference set the limit for these loans at $500,000 on direct loans and $1 million on insured loans.

(d) Operating loans: the conference set the operating loan limit at $35,000. The House version was $30,000; the Senate version was $40,000.

(e) Loans for rental of farm equipment: The conference limited any loans to soil conservation districts to the acquisition of equipment for soil conservation purposes only and struck the language of the House bill authorizing rental of such equipment to farmers.

Ninth. Cooperatives: The antitrust status of farm cooperatives. This provision was in the Senate bill but was dropped by the conference.

Tenth. School milk program: The conference accepted the House version of the extension of the special milk program for children which extends it through June 30, 1967. Commencing with fiscal year 1963, it calls for direct appropriations rather than the impairment of the capital stock of CCC as is presently done.

Eleventh. Veterans and Armed Forces dairy programs: The conference accepted the House provision extending this program for 3 more years through December 31, 1964.

Twelfth. Donations of surplus food to State and local penal institutions: This provision was in the House bill—adopted on the House floor as an amendment offered by Mr. MACGREGOR, of Minnesota—and was dropped by the conference.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. In the feed grain section the gentleman called attention to the provision which allowed the Secretary to take into consideration the

amount that was actually produced in 1959 and 1960, but there is nothing in the report that states that once the farmer proves his production he shall thereafter be entitled to that production; it is only one of the elements the Secretary may take into consideration.

Mr. HOEVEN. I think the gentleman is mistaken in that respect. The other considerations mentioned will be taken by the Secretary in a case where a farmer cannot prove his case. Let me again read the section:

The Secretary may make such adjustments in acreage and yields for the 1959 and 1960 crop years as he determines necessary to correct for abnormal factors affecting production, and to give due consideration to tillable acreage, crop rotation practices, type of soil, soil and water conservation measures, and topography. To the extent that a producer proves the actual acreages and yields for the farm for the 1959 and 1960 crop years, such acreages and yields shall be used in making determinations. The Secretary may make not to exceed 50 per centum of any payments to producers in advance of determination of performance.

Mr. SAYLOR. It is the opinion of the gentleman that if the producer can make that showing the Secretary must accept those figures.

Mr. HOEVEN. That is my understanding.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. REUSS].

Mr. REUSS. Mr. Speaker, I rise here in opposition to the conference report. I do so with esthetic regrets, but with no doubt at all on the merits of my position.

Just a week ago this body by an overwhelming voice vote adopted an amendment which provided that when the Secretary of the Interior finds that a proposed subsidized drainage of wet lands would materially harm wildlife preservation, then the Secretary of Agriculture must cease and desist, and cannot go ahead with subsidizing that particular drainage. The amendment was supported by almost every conservation organization in the country. Conservationists everywhere have been deeply disturbed by the fact that our continental supply of ducks and geese is in great danger of extinction.

Today the Wildlife Federation reported that it had made two surveys of the duck-breeding wet lands of the Central States, one in 1957 and one just a few weeks ago. In 1957 there were 500,000 potholes and wet lands in this area on which waterfowl nested and rested. Today, in 1961, there are less than 50,000. In other words, 90 percent of this priceless heritage has been blotted out, not all, I must say, by the subsidized drainage program, but by a combination of that and the natural drought which is going on.

In 77 percent of the cases last year where the Secretary of the Interior said to the Department of Agriculture, "No, thou shalt not drain this particular wet land because it will ruin wildlife," the Department of Agriculture went right ahead in the face of that mandate from the Department of the Interior, and subsidized the drainage.

The purpose of the amendment which was adopted by an overwhelming voice vote is to prevent this situation from continuing. If Members will support the proposal which will shortly be made to reject the conference report, the distinguished members of the conference committee can speedily reconvene another conference, walk down the hall, and tell the Senate conferees that the House meant what it said. They can be back here in 10 minutes, and I for one will be delighted to support the farm bill which emerges from conference—one which combines a good farm program with a good conservation program.

I know it will be said that you cannot beat the powerful House Committee on Agriculture—and maybe it is so. But I would recall to Members that David took a chance in his encounter with Goliath. Let us see what the vote will determine.

Mr. DINGELL. Mr. Speaker, I would like to stress to my colleagues that a vote against this conference report does not necessarily constitute a vote against the farm program, nor does it prevent us from having a farm program. It merely says that the House stands firmly on its position, that this drainage program shall be conducted within the boundary of wisdom and commonsense, that it shall not be discontinued but shall be conducted in a sane manner. The conferees can meet and return to us with an intelligent farm program, including the prohibition against Federal assistance to finance an unwise drainage program, and we can have within a matter of hours or minutes a new farm program to vote on in the House of Representatives.

Mr. REUSS. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. The Secretary of Agriculture is draining wet land and the Secretary of Interior is spending tax money to preserve and to create wet lands. All the Reuss amendment did was to ask that the two Secretaries get together and determine where the Federal money shall be spent. If in their opinion it should be drained then drainage will take place. If it is determined that a greater advantage will result by keeping the area as wet lands then there will be no money spent for drainage.

It is a good amendment. It should be adopted. It is placing a little consistency in these two departments of Government with regard to a common problem. And I am surprised that the House conferees yielded and took it out. If the agricultural representatives in Congress are really interested in preserving their system, they would have kept this in, and they would have cooperated with the Department of the Interior, would save the taxpayers' money and would have had a much better bill.

Mr. COOLEY. Mr. Speaker, I yield such time as he may desire to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Mr. Speaker, in the bill under consideration, the authors have handed the House an omnibus bill containing both good features and bad features. This is an obvious strategy to induce the balking Members to approve the entire package in order to be recorded in favor of the few aspects of the bill which they approve.

I personally am strongly in favor of such programs as extension of the school milk program and the veterans and Armed Forces dairy programs. However, these matters can be handled in separate bills. I do not intend to be stampeded into support of other disastrous provisions of this bill in order to attain the few good provisions.

I oppose paying subsidies to farmers not to produce. If a laborer asks for 8 hours' pay for 4 hours of work, it is called featherbedding. When a farmer asks 8 acres' income for 4 acres of crops, it is called farm policy.

If a clothing manufacturer experiences economic difficulty, he gets no subsidy. The little storekeeper in economic trouble receives no handouts. Why should we subsidize one segment of our economy?

Furthermore, the entire price support program must result in higher prices to food consumers. Is it not high time we showed some concern about the consumer? Is it not also time we started looking at the real problem; namely, why farmers' incomes are so low and food prices so high? The answer may be in the profits of the giant food companies which act as jobbers and middlemen. This is the field in which Congress should show real concern.

Mr. COOLEY. Mr. Speaker, I would like to call attention to a typographical error in the statement of the managers on the part of the House.

On page 37 the reference is to the Cooperative Marketing Act of 1962. That should be to the Cooperative Marketing Act of 1956.

Mr. Speaker, I now yield such time as he may desire to the gentleman from Texas [Mr. FISHER].

Mr. FISHER. Mr. Speaker, one of the provisions in the farm bill which this body has passed is the extension of the National Wool Act. One of the important provisions of this act is a self-help feature through which growers of lambs and wool have twice voted in a referendum to permit a deduction of 1 cent per pound of wool they sell, to go into a fund for the betterment of their products through advertising and promotion. The growers themselves have expressed to me that they look upon promotion as including marketing and development research as a mean of finding better ways to merchandise lambs and wool. In fact, there is a dire need at the present moment for such marketing research in order to merchandise the products of the sheep industry to the best possible advantage. The U.S. Department of Agriculture is also in accord with this thinking.

Since I can find no previous legislative history in this regard, I would like to ask the chairman of the House Committee on Agriculture if he feels that

such marketing research can be considered as a proper and worthwhile function of this program which has as its aim improved merchandising of lamb and wool.

Mr. COOLEY. Mr. Speaker, I would like to yield to the gentleman from Texas [Mr. POAGE], chairman of the subcommittee of the House Committee on Agriculture, and ask him to respond to the question.

Mr. POAGE. Mr. Speaker, I agree with the gentleman from Texas that if expenditures for advertising of lamb and wool, or any other agricultural commodity, are to be utilized to their fullest, it is necessary to determine through research the most effective ways to merchandise these products. I think it goes without saying that marketing and development research is an integral part of this self-help program. Furthermore, I am sure that was the intent of the Committee on Agriculture when the hearings were held this spring on extension of the National Wool Act. Indeed, I think that was the intention of the original National Wool Act, and I cite the gentleman to section 704 of the act of 1954, which is the basic Wool Act. I think it clearly authorizes this type of expenditure and I commend the growers of lamb and wool for their desire to seek, through research, ways to make advertising dollars go further in effectively promoting their products.

Mr. FISHER. I thank the gentleman.

Mr. COOLEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Minnesota [Mr. NELSEN].

Mr. NELSEN. Mr. Speaker, during the discussion on the feed grain section, I posed two questions that should be cleared up. I think our minority leader has answered the questions, but for the record I would like to restate the following question:

> It has been the practice of affording protection to the farmer who has had land in the soil bank to such an extent that it decreases his corn base. In these instances, the Department has come back to pick up his normal corn acreage history in establishing his base for the new program. The question arises then: If a farmer has soil banked his normal corn acreage at his own expense, why should he be penalized as compared to the farmer who has soil banked a part of his usual corn acreage at the taxpayers expense?

I believe this is covered in subtitle C of the bill, if I am not mistaken. Could this be cleared for the record?

Mr. COOLEY. I will yield to the gentleman from Texas [Mr. POAGE], to respond to the gentleman's inquiry.

Mr. POAGE. I think it is quite clear that if a man simply abandoned the growing of corn or any other grain and did not grow it in 1959 or 1960, he gets no credit for it and he has no base. On the other hand, if the man was following a practice of rotation and was either rotating or using that land for legumes or other rotation crops, or if he was fallowing it in a regular rotation, I think it is clear that the provisions of this bill give the Secretary of Agriculture the opportunity and the right to take that into consideration in determining what his base was. But, I do not think the mere fact that the man did not plant in 1959 and 1960, if it was his own action, that the Secretary would have a right to give him any base.

Mr. NELSEN. Sweet corn, as I understand, is not considered to be corn under the terms of the bill, and I want to have an understanding. If a man has sweet corn, is that considered to be corn?

Mr. POAGE. I am afraid that I have in previous private conversations possibly misinformed the gentleman from Minnesota. I advised the gentleman from Minnesota that the statute describes corn as field corn, and that is correct. But there is another point in the statute where it is provided that corn for silage is corn, and consequently I think, on reflection, we would have to decide that if the corn, whether it be sweet or field, is cut for silage, that it is corn under the terms of the basic law and consequently I would be of the opinion that the Secretary could, in the future, if he saw fit, consider corn, whether sweet or field corn, that is being cut for silage, as being subject to the terms of this law and could make the payments and provide for the reduction in acreage.

Mr. NELSEN. I thank the gentleman. It is my understanding that there has been a method devised to get around the intent of the feed grain bill by putting sweet corn into silage, which I think negates the intention of the act, and I believe it would be a mistake to permit such a practice to continue.

Mr. POAGE. The gentleman should bear in mind that the base years are 1959 and 1960, and unless a farmer was growing sweet corn for silage in 1959 or 1960—and I do not know of any farmer who was; I am sure that in 1960 there were farmers who did that sort of thing—the growth of sweet corn in 1960 would give them no base. The growth of it in 1959 would give him a base.

Mr. NELSEN. I thank the gentleman.

Mr. ANDERSEN of Minnesota. Mr. Speaker, will the gentleman yield, whom I have always considered up to this minute one of the best friends of the farmers of the United States?

Mr. COOLEY. Mr. Speaker, I want to say to my friend that I have already yielded to five Republican Members and I have not yielded to a single Democrat. The gentleman from Wisconsin [Mr. JOHNSON], a member of my committee, was seeking recognition, and was on his feet just as long as the gentleman from Minnesota [Mr. ANDERSEN], has been on his feet.

Mr. Speaker, I am glad to yield the gentleman from Minnesota [Mr. ANDERSEN] 5 minutes, and let him make a speech.

Mr. ANDERSEN of Minnesota. Mr. Speaker, if we here today agree with the gentleman from Wisconsin [Mr. REUSS] in his attempt to defeat and vote down the conference report, then each and every one of us would be placing the welfare of the duck hunters from Milwaukee ahead of the welfare of the small farmers throughout the Midwest. I want to tell you why.

The gentleman from Wisconsin opposed the appropriation for our agricultural conservation program recently because of the drainage practices affecting potholes on midwest farms. He failed that attempt. The gentleman then turned to the new agricultural bill for 1962 and succeeded in amending that bill in the House in order to damage the ACP by giving the Department of the Interior, through the Fish and Wildlife Service, the right to superimpose its judgment on that of the Department of Agriculture. The gentleman's amendment would have given veto powers to the Fish and Wildlife Service, over the actions of the ACP.

Now the Fish and Wildlife Service is a good service. I am as much in favor of wildlife conservation as any man in this House. Some years ago, Mr. Hope and I started the pilot watershed program under which my friends, the sportsmen, benefited, and they do today.

I do not dislike duck hunters. I have hunted ducks myself and I love to go duck hunting. It is a good sport, and good recreation, and should be encouraged. I hope to be able to do some more of it, in the future, and therefore I am strongly in favor of the conservation of wildlife.

But the gentleman from Wisconsin wants to carry it to the point where the Department of the Interior would have the right to veto the programs of the Department of Agriculture.

If my neighbor, for example, came to the ASC county committee or the SCS technician and said, "I would like a little assistance in putting in a sod waterway." The Department of the Interior could say to him, "That sod waterway would drain one of these little potholes on the farm. Therefore it is too bad; but you cannot have any assistance to drain that pothole, because you might have a spot there on which a duck could raise a little flock of fledglings. No; you cannot drain that."

They could superimpose their judgment on that of the county committee and the SCS technician, and refuse to allow them to assist the farmer with his sod waterway. All because it might take out of existence some of these little potholes that infest the farms of the Midwest; that dry up in the middle of the summer; and which provide better breeding places for mosquitoes than they do for ducks.

The gentleman from Wisconsin did not think much about that when he tried to put through his amendment not long ago, to curtail the appropriation for ACP and for the farmers. Oh, no. He nearly accomplished it in the House, and it is a matter of record.

Mr. Speaker, why do something here today to put the farmers of my area against the sportsmen? I do not want to see a situation where the farmer will stand with a shotgun and tell the duck hunters from Minneapolis and St. Paul and Milwaukee to keep out. We have a good relationship with them today; but my friends, if you listen to my friend from Wisconsin [Mr. REUSS] and his appeal to put the duck hunter against the small farmer, that is going to be the end of that good relationship.

Mr. Speaker, we have here, a good conference report on the farm bill. Let

us not open it up. Let us not imperil all of these other provisions. Let us adopt it.

Mr. COOLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. LATTA].

Mr. LATTA. Mr. Speaker, I yield to the gentleman from New York [Mr. BECKER].

Mr. BECKER. Mr. Speaker, I appreciate the gentleman yielding. I want to ask the chairman of the committee a question, if he will permit me to do so at this time. He said earlier that this farm bill would cost the taxpayers less money. Yet I see in the Federal Personnel Act that between May and June of 1961 the personnel increased by 11,000 in the Department of Agriculture. Also, during the months of April and May the cost of additional personnel in those months was $4,348,000. Now, there is an additional 11,000 personnel in June over May. I wonder what that is going to cost the taxpayers, and how that is going to reduce the cost of the farm program? I wonder if the gentleman from North Carolina could answer the question?

Mr. COOLEY. I shall be very glad to answer the gentleman's question, but not in the time of the gentleman from Ohio.

Mr. BECKER. Will the gentleman answer it soon?

Mr. COOLEY. Yes.

Mr. DEVINE. Mr. Speaker, will the gentleman yield?

Mr. LATTA. I yield to the gentleman from Ohio.

Mr. DEVINE. Mr. Speaker, I have been invited to explain in connection with the discussion on the floor earlier today that the hijackers, the pirates, have given up, all passengers have left the plane, and no one has been hurt. There are no further details at this time.

Mr. LATTA. Mr. Speaker, I should like to ask my distinguished chairman a question on the feed grain section. As I understand, there has been a slight change in the language in the feed grain section. I am concerned with the farmer who in 1959 and 1960 had an average production of 100 bushels of corn to the acre on his farm. The way this bill is now written, can he get that same production under this program?

Mr. POAGE. If he can prove his production, the Secretary of Agriculture is required to give him all of the history that he can prove.

Mr. LATTA. Even though there has been a change in the language, the same procedure in administering this act will be used in 1962 that was used in 1961?

Mr. POAGE. No. I think we will get a better procedure in 1962 than we had in 1961, because in 1961 a man had to get his history and then appeal. We now provide that before there is any appeal, in making the original allotment to the extent that a producer proves the actual acreage and yield for the farm for the 1959 and 1960 crop years, such acreage and yield shall be used in making the determination. In other words, we put the burden on the Secretary to use them in the first place, what the farmer proves. In the 1961 program the Secretary did not have to use those yields, but he did have to give them on appeal. That is the difference now.

Mr. LATTA. I thank the gentleman.

One further question on the feed grain section. I notice that the words "adversely affecting production" have been removed from the feed grain bill. If a person had an abnormal yield in 1959 and 1960 and can prove it, may I ask whether he will still be entitled to that abnormal production in 1962?

Mr. POAGE. That was certainly the intention. I think the language is perfectly clear, that to the extent that he proves his actual yield that shall be used in making the determination.

Mr. LATTA. I thank the gentleman.

I want to say to the House that I am very proud of the job our conferees have done to preserve certain House provisions and amendments. I think they have retained most of the important provisions that we passed in the House that were not in the Senate bill. Naturally, I am still opposed to the wheat section of this bill and to certain sections of the feed grain title. However, I realize that this section and titles have already been acted upon and decided by the House and as such are not now at issue. I am particularly pleased that the conferees kept in the amendment I submitted, which would establish it to be the policy of the Congress to oppose the subsidized sales of foodstuffs to Russia and the Eastern European Communist bloc countries. The Congress has now put the Commerce Department on notice in this bill that we do not approve of such sales. Therefore, as soon as this bill becomes law, these sales should cease and the Department's order of June 22 revoked.

Mr. COOLEY. Mr. Speaker, I yield to the gentleman from New Mexico [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I take this time to ask the chairman of the committee a couple of questions. I should like to call the attention of this House to pages 34 and 35 of the report. As I understand it, the Assistant Secretary of State testified before your committee that he did not agree with the directive of Congress with respect to the exchange of sugar for surplus agricultural commodities. He said he considered this to be poor policy and assumed the full responsibility for turning down specific proposals, for the exchange of sugar for our surplus wheat, as presented by the Government of Brazil.

Mr. COOLEY. I would like to advise the gentleman from New Mexico that the President in the following language delegated the authority to the Secretary of Agriculture. He says:

> I do hereby continue the delegation to the Secretary of Agriculture of the authority vested in the President by section 408(b)2 and section 408(b)3 of the Sugar Act of 1948, as amended. Such authority to be continued to be exercised with the concurrence of the Secretary of State.

Unfortunately, the State Department operating through a man by the name of Martin seems to be making all of the decisions with regard to the purchases of sugar from all sources for our own domestic market. Mr. PAUL JONES of Missouri is chairman of our Legislative Oversight Subcommittee, and he has conducted hearings and has had Mr. Martin before the committee. I sat in on part of the hearings. I am frank to say Mr. Martin was arrogant and utterly indifferent to the clear intent and meaning of the language of the law that we wrote when we extended the Sugar Act the last time. He took full responsibility. We intended that consideration—yes, special consideration should be given to countries purchasing our agricultural surplus commodities. Apparently, that language in the law has been completely ignored by Mr. Martin in the State Department because it developed before Mr. JONES' committee that not only had Brazil offered to buy a ton of wheat for every ton of sugar that she was permitted to sell in our market, but it wound up somewhat differently. I will repeat, the Brazilian proposal contemplated the sale of a ton of American wheat to Brazil or to people in Brazil for every ton of sugar which she was permitted to sell in our market. The final decision provided that Brazil should be permitted to sell into our market 225,000 tons. Someone told me that the sponsors of the project would not have to buy our wheat. When that was reported to me, I tried to ascertain the name of the person who made that suggestion and everything pointed to Mr. Martin. I am convinced, and I think our committee is convinced that Mr. Martin is the man who relieved the sponsors of the necessity of purchasing American wheat to the extent of 225,000 tons. The same situation existed in connection with the project submitted by some people in India. India ended up by being permitted to sell 225,000 tons in our market, and India was not required to buy a single ton of American wheat. The Fiji Islands had somewhat similar proposition. And there are other proposals pending. Mr. Martin, notwithstanding the language of this act of Congress, said that anyone who specifically proposes a bilateral proposition of that type had one strike against him to start with. I submit we will never get rid of these surplus commodities, if we always have some bureaucrat putting roadblocks in the way. The Brazilians did just what I told Mr. Martin they probably would do, and that is, they purchased their wheat requirements from Russia rather than from the United States.

Mr. MORRIS. That is just exactly what I understood. I would like to ask the chairman of the committee this question. If the Legislative Oversight Committee, headed by the gentleman from Missouri [Mr. JONES] will take action against this arrogant bureaucrat down in the State Department who flaunts the laws of this Nation?

Mr. COOLEY. I do not know what action Mr. JONES' committee will take, but I am sure that Mr. JONES will continue his efforts in behalf of this surplus disposal program because no member on the committee has been worrying where we are going to obtain our sugar from, but we are concerned over not being able to dispose of our surplus agricultural commodities.

Mr. MORRIS. I thank the gentleman.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I want to thank the chairman of the Committee on Agriculture for his courtesy to me, and I would like to point out that it is not my purpose to oppose agricultural legislation as such.

The distinguished colleague from Minnesota made some remarks about the Reuss amendment. The gentleman's remarks show that he is just thoroughly mistaken on this issue. The issue is not whether or not there is going to be a farm bill here today; it is whether or not the unwise drainage shall be continued under Government subsidy. I repeat, the question is whether or not the unwise drainage which has had such a terribly adverse impact upon our waterfowl population in this country is going to be continued under Government subsidy.

The simple thing that can be done today is for the House to send the bill back to conference. The Reuss amendment does not stop drainage, which was left out by the conferees. It would simply say that if you favor the preservation of waterfowl, if you favor the preservation of migratory birds—and each of us have duck hunters in our districts; Milwaukee is not the only place where they have duck hunters—vote down the conference report, send the conferees of the House back to conference with instructions to support the position which the House accepted overwhelmingly only last week, which the distinguished chairman of the Committee on Agriculture accepted. The chairman and a number of the conferees have advised me that they diligently and strongly supported this measure. If we support them by returning this issue to the conferees we can vote favorably on a new conference report including, as it should, the Reuss amendment. Members who are interested in flood control should realize that this drainage is destroying one of the finest flood-control systems imaginable. Many farmers who have drained wet places under the agriculture conservation program would now like to have that water back on their land in view of the serious drought that affects the northern Great Plains.

Mr. JOHNSON of Maryland. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Maryland.

Mr. JOHNSON of Maryland. The Senate version contained a provision giving rather extensive powers to co-ops in their right to negotiate with private corporations and other co-ops. The House, I believe, struck that provision from the bill. I would like to ask whether the conference report did or did not restore the Senate provision?

Mr. COOLEY. All reference to co-ops in both bills was eliminated, but we did write some language on page 37 of the conference report concerning this matter. If he will read this I think it will answer his question.

Mr. JOHNSON of Maryland. The original provision of the Senate bill was not restored in the conference report?

Mr. COOLEY. All reference to co-ops was stricken out because we are of the opinion that existing law covers the situation.

Mr. HARVEY of Indiana. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Indiana.

Mr. HARVEY of Indiana. I would like to ask the gentleman from North Carolina what was the final provision in the matter of Public Law 480 5-percent set-aside for market development?

Mr. COOLEY. I think the bill provides for a 5-percent set-aside to be used for the purposes specified in the bill for marketing development.

Mr. HARVEY of Indiana. Is any amount of this 5 percent to be made convertible, for transfer?

Mr. COOLEY. Two-fifths of it will be convertible.

Mr. HARVEY of Indiana. In other words, 2 percent.

Mr. COOLEY. That is right.

Mr. HARVEY of Indiana. I thank the gentleman.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. FINDLEY. We heard today a number of statements in eloquent and proper words protesting the invasion of American rights at the hands of Castro's airplane hijackers. I think it ought to be remembered that the liberty of the American people—including the American farmers—can be invaded very subtly but very substantially by the American Government itself. In my opinion that is the effect of this legislation. It will put the entire grain crop of the United States in the palm of the hand of the Secretary of Agriculture and make more difficult the ultimate restoration of freedom to the American farmer.

Mr. COOLEY. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has 2 minutes remaining.

Mr. COOLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, I am sure the gentleman from Illinois [Mr. FINDLEY] who just addressed the House, is very sincere in the remarks which he made. But in all fairness to everyone I think it should be said that there is not a single line of compulsion in the 50-odd pages of the bill which is now before the House in the form of a conference report. There is no regimentation, there is no compulsion. That should be remembered by all. Even the acreage allotments under the wheat bill are not imposed unless and until the farmers themselves have approved same by a two-thirds vote in a referendum.

Mr. Speaker, this has been a rather significant day. I have been in this House a good while. I have heard and participated in many debates on farm legislation. The approach which is so noticeable here today is one which all of us should welcome and appreciate. We recall that back in the thirties, at the beginning of the depression, farm legislation was placed on our statute books through bipartisan effort. Some good many years thereafter—I do not know when, I would not want to fix the time—agricultural legislation fell into partisan politics. Some contend that this took place during the administration of former Secretary Brannan, some say it took place under Secretary Benson.

I do not know when or where it was begun. I am not interested in that. I do know that for a good many years now the debate on farm legislation has been most partisan and sometimes quite bitter. I know that the situation has damaged our farmers. It has damaged farm programs. It has even damaged the consumers. No one has gained. Everyone has been the loser.

So, I am here to say on behalf of my farmers, and I believe on behalf of 20 million people who live on the farms of this country, they are glad that at long last we now seem to have the farm politics behind us. Again we are approaching the solution of farm problems on a bipartisan basis. At least, that is the way it appears to me. From the fine spirit of cooperation that prevails here this afternoon, I feel that we are off to a good start in restoring the American farmer to his rightful status in the economy of our Nation.

This is not to say, Mr. Speaker, that there has been full agreement within our committee on this bill from the beginning. Indeed, there has been some disagreement. However, our differences have been quite well resolved with the result that there is strong support among both Democrats and Republicans for the pending conference report.

I desire to congratulate my chairman, Mr. COOLEY, for the fine leadership he has given in perfecting this legislation. I also wish to congratulate the ranking minority member, Mr. HOEVEN, for his fine work.

In closing, Mr. Speaker, we of the Committee on Agriculture do not contend that the legislation is perfect. We do contend however that it is good, that its enactment is desirable, and that it is a forward step in behalf of farmers and consumers. We, therefore, respectfully urge you to support the conference report.

Mr. LAIRD. Mr. Speaker, this afternoon we are being asked to act on the 1961 Agricultural Act which was not finally written until late last evening in the conference committee between the House and the Senate. The conference report was not available for the consideration of any Member of Congress until late this morning. This is a major piece of legislation and affects every farm family in America. Members of Congress should have been given an opportunity to study this bill for at least 48 hours. I regret that the conference report has been called up today. This is unreasonable, I believe, and could have been delayed for final action until at least tomorrow or Monday.

I have made a practice since being a Member of Congress to discuss farm legislation with farm advisers in my congressional district. In the 2 hours that I have had available this new legislation covered by this conference report, it has

been impossible for me to consult with the farm people in my congressional district who are vitally concerned with this legislation. I wish to render my protest by going on record against the hasty consideration of this new bill which was finally drafted late last night. It seems to me unreasonable to ask the Members of the House to enact this new legislation without proper study and deliberation.

I have great confidence in the House conferees that considered this bill. I do feel, however, as a Member of Congress, that I cannot transfer my responsibilities for action to them on legislation as vital as the 1961 Agricultural Act which we are being asked to approve today.

Mr. FINDLEY. Mr. Speaker, in the debate this date on the conference report on the Agricultural Act of 1961, the gentleman from Mississippi [Mr. ABERNETHY] stated, in response to my own remarks that the legislation before the House contained not one line of compulsion.

Time for debate expired, preventing me from responding.

Compulsion is both specific and implied. The wheat section would require 10 percent mandatory acreage reduction, and provides penalties for those not complying. This compulsion is subject to approval in referendum, but experience here shows plainly that participation in referendums is so slight, and the alternative questions so constructed that it is no true reflection of voter opinion.

Moreover, even if referendum accurately reflected producer opinion, the element of compulsion would still be as big as life: In this case the authority of the majority to compel the minority to trot in harness.

A similar degree of compulsion is present in the extension of market order authority. The compulsion is carried one step further because entire memberships in cooperative organizations can be voted as a bloc.

The principal compulsion embodied in the legislation is implied. For example, feed grains producers are not literally compelled to sign up under the feed grains section, but our experience with the 1961 program has already demonstrated that the threat of Government grain dumping presents producers with such foreboding alternatives that many feel compelled to sign up as a matter of self-preservation.

The Secretary of Agriculture has already shown his willingness to dump grain to force compliance under the program. Abnormal dumping of Government grain is already twice that of the last marketing year. The price of corn is 5 cents under last year's price.

The Secretary of Agriculture now holds more than $300 million in feed grains certificates. He can release Government grain to fund these certificates at will. So long as he holds these certificates and the ones he will acquire under the 1962 program—the Secretary will be able to manipulate grain prices at will.

The bill does not say, "The Secretary has the power to control the grain market" in so many words, but the effect is the same.

Mr. HARSHA. Mr. Speaker, one of the unfair features of any omnibus bill is that good and bad features are all lumped together in the hope that Congress will accept the bad to obtain the good.

Unfortunately, the omnibus farm bill is no exception. This bill contains extensions of the milk programs for schools, Armed Forces, and veterans, Public Law 480, the Wool Act, and needed revisions and adjustments of farm credit legislation. These are programs which I support. However, it contains many other provisions which I do not support and it is, therefore, very unfair to make a Member vote for unrelated programs which he opposes in order to be recorded in favor of the aforementioned programs which have merit. The only reason for including all such programs in any one bill is to use them as bait to obtain the necessary votes to pass the bad features of the legislation.

While this bill is a vast improvement over the bill introduced by the administration it is far from perfect.

It has been my position that the sooner we can get the Government out of the farmers hair the better off he is going to be financially. More Government controls, more dictation from Washington as to what, when, and where to plant is depriving the farmer of one of his inalienable rights. This bill in its present form attempts to eliminate the free enterprise feature from the farming industry. The bill extends the Feed Grain Act of 1961 for another year and adds to it another grain—barley. This act was passed only 4 months ago as a temporary measure. No real judgment as to the value of this act can be obtained until after this year's harvest. There is ample time in the winter months of the next session to extend this law if it proves feasible. Personally, I am opposed to the Feed Grain Act because I feel that it will further regiment the farmer.

Another objectionable feature of this bill is the failure to recognize the different classes or types of wheat. Wheat is treated generally and an across-the-board 10-percent cut of all wheat is ordered. This is a discrimination against Ohio wheatgrowers in favor of Great Plains farmers. Most Ohio wheatgrowers plant Soft Red Winter wheat. There is only 1 month's supply of this wheat in surplus while there is approximately a 2-year supply of Hard Red Winter wheat grown by the Great Plains farmers. Yet the small family farmer of Ohio must cut his acreage the same proportion as the large western farmer. The same rule applies to the farmer with a 15-acre exemption. Moreover, if he has not planted this 15-acre exemption within the last 3 years he is denied the right to grow any wheat for sale. This is a discriminatory and arbitrary action against the small family farmer of Ohio to which I am opposed.

Still another objectionable feature is the expansion of the Agricultural Marketing Agreement Act of 1937 to include other commodities. This is simply placing more of the agricultural economy under Federal controls. Three-fourths of our agricultural economy, before the passage of the Feed Grain Act of 1961, was not under Government controls and regulation; however, it was the healthiest phase of that economy. Experience has proven that agriculture is better off—far better off—if Government will let it alone. We have need for less controls, not more.

While I feel that the conference report on the omnibus farm bill is far better than the original bill itself and there were, as I stated above, some provisions and programs that were extended that are very worthwhile measures, the overwhelming reason that I voted for the acceptance of the conference report is that this bill and conference report contain the provision that in no manner shall the United States either subsidize the export, sale, or make available any subsidized agricultural commodities to any nations other than friendly nations which means, in effect, that the recent decision by the Department of Commerce to sell our subsidized surplus products to Russia and her Eastern satellite countries shall come to an end. I strongly oppose the sale or use of any of our surplus commodities that were subsidized by the taxpayer to Russia or any Communist country. It is not only extremely dangerous, but foolhardy, to subsidize the economic well being of a Communist country on one hand and turn around and spend billions of American taxpayers' dollars to defeat that same communism. I felt so strongly about such actions that I introduced two bills to prevent such action. Knowing full well that the normal legislative process takes considerable time, I felt this was the quickest way to stop forthwith and put an immediate end to such transactions by adopting this conference report which will prevent the Commerce Department or any other department of the U.S. Government from using our surplus food products to aid Russia or any Communist nation.

Mr. DOLE. Mr. Speaker, my remarks relate to the conference report accompanying S. 1643. The conferees of the House and Senate have spent many, many hours in an effort to compromise differences in the bills passed by the House and Senate and the net result in some areas has been improvement but in other areas, and particularly with reference to the 1962 wheat program, the changes made were certainly not in the best interest of western Kansas wheat producers.

Specifically the wheat program contains these features which, in my best judgment, appear to be undesirable:

First. A mandatory 10-percent cut in acreage is still required. This will mean a loss of over 1 million acres of production to the State of Kansas, at the very time the present administration is daily facing new crises all over the world and at the very time the U.S. Department of Agriculture is making secret plans to spend $70 million to relocate approximately 200 million bushels of wheat from

Kansas and the Midwest to certain urban areas for emergency or disaster purposes. Is there actually a surplus or do we in fact simply have an adequate reserve?

Second. The wheat program is only a 1-year program and testimony of Department witnesses has indicated the 10-percent reduction will have very little, if any, effect on overall production in 1962. Western Kansas farmers are willing to make adjustments but they expect and are entitled to a long-range program so that adjustments may be freely and normally made.

Third. The 1962 wheat program discriminates against the traditional wheat producing areas in that it provides continued favored treatment for the so-called 15-acre producer. Only a small percentage of the 15-acre producers are required to take the mandatory 10-percent acreage cut, and still another section gives the small producer with historic plantings of 10 acres or less the opportunity to retire his entire acreage, and receive payment therefor, which opportunity is not provided to those with wheat bases in excess of 10 acres.

Fourth. The Secretary has indicated the 1962 support price would be around $2 per bushel which is only 83½ percent of parity and then only available to those who takes the mandatory 10-percent acreage cut.

Fifth. The conferees agreed to reduce payments in cash or in kind to 45 percent of normal production on those acres mandatorily diverted. The House bill had provided 50-percent payments, or in other words, anyone participating in the program will have suffered because of action by the conferees.

Sixth. A very important point not to be overlooked was the Senate provision agreed upon by the conferees. The House bill would have permitted producers to plant any other crops, except under allotments on the 10 percent of the wheat acreage they were required to retire if they elected to forgo payments for retirement of such acreage. The conference provision permits only conservation uses and practices on the compulsory 10-percent acreage reduction and therefore imposes "compulsory cross-compliance" on wheat, while other basic crops do not have such a requirement.

As I stated on July 27, page 13808, CONGRESSIONAL RECORD, the wheat legislation passed more or less confirms my opinion that the Hard Red Winter wheat producer has become the "whipping boy" under this program. Even though payments will be made for diverted acres there will be a chain reaction because of the acreage reduction effective not only to the farmer, but farm businesses, and in fact, entire communities and small towns throughout the Midwest.

OTHER OBJECTIONABLE FEATURES

Perhaps one of the most significant changes occurred in title II which is an extension and amendment of Public Law 480, technically known as the Agricultural Trade Development Act. The House provision wisely provided no dollar limitation on title I sales of surplus commodities but contained a provision requiring advanced notice to the House and Senate Committee on Agriculture involving contracts of more than $5 million. In other words, the House provision simply provided for prior congressional review of agreements to be entered into by the Department of Agriculture. The House conferees completely capitulated with reference to this provision so that under the law as passed, neither the House nor Senate Committee on Agriculture will have a right to review any agreement made with any country even though throughout the bill and debate, Members paraded to the floor deploring agreements made with not only Communist countries, but those loosely made with many others. As a member of the Departmental Oversight and Consumer Relations Subcommittee of the Committee on Agriculture, I have witnessed firsthand the attitude of the bureaucrats in both the State and Agricultural Departments who seem more intent on piling up foreign currencies than in disposing of surplus wheat or other agricultural commodities. The record is clear that these programs are not being administered in the interest of the farmer, the country involved, and last, but by no means least, the American taxpayer. Though the Sugar Act clearly provides that special consideration should be given to countries who agree to purchase our agricultural commodities in return for our purchase of their sugar, not a penny's worth of our surplus commodities have been sold these countries though we have purchased more than 1 million tons of sugar from them. It might be well that Congress concern itself with disposal of "surplus employees" who refuse to carry out the clear intent of laws passed by Congress and signed by the President.

FEED GRAIN EXTENSION

I will briefly mention the unlimited authority the Secretary of Agriculture has under the extension of the feed grain bill. The law provides no guidelines for the Secretary of Agriculture concerning disposal of Commodity Credit stocks of surplus grain, commonly known as certificate grain, already under his control as a result of the 1961 program. This large accumulation virtually permits the Secretary to control the market.

I voted for the original feed grain bill and believe it has been succesful but honestly feel Members of Congress are entitled to know the cost of a program and entitled to assurance that the Secretary will so dispose of surplus feed grains so as to not interfere with the market.

NONCONTROVERSIAL PROVISIONS

Many of the programs contained in the omnibus bill are not controversial; namely, the extension of the Wool Act, extension and amendment of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, extension of the Great Plains conservation program, school milk program, Armed Forces and veterans programs, or the great majority of revisions contained in the Farmers Home Administration credit section of the bill. These provisions, with the exceptions previously noted herein, are for the most part simple extensions of previous programs which have worked well and in the interest of the farmer and others effected thereby.

THE OMNIBUS FEATURE

The bill agreed upon by the conferees is still an omnibus bill and again as I stated on July 27, the strategy used in such a measure is clear in that it forces Members of Congress to make a determination whether the total good outweighs the total bad. This is unfortunate not only in that it deprives us of considering each measure separately and on its own merits but also many deserving provisions escape the attention of Members of Congress because features which have been subject to controversy and publicity are dwelled upon at great length when the bill is debated on the floor.

CONCLUSION

Farmers can take heart controversial sections of title I were eliminated from the bill and that Congress will still legislate in this and every other important field and that their voice can be heard through their elected representatives to Congress.

It is my opinion farmers throughout our country are interested in parity of opportunity and I mean by this the opportunity to produce, to work, and to expand for the benefit of their family, rather than be idle with idle acres.

Because the objectionable features pointed out herein and others referred to in the conference report, I cannot in good conscience support this omnibus legislation. In considering the entire measure, I cannot conclude it is in the best interest of the family farmer, tenant farmers, part-time farmers, farmer customers, farm businesses, as well as all other segments of agriculture I represent in western Kansas.

Mr. HAGEN of California. Mr. Speaker, I would like to comment on the meaning of some of the conference report language with respect to the amendment of the Marketing Agreements Act.

I refer first to the changes in the present language of commodity coverage established by section 8(c) of that act. The amendment establishes two subsections for that section, to wit (A) and (B). It removes from present eligibility only one commodity, soybeans.

The additions for eligibility are made as follows: by subsection (A):

First. For marketing orders on commodities in unprocessed state:

Apples from California, New York, Michigan, Maryland, New Jersey, Indiana, Maine, Vermont, New Hampshire, Rhode Island, Massachusetts, and Connecticut.

Second. For marketing orders on commodities sold for processing by canning or freezing:

Apples from the above-named States, cherries, and cranberries.

Apparently this subsection would permit marketing orders on the products themselves except in the case of named canned or frozen products.

By subsection (B): This subsection takes in all other agricultural commodities, including turkeys and turkey hatch-

ing eggs, except those specifically excluded. These specifically excluded commodities are honey, cotton, rice, wheat, corn, grain sorghums, oats, barley, rye, sugarcane, sugarbeets, wool, mohair, livestock, soybeans, cottonseed, flaxseed, poultry, eggs, apples, fruits, and vegetables for canning or freezing or any regional or market classification thereof.

Apparently the commodities added by this subsection are commodities designed for sale to other than processors, with the exception of those to which specific reference is made in the other subsection (A) in a canning or freezing context.

My second and final reference is to the conference report amendment of section 8(e) of the Marketing Agreements Act of 1937. This section simply provides that when producers of certain named commodities eligible for a Federal marketing order have established grade, quality, and maturity standards for their product, imports of such product from abroad shall meet the same standards.

The amendment adds to the list of such commodities eligible for such protection the following new commodities: Oranges, onions, walnuts, and dates—other than dates for processing. These additions are matters of great import for California Congressmen and we have worked hard for them.

Mr. COOLEY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. REUSS) there were ayes 110, noes 57.

Mr. REUSS. 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 225, nays 170, not voting 42, as follows:

[Roll No. 130]

YEAS—225

Abbitt
Abernethy
Albert
Alexander
Andersen, Minn.
Andrews
Anfuso
Arends
Ashmore
Aspinall
Avery
Baker
Baldwin
Bass, Tenn.
Battin
Beckworth
Belcher
Bennett, Mich.
Berry
Blatnik
Boggs
Boland
Bolling
Bonner
Boykin
Brademas
Bray
Breeding
Bromwell
Brooks, La.
Brooks, Tex.
Brown
Burke, Ky.
Burleson
Celler
Chelf
Chenoweth
Coad
Colmer
Cook
Cooley
Cunningham
Daddario
Davis, James C.
Davis, Tenn.
Dawson
Delaney
Denton
Diggs
Dominick
Dowdy
Downing
Doyle
Edmondson
Elliott
Everett
Evins
Farbstein
Finnegan
Fisher
Flood
Forrester
Fountain
Frazier
Friedel
Garmatz
Gary
Gathings
Giaimo
Gilbert
Glenn
Grant
Griffiths
Gross
Hagan, Ga.
Hagen, Calif.
Hansen
Harding
Hardy
Harris
Harrison, Wyo.
Harsha
Harvey, Ind.
Hays
Hemphill
Henderson
Hoeven
Holtzman
Horan
Huddleston
Hull
Ichord, Mo.
Ikard, Tex.
Inouye
Jarman
Jennings
Jensen
Johnson, Calif.
Johnson, Md.
Johnson, Wis.
Jonas
Jones, Ala.
Jones, Mo.
Judd
Karsten
Karth
Kastenmeier
Kee
Kilday
Kilgore
King, Calif.
King, Utah
Kirwan
Kitchin
Kluczynski
Knox
Kornegay
Kowalski
Kyl
Landrum
Langen
Lankford
Latta
Lennon
Lesinski
Loser
McCormack
McDowell
McFall
McIntire
McMillan
McVey
Macdonald
MacGregor
Machrowicz
Madden
Magnuson
Mahon
Marshall
Matthews
May
Mills
Montoya
Morgan
Morris
Morrison
Moss
Moulder
Multer
Murphy
Murray
Natcher
Nelsen
Nix
Nygaard
O'Brien, Ill.
O'Brien, N.Y.
O'Hara, Mich.
O'Konski
Olsen
O'Neill
Passman
Patman
Perkins
Pfost
Poage
Pucinski
Rains
Randall
Reece
Reifel
Rhodes, Pa.
Riley
Rivers, Alaska
Rogers, Colo.
Rogers, Tex.
Rooney
Roosevelt
Rostenkowski
Roudebush
Roush
Rutherford
Ryan
Saund
Schwengel
Scott
Selden
Shipley
Short
Shriver
Siler
Sisk
Slack
Smith, Iowa
Smith, Miss.
Smith, Va.
Spence
Springer
Stafford
Steed
Stubblefield
Sullivan
Taylor
Thompson, Tex.
Thomson, Wis.
Thornberry
Trimble
Tuck
Ullman
Van Pelt
Vinson
Watts
Westland
Whitener
Whitten
Wickersham
Williams
Willis
Wilson, Ind.
Winstead
Wright
Yates
Young
Zablocki

NAYS—170

Adair
Addabbo
Addonizio
Alger
Anderson, Ill.
Ashbrook
Ashley
Auchincloss
Baring
Barrett
Barry
Bass, N.H.
Bates
Becker
Beermann
Bell
Bennett, Fla.
Betts
Bolton
Brewster
Broomfield
Broyhill
Bruce
Burke, Mass.
Byrne, Pa.
Byrnes, Wis.
Cahill
Carey
Casey
Chamberlain
Chiperfield
Church
Clancy
Clark
Cohelan
Collier
Conte
Corbett
Corman
Curtin
Curtis, Mass.
Curtis, Mo.
Dague
Daniels
Dent
Derounian
Derwinski
Devine
Dingell
Dole
Donohue
Dorn
Dulski
Durno
Dwyer
Ellsworth
Fallon
Fascell
Feighan
Fenton
Findley
Fino
Fogarty
Ford
Frelinghuysen
Fulton
Garland
Gavin
Goodell
Goodling
Granahan
Green, Oreg.
Green, Pa.
Griffin
Gubser
Haley
Hall
Halleck
Halpern
Hechler
Herlong
Hiestand
Hoffman, Ill
Hoffman, Mich.
Holland
Hosmer
Joelson
Johansen
Kearns
Keith
Kilburn
King, N.Y.
Kunkel
Laird
Lane
Libonati
Lindsay
Lipscomb
McCulloch
McDonough
Mack
Mailliard
Martin, Mass.
Martin, Nebr.
Mathias
Meader
Merrow
Michel
Miller, George P.
Miller, N.Y.
Milliken
Minshall
Moeller
Monagan
Moore
Moorehead, Ohio
Moorhead, Pa.
Mosher
Norblad
O'Hara, Ill.
Osmers
Ostertag
Pelly
Philbin
Pike
Pillion
Pirnie
Poff
Price
Ray
Reuss
Riehlman
Rivers, S.C.
Robison
Rodino
Rogers, Fla.
Rousselot
St. George
St. Germain
Saylor
Schadeberg
Schenck
Schneebeli
Schweiker
Scranton
Seely-Brown
Shelley
Sheppard
Sibal
Sikes
Smith, Calif.
Staggers
Stephens
Stratton
Taber
Teague, Calif.
Thomas
Toll
Tollefson
Tupper
Udall, Morris K.
Utt
Vanik
Van Zandt
Wallhauser
Whalley
Wharton
Widnall
Wilson, Calif.
Younger

NOT VOTING—42

Alford
Ayres
Bailey
Blitch
Bow
Buckley
Cannon
Cederberg
Cramer
Davis, John W.
Dooley
Flynt
Gallagher
Gray
Harrison, Va.
Harvey, Mich.
Healy
Hébert
Holifield
Kelly
Keogh
McSween
Mason
Miller, Clem.
Morse
Norrell
Peterson
Pilcher
Powell
Quie
Rabaut
Rhodes, Ariz
Roberts
Santangelo
Scherer
Teague, Tex.
Thompson, La.
Thompson, N.J.
Walter
Weaver
Weis
Zelenko

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Quie for, with Mr. Mason against.

Mr. Hébert for, with Mr. Morse against.

Mr. Keogh for, with Mr. Scherer against.

Mr. Santangelo for, with Mrs. Weis against.

Mr. Clem Miller for, with Mr. Cramer against.

Mrs. Kelly for, with Mr. John W. Davis against.

Mr. Harrison of Virginia for, with Mr. Gallagher against.

Mr. Buckley for, with Mr. Rhodes of Arizona against.

Mr. Bow for, with Mr. Dooley against.

Mr. Healey for, with Mr. Ayres against.

Mr. Thompson of Louisiana for, with Mr. Cederberg against.

Mr. Zelenko for, with Mr. Walter against.

Mr. Weaver for, with Mr. Harvey of Michigan against.

Mr. JOHNSON of California and Mr. JOHNSON of Maryland changed their votes from "nay" to "yea."

Mrs. GRANAHAN, Mr. TOLL, and Mr. ASHLEY changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. McGown, one of its clerks, 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. 7208) entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1962, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to Senate amendment No. 52 to the above-entitled bill.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2245. An act to amend the act granting the consent of Congress to the negotiation of certain compacts by the States of Nebraska, Wyoming, and South Dakota in order to extend the time for such negotiation.

GENERAL LEAVE TO EXTEND REMARKS

Mr. COOLEY. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may have 5 legislative

days in which to extend their remarks in the RECORD on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

COMMITTEE ON RULES

Mr. BOLLING. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain reports.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

FACILITATING THE PROMPT AND ORDERLY CONDUCT OF THE BUSINESS OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 400 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7856) 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. After general debate, which shall be confined to the bill and continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes of my time to the gentleman from Kansas [Mr. AVERY], and pending that I yield myself such time as I may consume.

Mr. Speaker, I know of no particular controversy over the rule. The bill which will be made in order under this rule and on which there will be 2 hours of general debate is technical and complicated and will be thoroughly explained by members of the committee on Interstate and Foreign Commerce.

Mr. Speaker, I reserve the balance of my time.

Mr. AVERY. Mr. Speaker, I know of no opposition to the rule on this side. There is some opposition to the bill which will be brought out in general debate.

Mr. Speaker, I have no further requests for time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HARRIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 7856) 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.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 7856, with Mr. YATES in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HARRIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this afternoon the Committee on Interstate and Foreign Commerce brings to the House for its consideration H.R. 7856, a bill to amend the Communications Act of 1934, for the purpose of facilitating the prompt and orderly conduct of the business of the Federal Communications Commission. The bill has been favorably reported by our committee without amendment, but I announce to the Members of the House at the outset that there will be two or three amendments that will be offered to make certain and beyond any question as to what is intended by the committee in reporting the language included in this bill.

Now, Mr. Chairman, this legislation is the outgrowth of the President's Reorganization Plan No. 2. You will recall that I opposed that reorganization plan, as did many other Members of the House. We opposed it not on the basis that something was not needed to bring about improved procedures, to permit the Federal Communications Commission to facilitate the work of that Commission, but we opposed it on the basis that in our judgment it went beyond what was intended by the reorganization legislation authorizing such plans.

You will also recall that during the debate in which I stressed opposition on behalf of our committee, we promised the House that we would introduce legislation, conduct hearings, and consider legislation in the proper way in order that the Congress would assume its responsibility in bringing about such needed reform legislation. As a result of that action I introduced, Mr. Chairman, following the action of the House in disapproving the President's proposal, H.R. 7333.

We asked for reports in the usual way and handled the legislation in the regular and orderly way as it should be handled by the committee and later by the House.

In the reports we received, the Communications Commission unanimously recommended legislation along this line, but in a proposal that was submitted in a bill introduced in the other body, S. 2034. We conducted hearings on H.R. 7333. All members of the Commission came before the committee during the course of the hearings. The Commission unanimously recommended to the committee provisions along the lines of the Senate bill, S. 2034. The committee decided that the approach in this matter would be more acceptable than H.R. 7333, the bill which I introduced as the result of the action on Reorganization Plan No. 2.

So, the committee then approved the language substantially along the line unanimously recommended by the Commission.

Mr. Chairman, in many respects and, in fact, in most respects, H.R. 7856 is identical to S. 2034. We did amend it to the point to clarify it and to insure that there would be no doubt as to what we intended to do.

Because of the complexity of the Communications Act, the terms of H.R. 7856 are necessarily complex. But the aims are very simple. All of us are familiar with the criticism that has increasingly been leveled at the Commission. Its backlog of cases is large, and delays in the settlement of disputes abound. While these conditions still prevail, and I regret to say that they are widespread in our Federal regulatory agencies, I hasten to say that there has been great improvement. We have seen within the last year or two these improvements, and they are doing much better now. But the result of such lag and delay is an increase in cost and expense to regulated interests and to the public. Still worse, these delays are an open invitation to the use of improper influences and pressures, as was shown in the investigations conducted by our Legislative Oversight Committee.

Mr. Chairman, the members of the Commission complained, and I think justly, that too much of their time is occupied with relatively routine and unimportant matters. It is said, and again I agree, that the Congress must authorize some manner of reorganization so that the members of the Commission who are appointed by the President and confirmed by the Senate can devote more time to the consideration of vital and pressing communications policy matters, such as problems of spectrum allocations, communications satellites, more effective carrier regulation and major contested cases, to name only a few illustrations.

Mr. Chairman, basically there are alternative ways by which we could reorganize the Commission in order to serve these ends. The first would be to enlarge the membership of the Commission from 7 to 9, or 11, or even more Commissioners. The Congress has recently taken comparable action with respect to Federal courts. Such a move would permit the Commission to divide itself into more or less permanent specialized panels. This has been done long since in the Interstate Commerce Commission, yet I have heard few people, indeed, if any, seriously urge the enlargement of the Federal Communications Commission as a satisfactory remedy for its present ills. Certainly no suggestion has been presented to our committee. A much more sensible solution, it seems to me, is to permit the Commission, in its own discretion, to delegate certain of its more or less routine functions to subordinates within the Commission, subject to the control and supervision of the Commission. The Commission has long had such authority with respect to all functions, except

cases of adjudication, and I want you to keep this in mind: Not a single charge has ever come to our attention that the Commission has abused this delegation function.

Now, what would this bill do? It would authorize the Commission, with certain limitations and ample safeguards imposed by the Administrative Procedure Act and by this bill, to designate panels of Commissioners, individual Commissioners, employee boards and individual employees to perform certain hearing and review functions in cases of adjudication.

Many of these cases involve well-settled policies and are routine and relatively insignificant insofar as national communications policy is concerned, yet they are numerous enough and often involve tedious details which require time and energy that the Commission should be devoting to matters of major communications importance.

During the course of our committee investigation in the last 3 to 4 years we found that that was a serious problem and difficulty, that because of the congested docket and the workload of the Commission, and the fact that under the law they were required to handle these matters individually, they could not possibly get to the work. It was humanly impossible to do it, and it piled up and lent itself, then, to this maneuvering around that resulted in the important and unfortunate matters that we brought to the attention of this Congress and the country.

This proposal is an effort to overcome that situation we found that needed attention so badly.

How does this bill differ from President Kennedy's Reorganization Plan No. 2, which was defeated in the House? In some respects it has some of the basic objectives. However, the committee opposed the plan not because of disagreement with the basic objectives but because it felt these objectives could be carried out properly only by amending present law. The committee believes that this bill makes the essential amendments.

The principal respect in which this bill differs from the reorganization plan is that it does not make review of an initial decision in an adjudication case discretionary upon the vote of a majority of the members of the Commission less one. Instead, a party will have a right to obtain review of an initial decision but not necessarily by the full Commission.

The bill also omits the proposal in the plan to give the Chairman of the Commission the authority to designate the Commission's personnel, including members of the Commission, who would exercise the functions delegated by the Commission. Under the bill, the power to assign or designate personnel would remain where it is at present and has been, with the Commission.

What changes does the bill propose and make in present law? Under present law parties may file exceptions to an initial decision of the hearing officer. The law provides that the full Commission must pass on each and every such exception. In addition, the law requires that the Commission must grant oral argument on exceptions if it is requested. This bill would change this in two respects.

The full Commission would not be required to pass on all exceptions to an initial decision. Many of these are routine, and they take time and can be handled in a different manner. That function could be delegated to a panel of Commissioners, even to a single Commissioner, or a panel of highly qualified and experienced employees. That will be the subject of an amendment I shall offer to make sure that these employees will be employees qualified to assume this responsibility.

Under the bill the authority passing on exceptions would permit oral argument but could refuse to do so if it would not serve a useful purpose.

Unless an aggrieved party sought further Commission review, the decision of such panel or other authority within the Commission designated to pass on exceptions would become administratively final but would still be subject to judicial review.

If a party felt aggrieved by the decision of the board or other authority designated to pass on the exceptions of the initial decision, that party would have the right under this bill to file an application for review by the full Commission. The Commission would be required then to consider the application, but it could in its discretion either grant or deny further review. If the Commission denied review, the matter would become administratively final at the first review level, and an aggrieved party could then seek judicial review by the court of appeals. The Commission would not have to specify any reason for denying review. If the Commission granted review in whole or in part, it could consider the case with or without oral argument.

The bill also contains a provision that in cases not involving issues of general communications importance, the Commission could by published rule or by order preclude in advance the filing of an application for review by the full Commission.

We are providing, however, in an amendment that we will offer, that in those cases in which an application for review is not precluded by Commission rule in accordance with the proviso in paragraph (4) the Commission must pass on any and every case on which exceptions have been filed and which has been decided by an employee board.

This provision is designed to free the Commission from having to consider frivolous and time wasting applications, in cases where the Commission policy is well settled and where review by the Commission is not likely to bring about a reversal of the decision.

Another section of the bill abolishes the Commission's review staff. The review staff was created by the Communications Act Amendments of 1952. The 1952 amendments provided that the review staff shall be directly responsible to the Commission and shall perform no duties other than to assist the Commission in cases of adjudication in certain specified ways. Among other things, the review staff is directed to prepare for the Commission or any member thereof without recommendation and in accordance with specific directions, memorandums, opinions, decisions, and orders. The Commission is directed not to permit any employee who is not a member of the review staff to perform the duties and functions which are to be performed by the review staff. This provision has not worked out satisfactorily at all because of its rigid requirements. No similar provision is applicable to any other Federal regulatory agency. The Commission originally opposed its enactment and now favors its repeal. It feels that the restrictions on the activities of the review staff result in waste and inefficiency because they have the effect of depriving the Commission of the full assistance which the personnel of the review staff are capable of furnishing. The committee is in thorough accord with this view and has so included it in this legislation.

Further, since the review staff cannot make recommendations, it must first receive instructions from the Commission on all interlocutory matters no matter how simple or how routine and then return again with a draft opinion and order for the Commission's approval. The Chairman of the Commission testified that the repeal of this provision would result in a substantial saving in time and energy by the Commission. After the repeal, the personnel of the review staff can be used by the Commission to greater advantage than at present.

Another section of the bill deals with the internal separation of functions, with ex parte representations in adjudication cases. The purpose of this section is to place the FCC in the same position as other agencies whose procedures are governed by the Administrative Procedure Act. The 1952 McFarland amendments—and for the benefit of those who may not recall what is meant by the McFarland amendments, that refers to the amendments to the Communications Act which were approved finally in 1952 and sponsored by Senator McFarland when he was a Member of the other body—the amendments known as the McFarland amendments to the Communications Act tightened up procedural requirements at the Commission and in these respects so much so that the Commission has been seriously hampered in its regulatory work. Those of us who have observed the situation through the years have seen how the Commission has actually been hampered by these rigid restrictions. I see no reason why the Commission in trying to do its job should be handicapped unnecessarily beyond the requirements applicable at least to other regulatory agencies.

I cannot stress too strongly, Mr. Chairman, the importance of this legislation. As you know, the Committee on Interstate and Foreign Commerce, and its Subcommittee on Regulatory Agencies, formerly the Subcommittee on Legislative Oversight, have been working for years to improve the effectiveness

of many of these regulatory agencies, but it has become increasingly apparent with technological changes and population growth, among other things, that our regulatory machinery has become ineffectual and in need of improvement. And many critics of regulatory agencies both in and out of the Congress are fearful that unless remedial measures are taken immediately our regulatory system will break down.

It is my firm conviction that the primary responsibility for leadership in this field lies here in the Congress. It is true that cooperation with the executive branch is essential, and we have offered and given our cooperation. We welcome suggestions from whatever source. We have sought them in this regard.

Congress has extended the Reorganization Act of 1949 which authorized the President to transmit reorganization plans to the Congress. Some of these plans, as you know, have already become effective, but this one, as I have said, was disapproved. It was considered fatally defective in that it purported to amend basic substantive provisions of the Communications Act by reorganization plan rather than by statute.

In addition to the Commission's unanimous recommendation and support of this legislation, the industry is in support of it. I have a letter of June 14 which is filed in part of the hearings from the Honorable LeRoy Collins, former Governor of Florida, and now president of the National Association of Broadcasters, in which he recommends that provisions of this bill, along the lines of S. 2034, would be a workable and acceptable plan. I will have the letter included in the RECORD along with my remarks.

NATIONAL ASSOCIATION OF BROADCASTERS,
Washington, D.C., June 14, 1961.

Re H.R. 7333.

Hon. OREN HARRIS,
Chairman, Special Subcommittee on Regulatory Agencies, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: On behalf of the National Association of Broadcasters, I respectfully request that this letter be made a part of the hearing record on the above as an expression of the views of the board of directors of this association.

This bill proposes revisions in the procedures of the Federal Communications Commission. The same broad objective of improved efficiency was included under Reorganization Plan No. 2, submitted to the Congress on April 27 by the President, and by S. 2034 now pending before the Senate Commerce Committee.

With this broad objective we are in accord, as we have indicated previously in a statement of position filed in the record on the President's proposal. We reaffirm our feeling that this subject should be dealt with by legislative action rather than by Executive order.

The two pending legislative proposals (H.R. 7333 and S. 2034) have been carefully reviewed, and we are pleased to note that the delegatory features of Reorganization Plan No. 2 which met with very wide objection have not been carried forward in this proposed legislation.

S. 2034, according to our understanding, represents the "consensus" view of the FCC, and has been submitted to your subcommittee by the Commission in its report on H.R. 7333. This is the agency most affected, and its members should be most knowledgeable of its procedural needs. In our view, it presents a workable and acceptable plan.

Sincerely,

LEROY COLLINS.

There are those who have some fears about the delegation of authority. Mr. Chairman, I do not yield to anyone in my desire for the Congress to establish policies for these arms of the Congress, major regulatory agencies, to carry out their functions effectively. I yield to no one, Mr. Chairman, in my desire to see that these agencies do the job that Congress has given them to do. If there has been any one single objective in my mind, it is to get good men in these agencies, men capable of administering the law, and men who will assume their responsibilities and will rule their own house, responsible for the employees, who will supervise the employees and take full responsibility for the work which the Congress has delegated to them to do. To me, that is all this legislation has for its objective; to me, that is what this legislation will do.

I do not know any more important agency of this Government than the Federal Communications Commission. The work of this Commission has far-reaching influence over the American people.

Today the Commission, in my judgment, is administering the program and assuming its duties and responsibilities as the Commission has not done since the Federal Communications Act of 1934 was enacted. We take encouragement from that. In view of the safeguards here, I do not feel that we need to have any fear that there is excessive delegation of authority because the Commission has the final responsibility and the final decision in any action that comes before it.

Mr. BENNETT of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Michigan.

Mr. BENNETT of Michigan. One of the best provisions of the bill is the part that eliminates the so-called review staff. We found as a result of our investigation by the Legislative Oversight Committee that looked into Commission activities that the Commission would after deliberations on the part of the hearing examiner, and then upon review and oral argument before the full Commission, reach a decision. Then, instead of writing a decision and issuing an order based upon it, the Commission would turn this whole matter over the a group of attorneys or experts in the agency who were called the review staff. Those people did not know anything about the case, they had not heard it, they had not read the record. So they were perfectly cold, as far as the facts of the case were concerned. They would have to proceed to read the record, look at the exhibits, then try to write an opinion that conformed to the decision that the Commission had rendered.

We found in some cases, for instance in the contested television cases, that it was 18 months after the Commission had decided the case before the review staff was able to write an opinion carrying out the decision of the Commission. Meanwhile, there were pressures being put on the Commission members by interested parties, and so forth. A very, very bad situation resulted.

May I ask this question: Since this section has been repealed, when the Commission renders a decision will it have authority to delegate to one of its members the duty of writing the decision or will it again transfer this duty to some other employee who may not be called a review staff member, by some other employee who will dillydally with the case for 6 months or a year, the same as the review staff did? Are there any safeguards, restrictions, or instructions in that regard?

Mr. HARRIS. During the course of the hearings it was explained, and I think very clearly, that these people who now compose the review staff will be utilized by the Commission to assist in more efficiently performing the functions of the Commission, but will not have the rigid restrictions as to their use.

Mr. BENNETT of Michigan. Will the Commission fall back into the same rut they were in, assuming they wanted to do that?

Mr. HARRIS. They were not in a rut when these restrictions came about. It was not that at all.

What brought that on was the complaint that the Commission itself was not assuming its responsibility, and that was away back in the late forties and the early fifties; that the Commission was not assuming its responsibility but they were listening too much to the staff on the inside. Now, that brought on rigid restrictions which went too far the other way.

Now, what does this mean? It gives the Commission the right to utilize these employees in performing the duties and the work that the Commission has before it.

Mr. BENNETT of Michigan. But the thing we are trying to do—and I am sure it is the objective that the chairman is seeking and I think every member of the committee is seeking by repealing the review staff section—is to expedite the Commission's business.

Mr. HARRIS. That is the purpose of it.

Mr. BENNETT of Michigan. To have the opinion written and the order issued.

Mr. HARRIS. Yes.

Mr. BENNETT of Michigan. Now, my question is this: Is it our intent or is it your intent that by repealing this section the Commission should not fall back upon the same procedure after having reached a decision, turning it over to some staff member and leaving them dillydally about it for 6 months before they reach a decision?

Mr. HARRIS. Of course, the committee expects the Commission to do its job and in this way to utilize the staff as efficiently as possible to get the work expedited.

Mr. BENNETT of Michigan. The whole purpose is to expedite the work.

Mr. HARRIS. That is the purpose of it, and the Chairman has given assurance that that is what it will do.

Mr. BENNETT of Michigan. I just have one other question about the employee board. As I understand, there are employees appointed to review the hearing examiner's decision, but some restriction is placed upon the qualifications and the caliber of people who will be put upon these boards. I wonder if the chairman would go into that a bit.

Mr. HARRIS. That question was raised. The committee discussed it, and during the course of the hearings we developed a record on it by which it was made clear to the committee that the most experienced, qualified, able, and senior people would be utilized for this purpose. The bill, I thought, as the committee originally reported it, made that very clear, but during our discussion before the Committee on Rules the question was brought up again, and as the result I told the Committee on Rules that the committee had a clear intent as to what should be done in this field and that we would offer an amendment on the floor of the House to make the language clear and certain, so that there could not be any doubt at all in anybody's mind, and I intend to offer that amendment.

Mr. BENNETT of Michigan. What will the amendment do?

Mr. HARRIS. The amendment will provide that the persons serving on the employee board, to which the Commission may delegate such review functions, shall be well qualified by reason of training, experience, and competence to perform such review functions. The employees shall be given no other duties and shall be paid compensation at a rate commensurate with the quality and the importance of their duties. Such employee shall not be responsible or subject to supervision or direction of any person engaged in the performance of investigating or prosecuting functions for the Commission or any other agency of the Government.

Now, to carry out this legislative intent, I have a letter from the Chairman of the Federal Communications Commission where he reiterates what he told us during the course of the hearings, that the procedure that they would follow would be in line with the language that I just read, which will be offered as an amendment.

Mr. BENNETT of Michigan. The people on these employee boards, at least, will have the same qualifications of experience as that of the trial examiners who initially handle the case?

Mr. HARRIS. That is the intention, and that is what the Chairman says in his letter here. We thought that this language that was prepared by the staff would reach that without any question whatsoever, and we felt that they would at least have to have qualifications no less than the qualifications of a hearing examiner.

But we did not want to limit it to hearing examiners, because in other fields it is necessary to have people who are knowledgeable, such as perhaps engineers and, perhaps, have not only legal but other qualifications that are necessary, since they are so familiar with their particular field.

Mr. BENNETT of Michigan. Could the Commission go outside the present employees of the Commission itself to make these appointments?

Mr. HARRIS. No, sir; they would have to utilize the employees of the Commission.

Mr. BENNETT of Michigan. They would have to take the present employees? Could they appoint special employees or have a pool, let us say, of employees which would handle a particular kind of matter?

Mr. HARRIS. I suppose it would be possible for someone with the training and experience who is not with the Commission to be eligible and be assigned. But that certainly is not the intent here, as so well expressed in the hearings and also in a letter which I will include in the RECORD from the Chairman of the Commission.

Mr. BENNETT of Michigan. Would these employees that go on the boards have other duties to perform?

Mr. HARRIS. They would have no other duties nor functions to perform.

Mr. BENNETT of Michigan. Then, they would be a new group of employees appointed especially for this type of work? Is that the gentleman's understanding?

Mr. HARRIS. That is true.

Mr. MONAGAN. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Connecticut [Mr. MONAGAN].

Mr. MONAGAN. First of all I would like to compliment the gentleman from Arkansas [Mr. HARRIS] and the members of his committee, for the very prompt and effective work in having hearings on this legislation and bringing it to the floor of the House.

The gentleman will remember that at the time we voted down Reorganization Plan No. 2, there was a certain amount of criticism to the effect that we were in effect sort of repealing the projected reforms of the Federal Communications Commission.

Mr. Chairman, I would like to ask the gentleman if it is his opinion that this legislation that we are considering today substantially brings about the basic ends that were sought in Reorganization Plan No. 2?

Mr. HARRIS. Yes. The aims of the bill are essentially the same as those of the plan. But it does not use all of the same provisions. I was opposed to some of the basic provisions in that proposal. It sought to give certain unusual powers to the Chairman, as a matter of fact, and this bill does not do that. This maintains the Commission's full responsibility, as the law intended.

Mr. MONAGAN. I understand that there is a distinction between Reorganization Plan No. 2 and this legislation here. But I understood the gentleman to say that it would have the effect that was sought in Reorganization Plan No. 2.

Mr. HARRIS. The basic objectives here are the same.

Mr. MONAGAN. And will bring about the desired results, in the opinion of the gentleman?

Mr. HARRIS. We hope and we feel that we will get better results as a result of this legislation.

Mr. MONAGAN. At the time Chairman Minow appeared before the House Government Operations Committee he said that there were two methods that might be followed in bringing about these necessary reforms. One would be through reorganization and the other would be through legislation. He said he did not have any opinion as to which would be preferable.

Would the gentleman say that what we have done here in turning down Reorganization Plan No. 2 and in passing this legislation, if we do it, would be taking the legislative road toward bringing about the reforms that have been sought in this Commission?

Mr. HARRIS. I agree with what the gentleman has said. I strongly believe it should be done by appropriate legislation. I voted for the reorganization plan affecting the Civil Aeronautics Board and the one affecting the Federal Trade Commission, as well as the one affecting the Securities and Exchange Commission. They had the same basic objectives. However, with all deference to those in the White House who prepared those plans and sent them up here, in my judgment they could have been much better prepared.

Mr. Chairman, I think this legislation is a much better approach to it. I like it much better, very frankly. I think it will be easier to understand and will clear up any question about what we intend to do.

Mr. MONAGAN. It certainly should have the effect of increasing efficiency and the operations of the Federal Communications Commission?

Mr. HARRIS. There is no doubt in my opinion but what it will.

Mr. MONAGAN. I thank the gentleman.

Mr. MACK. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Illinois [Mr. MACK], a member of the committee who also was very effective in helping to work out this proposal in light of the experience he has had on our Legislative Oversight Committee.

Mr. MACK. I asked the gentleman to yield for the purpose of commending him on the good job he has done in bringing this bill before the Congress, also to commend him on the tremendous job he did as chairman of the Legislative Oversight Committee, which was a very difficult program to carry out, and to congratulate him on the work that he has done in this general area in regard to regulatory commissions.

The gentleman has pointed up many deficiencies existing in our regulatory commissions. As I understand, the bill the gentleman has brought back to the House today is designed to eliminate some of the problems that were exposed during the legislative oversight hearing.

Mr. HARRIS. Yes, to reform procedures.

Mr. MACK. One of the major problems, I understood at the time, was undue delay in processing applications.

Mr. HARRIS. That undoubtedly is the most worrisome problem in all these agencies, which gradually is being overcome week by week, and I might say by the action of the committee, too.

Mr. MACK. One of the problems caused by these undue delays was improper ex parte contacts within the Commission.

Mr. HARRIS. Because of these long and unnecessary delays, the situation lends itself to improper contacts and undue influence. That is the great difficulty we ran into.

Mr. MACK. Then in addition to improving the efficiency of the Federal Communications Commission, this will also have the effect of reducing the possibility of ex parte contacts in the future?

Mr. HARRIS. No doubt about it, and that is one of the purposes of this reform procedure.

Mr. MACK. I want to thank the gentleman. One of the cases in which I was particularly interested was the Sangamon Valley case, which was pending before either the Commission or the courts for some 12 years. I hope that we are successful in enacting this legislation and can improve the operation of the regulatory commissions.

Mr. HARRIS. I thank the gentleman, and I thank him for the high compliment he has paid to me. I want also to state that the gentleman as well as other members of the committee were with me in this very difficult responsibility we have.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from North Carolina.

Mr. JONAS. May I invite the gentleman's attention to the proviso on page 3, under subsection (4), which reads as follows:

Provided, That the Commission, by published rule or by order, may limit the right to file applications under this subsection for review of orders, decisions, reports, or actions of panels of commissioners or employee boards.

Does the committee contemplate that by published rule or order the Commission will establish regular procedures in advance, or is it contemplated that they will do so in individual cases?

Mr. HARRIS. No, by rulemaking would mean in general. It would be regular procedures to follow when individual cases are brought.

Mr. JONAS. It would be adopted in advance so all parties would know about the rules?

Mr. HARRIS. That is right. Under the regular procedure of holding hearings, first you ask for comment, then hold hearings, and so forth, in order to arrive at appropriate rules for the purpose.

Mr. JONAS. So parties would know in advance whether and under what conditions they might ask for a review of the order?

Mr. HARRIS. Yes, that is true.

Now, Mr. Chairman, I would like to state again that I believe we have a good bill. I believe this is a bill that is badly needed. It is one thing to recognize the need for reform, it is another thing to bring it about. We have thoroughly explored this field. This Congress knows we have developed information making it abundantly clear that there are some needed reforms in procedures in order that this and other agencies may expedite the work they have before them.

We have had many actions taken thus far—some by legislation which we reported last year, as you well know about—we have had action taken by the various regulatory agencies to improve the procedures by internal organization. I have memorandums in the committee files on what has been done. I am encouraged and very proud of the actions that have been taken for such improved procedures. But here is something that has to be done and has to be done only by the Congress.

I want to emphasize the importance of congressional leadership in this field. The Federal Communications Commission and other regulatory agencies must be given the tools to carry out the duties assigned to them, and only the Congress can give those tools—it is our responsibility. If we permit delays, heavy expenses, redtape, and other defects to continue in the Federal Communications Commission, we will be held answerable to the American people for such an intolerable condition.

Mr. Chairman, I urge the House to approve this legislation.

The CHAIRMAN. The gentleman from Arkansas has consumed 47 minutes.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, some weeks ago when the reorganization plan for the Federal Communications Commission was before the House, I stood in this spot and said I felt the reorganization plan, as written, was wrong; that it was wrong as applicable to the Commission itself; it was wrong as applicable to the public because it was not in the public interest; and it was wrong because hearings were not held by a committee qualified to hear such a bill and determine whether the things mentioned in that reorganization plan were good. I did say at the same time that if they would reject that plan which was sent down by the President that our committee would hold hearings on it. I had the assurance of the chairman that we would, when I made those statements, and we are back here today trying to make good on our promise that we made to you then that we would come back and not only with a bill but that was in the public interest and one by which the Federal Communications Commission could accomplish the things that were needed in the public interest.

Immediately thereafter, the chairman of the committee introduced H.R. 7856 which is before the House today. On the Senate side, there was introduced S. 2034. The bill, as drawn and introduced by the chairman, was a good bill and is a good bill. The bill which resulted on the Senate side was largely due to the chairman of a subcommittee there who asked the Commission itself in light of all that had been said here in the Congress to draw up a bill that met those objections and still allow the Commission to accomplish the things that ought to be done in the public interest. May I say that the Federal Communications Commission did write an excellent bill. S. 2034 is a fine bill, in my estimation, and it is every bit as good as the bill we have on this side. There are not too many differences between the two bills. S. 2034 was largely drawn by Commissioner Ford at the instruction of the Chairman of the Federal Communications Commission, which was agreed on by all seven of the Commissioners.

When they were before our committee we asked them for the specific objections they had to H.R. 7856, and they said they did not have any objections, that they just felt that the bill they had drawn was the one they wanted to recommend, and they did recommend it to us. So much for how the legislation reached this floor.

There are basic objections, as you all know, to the reorganization plan as sent down by the President. In the first place it did create, in my estimation and in the minds of many in this body, a dictator in whose hands most of the affairs down at the FCC could be garnered.

The main objection, of course, was to the assignment of Commissioners; and may I say that the Commissioners themselves when they appeared before our committee were against this particular provision of the President's reorganization plan by a vote of 7 to 2. So the Commission itself was overwhelmingly against the President's reorganization plan.

The third was the question of the assignment of personnel. That was objectionable to most of the Commissioners and it was certainly objectionable to us. Now, let us come to what the bill does. I think there are two or three things that the Commission has needed in all the years I have been on this committee.

First of all, the Commission needed more flexibility of the rules under which they were operating down there together with the law under which the Commission was operating. Conditions were too inflexible for them to do the amount of work that had to be done in the period of 12 months and still keep up with the calendar. It was simply an impossibility to keep up with the work—under the law as it was written. So flexibility was one of the major things we have attempted to achieve in this particular bill.

The second was the speed with which the Commission could move. In other words, I am not talking about the speed of the Commission from day to day; I am talking about the time that elapses from the initiation of a case until decision is handed down and is in the hands of the party. It has been an unreasonable length of time, and to shorten this time is one of the things we were attempting to do in what we bring before you today. We think under the provisions of this bill it will be possible for them to speed up the decision of a case.

A third advantage will be that it will be possible for the Commission to utilize its personnel to its greatest efficiency.

These are the three major things I conceive that this legislation which is before you today will do.

There is a fifth thing and that has to to do with appeals. We believe that in setting up these panels of employees which the Commission now has the authority to set up, we are also speeding the process of law there. These appeals have been one of the bottlenecks in the whole Federal Communications Commission's proceedings. We believe this appeal provision is one they can live with and one under which they can accomplish the work with the least amount of effort and the greatest speed.

The abolition of the review staff has helped a great deal because the review staff was one of the bottlenecks. We abolished that, and that is one of the good things in this bill.

Lastly—and the Chairman, as I recall, did not talk too much about this—when we went before the Rules Committee, that committee raised certain questions in clarifying the intent of the legislation in two respects: First, that the Commission may not delegate its function to reviewing decisions of employee boards which are excepted to, especially exceptions to the initial decisions of the examiners; and, secondly, to set out specifically in the bill the qualifications of the employees who will be designated by the Commission to serve on the employee boards, and also to provide specifically that the function of considering exceptions to initial decisions may not be delegated to employee boards consisting of fewer than three employees. That the bill was intended to reach these results is apparent from a reading of the committee report, and to remove any doubt about this that some may have, it appeared desirable to include specific language to that effect in the bill, which the amendments later to be introduced by the chairman of the Committee on Interstate and Foreign Commerce will specifically do.

Mr. Chairman, when the original reorganization plan was before the House, it seemed like everybody was objecting to it except the Chief Executive and two members of the Federal Communications Commission. I could not find much support for the reorganization plan other than from those two sources. Some of that in the White House grew out of the Landis report. They figured they could do this better than the committee could. I think it demonstrates again to the House the importance of bringing this kind of a change or reform in the law before the committee which ought to hear the matter and where we can work out all of the quirks.

I believe today everyone is together on this particular bill, insofar as I know. I do not know of any substantial opposition to the bill. Since this bill came from the committee as it unanimously did, it ought to have the support of the House. The committee is for it, the Commission is for the bill, the industry is for the bill, and I believe if the public properly understood it and had a chance to read it and know the provisions contained in the bill compared with what the law was before that, the public itself would endorse it. I believe the bill itself is in the public interest, and that is why I recommend it to the House today and also to the public at large.

Mr. BENNETT of Michigan. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. ARENDS].

LEGISLATIVE PROGRAM FOR WEEK OF AUGUST 7

Mr. ARENDS. Mr. Chairman, I wonder if the gentleman from Massachusetts will inform us as to the legislative program for next week.

Mr. McCORMACK. Mr. Chairman, after disposition of this bill there will be no further business for the rest of the week, and I shall ask unanimous consent to go over until Monday.

Monday is Consent Calendar day. There are also 16 suspensions, the first of which is House Concurrent Resolution 351, supporting the President's reply to Soviet aide memoire on Germany and Berlin.

That will be the first suspension called up, and on that I understand there will be a rollcall.

The following suspensions will be considered:

H.R. 7724, armed services, dependents advance pay.

H.R. 7913, U.S. Military and Air Academies, increased cadets.

H.R. 7727, armed services, acceptance of fellowships or grants.

H.R. 7728, Armed Forces, sales in case of emergency.

H.R. 4785, National Guard, withholding of employer contributions.

H.R. 4792, National Guard, status of personnel.

H.R. 4786, National Guard, reservists travel allowances.

H.R. 5144, Indians, Lower Brule Sioux Reservation.

H.R. 5165, Indians, Big Bend Dam and Reservoir.

H.R. 4458, Idaho, replace pipelines.

H.R. 8140, Crimes and offenses, bribery, graft, and conflict of interest.

H.R. 8095, nonmilitary activities, NAS Act.

H.R. 7108, strengthen Federal Savings and Loan Insurance Corporation.

H.R. 2429, crimes and offenses, property in interstate commerce.

H.R. 1022, to amend the Agricultural Adjustment Act of 1938 to provide for lease and transfer of tobacco acreage allotments.

For Tuesday and the balance of the week the program is as follows:

On Tuesday, bills on the Private Calendar will be called.

Then there will be a resolution to send H.R. 7576, the Atomic Energy Commission authorization bill, to conference.

A rollcall on this is likely.

There is also H.R. 7726, relating to loan of vessels to friendly nations.

H.R. 8033, a bill relating to the orders of hearing examiners in the Interstate Commerce Commission.

H.R. 6882, providing one additional Assistant Secretary of Labor.

H.R. 6302, involving transfer of Freedmen's Hospital.

There are the usual reservations that conference reports may be brought up at any time.

There is a conference report to be brought up on Monday, the independent offices appropriation bill.

Any further program will be announced later.

Mr. ARENDS. I thank the gentleman.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, I take this time not to comment on the particular bill but rather to discuss procedure and at the same time compliment the committee for what I think is an excellent job. That is regardless whether I agree or disagree with the committee on the issue itself. It seems to me that now that the heat is out of all of this, we ought to reexamine this question of our Reorganization Act.

I served my first term on what was then called the Committee on Expenditures in the Executive Departments, now the Committee on Government Operations, and early became acquainted with the Reorganization Act. Many people felt it was unconstutitional. I feel it is unconstitutional. I grant that that is not usually the argument that people are concerned much about these days, but I would like to just examine briefly the reason why it is unconstitutional from a practical standpoint. It puts the legislative branch of the Government in the position of vetoing, while it puts the executive branch of the Government in the business of legislating, and we see that in particular in this issue before us.

The executive branch of the Government has not the techniques developed for holding public hearings and having people with different views come before it. It does not have the functions of amendment and debate in a public forum which are peculiar to the legislative branch of the Government. That is the process of legislating, and the very arguments that were heard in opposition to the reorganization proposal of the President are borne out here in the well of the house.

Here we have the legislative committee that had the knowledge and the background of the Federal Communications Commission; a background of long experience in dealing with it; going in and considering how this agency should be set up. The committee also had the opportunity for amendment, and certainly there was opportunity for people coming before the committee in public hearings, if that were necessary, to discuss it.

I want to compliment this committee for being jealous of its jurisdiction that it insisted upon correct legislation procedure. I wish that the other committees of the House had been equally diligent on these other reorganization plans, other than this one and the National Labor Relations Board reorganization, for the very same reason that that is the correct procedure. I can see why the Reorganization Act was enacted back in the days when we had not taken a big look at the executive branch of the Government for some time. Maybe then a lot of this housekeeping was done better quickly and

through executive fiat. But, I think the time has now come when it is not expedient and we can remove the Reorganization Act from the books and go about legislating in the proper fashion. It becomes particularly important, I might say, when we are dealing with these independent agencies which most of us have always thought of as arms of the Congress. The regulatory bodies are arms of the Congress. The executive branch has construed the Reorganization Act to include not only bureaus that are really executive units but organizations that are these extensions of the regulatory powers of the Congress. I am particularly cognizant of one such agency that the Committee on Ways and Means is constantly dealing with, the Tariff Commission, which we have always looked upon as an arm of the Congress. But, if the President feels that these are executive arms to the extent that he will reorganize them under the Reorganization Act, I think we in the Congress, who are anxious to preserve the separation of powers, both according to the Constitution but even more important, the reasoning behind the Constitution, should pay attention and take action.

I think this has been a good object lesson for us. Here we have not lost anything by taking the time necessary. The committee has done a good, adequate job, and we are able to work our will in this area. I think the same thing could have been done in every one of these reorganization plans that created so much heat and so little light in the past month or so.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Illinois.

Mr. SPRINGER. It was my understanding when I came to the Congress 11 years ago, when we had many of these reorganization plans come before us—I do not remember any particular ones, where you changed the statutory authority of the particular body to do certain things. Most of the reorganizations as I saw them that were sent down by both President Truman and President Eisenhower were rather in the nature of increasing efficiency. I am talking about getting rid of unneeded employees and the bureaus that no longer had any functions and abandoning them or consolidating them.

But in this kind of reorganization as I saw it, and as it came before our committee, it was really an entire reorganization of the powers of the Commission and reorienting the powers in different directions which would have brought all those powers up to the Chairman of the Commission. I am not saying anything with reference to the present Chairman, but I am saying that under an unscrupulous chairman all of this could be channeled to the administrative branch or the White House or otherwise. This in my opinion was the immediate danger we saw in the reorganization of the powers, as the gentleman from Missouri [Mr. CURTIS] has mentioned.

Mr. CURTIS of Missouri. I thank the gentleman for his comment. I think that is a very well taken point. I think it might be free advice, but this is not, I think we recognize, a matter of Republican and Democrat, because this was done under the Republican administration and under the Democrat administration. I do think, however, that the Committee on Government Operations ought to take a new look at the Reorganization Act itself in light of our experience here and see if we cannot either get rid of it, which I think we should do, or at least tighten it up so it would do what the gentleman from Illinois [Mr. SPRINGER] has been saying—a housekeeping kind of performance. We do not get into substantive legislation.

Mr. HARRIS. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. ROGERS], a member of the committee.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-eight Members are present, not a quorum.

The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 131]

Anfuso	Harrison, Va.	Quie
Ayres	Harsha	Rabaut
Bass, Tenn.	Harvey, Mich.	Rains
Blitch	Healey	Rhodes, Ariz.
Boland	Hébert	Roberts
Bolton	Hoeven	Roush
Bow	Hoffman, Mich.	St. George
Boykin	Holland	St. Germain
Brooks, La.	Kelly	Santangelo
Broomfield	Keogh	Scherer
Buckley	Kilburn	Scott
Cahill	Kilday	Short
Cannon	Kirwan	Smith, Miss.
Carey	Kluczynski	Spence
Cederberg	Kyl	Teague, Tex.
Celler	McDowell	Thompson, La.
Colmer	McSween	Thompson, N.J.
Cramer	Machrowicz	Tollefson
Davis, John W.	Mason	Utt
Dent, Pa.	Miller, Clem	Vinson
Dooley	Minshall	Walter
Evins	Morrison	Weaver
Flynt	Morse	Widnall
Fogarty	Norrell	Willis
Gallagher	O'Konski	Winstead
Glenn	Peterson	Zelenko
Gray	Pilcher	
Green, Pa.	Powell	

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having assumed the chair, Mr. YATES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill H.R. 7856, and finding itself without a quorum, he had directed the roll to be called, when 356 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

Mr. ROGERS of Texas. Mr. Chairman, I might say in the beginning that I rise in opposition to this bill and vigorously oppose it. I find it rather distasteful to be at difference with my chairman, but I cannot take a different position, and I want to tell you exactly why.

It was said when the reorganization resolution was before this House that this was a highly technical bill and that it would be fully explained. Well, now, there have not been very many Members on the floor, and I agree that it is a highly technical bill. It is a bill that is so highly technical that every Member of this House ought to be interested in what is in it, because you are going to face this piece of legislation and similar legislation a number of times in the next decade. Now, mark my words, you are going to face it on the political platform and you are going to face it in your congressional districts.

Now, it was said that this was similar to the reorganization plan brought up here to reorganize the Federal Communications Commission. As a matter of fact, this bill is almost identical to the reorganization plan that was prepared by Landis and brought up here and was defeated by this House of Representatives. The reorganization plan that was brought up here—I forget the number of it, but it was one having to do with the FCC—had one provision in it, of course, which delegated to the Chairman of the Federal Communications Commission the right to make assignments of duties within the Commission.

Now, a great deal has been said about having taken that out of this legislation. It does not make a great deal of difference. I do not think that Mr. Landis, or Dean Landis, or whatever you call him, was very much disturbed about that power, because at the hearings he indicated it did not make a great deal of difference to him. He said:

> The power is in the Commission. The Commission itself can delegate to the Chairman of the Commission the right to delegate these powers to any employee he wants.

The main point in this bill is this: It is the thing that Landis was after; it is the thing the executive branch of this Government has been after since the regulatory commissions were first set up, and it is the thing they are going to keep after until they get it; and I do not want them to have it, and that is the reason I am here today protesting this legislation.

It is very simple. It simply vests in civil service employees adjudicative powers. I challenge anyone to show me anything different, because these Commissions have full powers right today to delegate the duties and the work and things of that kind—functions, if you want to call them that. The word has been overused. We had a big fuss in the committee about this type of legislation and the word "powers" had been used and used and used. I said that under the law you cannot delegate powers to these civil service employees whose job protection rights and who in many instances cannot be removed even when they are suspect insofar as patriotism is concerned, and you are extending to them adjudicative powers. So, the word "function" was adopted. Anything short of adjudicative powers can already be delegated to all of these underlings in these commissions.

You are going to have another bill in a very few days having to do with the Interstate Commerce Commission doing this very same thing. The one thing that they want is adjudicative powers in the civil service employees. The result of that would simply be this. It will

make it possible for a civil service employee to render a decision in a case, and that case goes through and into the courts without it ever having been reviewed by the Commission for which this examiner works.

Mr. Chairman, it was argued in the first place in the committee that this legislation made it possible for the Commission to assign a case to an examiner and then to permit that examiner's decision to be reviewed by an employees board made up of some more examiners, but to permit that employees board's decision to be examined by another employees board, and the matter would never have gotten to the Commission or a division of the Commission.

Mr. Chairman, the people who are appointed by the President of the United States and subject to confirmation in the Senate could sit as a Supreme Court in this matter and simply say "We refuse to review your application for review." Yet that case, if it had been so handled as I have outlined, or if under the bill as it will be amended, if that case is so handled, and goes to the courts, the courts are bound by the substantial evidence rule and the result of that is simply this: That the rights and privileges, the powers and immunities of the citizens of this country will have been determined by a civil service employee and the courts will be wholly powerless to overturn it.

Mr. Chairman, I do not believe that the people of this country want that kind of legislation. We have heard a great deal about expediting business. Now, the primary objective here should not be the convenience of these commissions or what needs to be done to expedite the handling of business. What ought to be done is to look and see what is happening to the rights of the American people and their protection under the separation-of-powers theory of government. We are not doing that here. I will tell you what you can do. They say we cannot expand these commissions. Why can we not expand these commissions if we need to? Let us look at the problem for a second. What are we faced with? We are faced with the situation where the only excuse for this legislation is that the Commission is overworked. A commission of public employees drawing tax money is overworked. That is the only excuse for this legislation. Why is that? The reason is that after these boards were set up the population of this country continued to expand. We have an expanding economy. There were other matters that had to come up and be decided. So, the workload did increase.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I would be very happy to yield to the distinguished minority leader.

Mr. HALLECK. Mr. Chairman, I have been very much interested in what the gentleman has to say about this matter primarily because the other day we had here a plan to reorganize the National Labor Relations Board where the very problems that the gentleman is talking about were involved. Now, in respect to the right of review, as I read the provisions, the Commission can limit the right to file applications for a review to proceedings involving issues of general communications importance.

How limiting would that language be? Can the gentleman tell us what sort of matters coming before the Commission might be delegated as a matter of final adjudication to the employee boards or employees that would not come within this definition of matters of general communications importance? In other words, an application for a license to run a TV or radio station, would that be a matter of general communications importance?

Mr. ROGERS of Texas. Let me answer the gentleman this way: I think his question is most appropriate because it points up the problem. It points up the fact that this language is so technical and so few people understand it that this Congress of the United States ought not to do something without knowing exactly what is happening. I can envision a situation involving what the gentleman is talking about as to what is a general communications case. If the Commission simply says, "We refuse to review your application for review," or refuse it or deny it, as you would a writ of certiorari to the Supreme Court, then suppose the examiner has said that this is not a matter of general communications importance. They refuse to review the case because they turned down his application. The matter goes to the court and, if the substantive evidence rule is applicable, the court would be powerless to overturn it. Who is going to determine whether that is a matter of general communications? The Commission itself can decide that by simply not deciding anything.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from Texas.

Mr. HALLECK. If the gentleman will yield further, Is an application for review of a decision by an employee a matter of right? I might ask that of the gentleman from Texas or the chairman of the committee.

Mr. ROGERS of Texas. I will be happy to yield to the chairman of the committee.

Mr. HARRIS. Let me respond to the question the gentleman asked a moment ago. The matter involving a license would be of communications importance. But the Commission would determine the rulemaking procedure after inviting comment and having hearings and adopting a rule to carry out the procedure. So these would be made known to everyone prior to any case before the Commission.

Mr. HALLECK. The gentleman refers to communications importance. The word "general" is used. I may very frankly say to the gentleman that the use of that word disturbs me, because generally speaking it would seem to me that that would permit the Commission to set up rules by which there would be no guaranteed right of review by the Commission except in those areas where maybe a broad policy in connection with all manner of licenses falling within a given category might be at issue.

Mr. HARRIS. That is not the situation at all. The same provision has been in the Interstate Commerce Act for many years. It has never been questioned. There has never been any difficulty with in. We are trying to separate the routine cases from the cases that are actually of importance to communications and to the American people.

Mr. HALLECK. I am seeking information because I am not sure what I ought to do about this particular measure. May I ask the chairman of the committee if an application for a license for a TV or radio station, in his opinion, standing by itself, where the determination has to be made as to who gets it, would be a matter of such general communications importance as to give the party who is aggrieved by the determination a review as a matter of right to the Commission?

Mr. HARRIS. He would file exceptions. If it is a case of an examiner that goes to the division, an employee board, or to the Commission. He would file exceptions to the examiner's initial decision. If, by the Commission passing on it first, it was assigned to an employee board for review and the aggrieved party wanted to get that proceeding reviewed, he would file an application for review which would go to the full Commission.

Mr. HALLECK. Would that be discretionary or would it be mandatory?

Mr. HARRIS. He would have the right to file his exceptions to the examiner's initial decision. It would be discretionary as to whether or not the Commission would approve his application for review.

Mr. HALLECK. And they would undertake to review it?

Mr. HARRIS. It would be discretionary with the Commission as to whether or not they would undertake to review it with full hearings and oral arguments.

Mr. ROGERS of Texas. Let me say in further answer to the distinguished minority leader insofar as this discretionary situation is concerned, you understand that what is happening is that the Commission is being set up like a Supreme Court and what you do is make application to the Commission to be heard and to have it reviewed. The Commission can say they refuse to review it, and that is the end of it.

Let me get back to this other point about the expansion of the population and the increase of these problems. At the time these commissions were set up, they were organized to do this work and they were set up commensurate with the demands at that time, and commensurate with the size of this country. Now the size of this country has increased. There is more work and this is a problem that is going to have to be faced, and it is going to have to be faced after exhaustive study to answer these problems in keeping with the principle of the seperation of powers of our Government. You cannot handle this matter on a patchwork basis. It must be faced straight across the board, if we are going to handle the problem. It is not going

to be faced by simply dodging our responsibility and turning these decisions over to the civil service employees.

As I told you a few minutes ago, a vote for this bill can be construed very easily as a vote for the expansion of bureaucracy. I doubt there is a Member within the sound of my voice who has not made a speech against overencroachment of bureaucracy boards and commissions in Washington. Your mail every day is filled with that. You are dodging the issue here of vesting the responsibility to meet these problems in duly constituted appointees of the President, affirmed by the Senate, and you are shifting it over into the civil service area where they have job protection and, actually, where they are tied to the executive branch of the Government.

Now the executive branch of the Government has for a long time wanted this authority. They want these boards and they want these regulatory agencies. This, my friends, is a step toward giving it to them. Let me read you just one thing that James Landis said that points this up in support of it to show you that what they want is the adjudicatory power vested in executive department employees and in civil service employees. James Landis also says:

> Turning to section 3, I think section 3 is very wise in abolishing section 409(a) of the Communications Act and rewriting it because section 409(a) prohibits the assignment of an adjudicative matter to a single commissioner, which assignment is contemplated in the Administrative Procedure Act of 1946.

Now he stopped there, and he did not tell you that what they were doing was extending it far beyond a single commissioner and down to an employee who has job right protections that you or I or the Congress or no one else can touch.

Mr. BENNETT of Michigan. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I want to take exception to the views expressed by my colleague the gentleman from Texas [Mr. ROGERS] in several respects. In the first place he quoted what Dean Landis wanted. Dean Landis wanted a dictator in each one of these agencies. As you will recall, when he was appointed and made his first report he said—and it was quoted in the papers—that he was recommending in the President's office a supervisor over all the Federal agencies under the President. We questioned Dean Landis. When he was before us I raised that point and while his recommendation was turned down, he still tried to get the same Presidential control by having the Commission place all their functions and authority in the hands of the Chairman who served at the will of the President.

Mr. ROGERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. No; I have no time to yield.

The dean still said that he wanted control by one individual and he had not changed his mind. Let us look at this bill in another way.

The Commission under this plan has the final authority, and they must exercise it in every one of the cases. Section 4 on page 3 of the bill provides that any person aggrieved by any such order, decision, report, or action, may file an application for review by the Commission within such time and in such manner as the Commission shall prescribe. I have an amendment here which has been agreed to and accepted by the Chairman, which provides that every such application shall be passed upon by the Commission. There is no question about of having the final authority in civil service employees, the Commission itself must pass finally on every one of these cases provided the person aggrieved wants to make that appeal.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. Yes, I yield to the chairman of the committee.

Mr. HARRIS. In view of the statement that has been made, and since many Members were not here when I explained the provisions of the bill earlier, I would like with the gentleman's indulgence to explain to the Members just how this works. I can do it in a very brief time. It is easy to misunderstand the technical provisions of the bill, and this is highly technical.

First let me say that there has been authority in a provision in the Communications Act since 1934 as to nonadjudicatory work—I do not care whether you call it "powers" or "functions"—authority to delegate nonadjudicatory work to employees of the Board. This bill extends the authority of the Commission to delegate certain adjudicatory functions to certain types of employee boards. The way it works is this: When a case of adjudication is filed before the Commission, the Commission assigns it to a hearing examiner.

The hearing examiner conducts the hearings and makes the record.

I may say to the gentleman from Texas that the employee board has nothing to do with making that record. Consequently, the court review under the substantial evidence rule is on the record made by the hearing examiner. The hearing examiner then files his initial decision with the Commission.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BENNETT of Michigan. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. HARRIS. The hearing examiner files his initial decision which goes to the Commission. There are many routine cases that come up in that fashion. From the information that our subcommittee developed, at that particular time there are certain advantages that have been taken by so many people arbitrarily to delay and postpone action. They file exceptions to it, and the exceptions go to the full Commission. Even though they are routine cases, that necessarily prolongs and delays. The Commission cannot as a matter of physical possibility immediately pass on so many of those things that pile up in that manner. If they are routine cases, this bill provides an intermediary proceeding whereby the Commission determines that this particular order that comes from the hearing examiner can be reviewed by a certain type of employee board. Then they assign for review to this board. If the aggrieved party then wants to object, under this proceeding he files his exceptions, which go to either a panel of employees or to a division of the Commission or to the full Commission itself.

The legislation provides that the aggrieved party in interest may then file for review through its application for review to the Commission, or the Commission on its own initiative may consider the matter in full review. So the parties are amply protected. I think the safeguards are such that you cannot say there are arbitrary powers that are being delegated to any civil service employee because the Commission must pass on it finally.

Mr. BECKER. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from New York.

Mr. BECKER. I want to get one point straight. Who designates the panel, whether a panel appointed by the Commission or Commission members? Who designates the panel or the member who shall do the reviewing?

Mr. YOUNGER. The Commission.

Mr. HARRIS. The Commission itself.

Mr. BECKER. In other words, they have that power under the rule?

Mr. HARRIS. It is not a rule.

Mr. BECKER. The Commission makes the final decision as to the Commission members?

Mr. HARRIS. That is right.

Mr. BECKER. I thank the gentleman.

Mr. YOUNGER. There is one thought I would like to leave with you. Under the present act the Commission must hear oral argument. Every litigant who wants to appeal has that right, and the Commission cannot turn it down. That is what has gummed up, so to speak, the work of the Commission, because if they give out a little license for a radio on a fishing boat, it may take hours of the Commission's time. Yet it is nothing of importance to the general public. They do not have the time to devote to the important business. This will clear the record, but the decision finally must rest with the Commission.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Illinois.

Mr. COLLIER. I had some very definite reservations about this legislation as it was originally presented, as will be recalled. I think we are losing sight of one very important factor in this, and that is actually the Congress may well exercise greater control. Certainly the Commission, as well as the delegated employees, know too well that we at any time may remove the authority that we grant in this bill; is that correct?

Mr. YOUNGER. That is correct.

Mr. HARRIS. Mr. Chairman, I yield 3 minutes to the gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Chairman, I just want to say, very shortly, that I rise in support of this legislation.

I believe it has been well thought out. It gives adequate protection. It has brought about a complete change in the approach to this problem from the reorganization plan in that it avoids the proposed power of the Chairman, increases it somewhat, yet keeps it in the entire Commission. This legislation has the approval of the broadcasting industry, as was stated earlier by the Chairman. It has the approval of all the present Commissioners of the FCC, and has the approval of the committee which very diligently studied this legislation and has recommended it for the approval of the House.

The CHAIRMAN. The time of the gentleman from Florida has expired. All time has expired.

The Clerk will read the bill for amendment.

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 subsection (c) of section 5 of the Communications Act of 1934, as amended, relating to a "review staff", is hereby repealed.

SEC. 2. Subsection (d) of section 5 of the Communications Act of 1934, as amended, is amended to read as follows:

"(d)(1) When necessary to the proper functioning of the Commission and the prompt and orderly conduct of its business, the Commission may, by published rule or by order, delegate any of its functions to a panel of commissioners, an individual commissioner, an employee board, or an individual employee, including functions with respect to hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter. Any such rule or order may be adopted, amended, or rescinded only by a vote of a majority of the members of the Commission then holding office. Nothing in this paragraph shall authorize the Commission to provide for the conduct, by any person or persons other than persons referred to in clauses (2) and (3) of section 7(a) of the Administrative Procedure Act, of any hearing to which such section 7(a) applies.

"(2) As used in this subsection (d) the term 'order, decision, report, or action' does not include an initial, tentative, or recommended decision to which exceptions may be filed as provided in section 409(b).

"(3) Any order, decision, report, or action made or taken pursuant to any such delegation, unless reviewed as provided in paragraph (4), shall have the same force and effect, and shall be made, evidenced, and enforced in the same manner, as orders, decisions, reports, or other actions of the Commission.

"(4) Any person aggrieved by any such order, decision, report, or action may file an application for review by the Commission within such time and in such manner as the Commission shall prescribe: *Provided,* That the Commission, by published rule or by order, may limit the right to file applications under this subsection for review of orders, decisions, reports, or actions of panels of commissioners or employee boards, in cases of adjudication (as defined in the Administrative Procedure Act), to proceedings involving issues of general communications importance. The Commission, on its own initiative, may review in whole or in part, at such time and in such manner as it shall determine, any order, decision, report, or action made or taken pursuant to any delegation under paragrph (1).

"(5) In passing upon applications for review, the Commission may grant, in whole or in part, or deny such applications without specifying any reasons therefor. No such application for review shall rely on questions of fact or law upon which the panel of commissioners, individual commissioner, employee board, or individual employee has been afforded no opportunity to pass.

"(6) If the Commission grants the application for review, it may affirm, modify, or set aside the order, decision, report, or action, or it may order a rehearing upon such order, decision, report, or action in accordance with section 405.

"(7) Unless exercise of the right to file an application for review has been precluded by a rule or order adopted under paragraph (4), the filing of an application for review under this subsection shall be a condition precedent to judicial review of any order, decision, report, or action made or taken pursuant to a delegation under paragraph (1). The time within which a petition for review must be filed in a proceeding to which section 402(a) applies, or within which an appeal must be taken under section 402(b), shall be computed from the date upon which public notice is given of orders disposing of all applications for review filed in any case.

"(8) The Secretary and seal of the Commission shall be the secretary and seal of each panel of the Commission, each individual commissioner, and each employee board or individual employee exercising functions delegated pursuant to paragraph (1) of this subsection."

SEC. 3. Section 405 of the Communications Act of 1934, as amended, is hereby amended to read as follows:

"REHEARINGS

"SEC. 405. After an order, decision, report, or action has been made or taken in any proceeding by the Commission, or by any designated authority within the Commission pursuant to a delegation under section 5(d)(1), any party thereto, or any other person aggrieved or whose interests are adversely affected thereby, may petition for rehearing only to the authority making or taking the order, decision, report, or action; and it shall be lawful for such authority, whether it be the Commission or other authority designated under section 5(d)(1), in its discretion, to grant such a rehearing if sufficient reason therefor be made to appear. A petition for rehearing must be filed within thirty days from the date upon which public notice is given of the order, decision, report, or action complained of. No such application shall excuse any person from complying with or obeying any order, decision, report, or action of the Commission, or operate in any manner to stay or postpone the enforcement thereof, without the special order of the Commission. The filing of a petition for rehearing shall not be a condition precedent to judicial review of any such order, decision, report, or action, except where the party seeking such review (1) was not a party to the proceedings resulting in such order, decision, report, or action, or (2) relies on questions of fact or law upon which the Commission, or designated authority within the Commission, has been afforded no opportunity to pass. The Commission, or designated authority within the Commission, shall enter an order, with a concise statement of the reasons therefor, denying a petition for rehearing of granting such petition, in whole or in part, and ordering such further proceedings as may be appropriate: *Provided,* That in any case where such petition relates to an instrument of authorization granted without a hearing, the Commission shall take such action within ninety days of the filing of such petition. Rehearings shall be governed by such general rules as the Commission may establish, except that no evidence oth rethan newly discovered evidence, evidence which has become available only since the original taking of evidence, or evidence which the Commission or designated authority within the Commission believes should have been taken in the original proceeding shall be taken on any rehearing. The time within which a petition for review must be filed in a proceeding to which section 402(a) applies, or within which an appeal must be taken under section 402(b) in any case, shall be computed from the date upon which public notice is given of orders disposing of all petitions for rehearing filed with the Commission in such proceeding or case, but any order, decision, report, or action made or taken after such rehearing reversing, changing, or modifying the original order shall be subject to the same provisions with respect to rehearing as an original order."

SEC. 4. Section 409 (a), (b), (c), and (d) of the Communications Act of 1934, as amended, are amended to read as follows:

"(a) In every case of adjudication (as defined in the Administrative Procedure Act) which has been designated by the Commission for hearing, the person or persons conducting the hearing shall prepare and file an initial, tentative, or recommended decision, except where such person or persons become unavailable to the Commission or where the Commission finds upon the record that due and timely execution of its functions imperatively and unavoidably require that the record be certified to the Commission for initial or final decision.

"(b) In every case of adjudication (as defined in the Administrative Procedure Act) which has been designated by the Commission for hearing, any party to the proceeding shall be permitted to file exceptions and memoranda in support thereof to the initial, tentative, or recommended decision, which shall be passed upon by the Commission or by the authority within the Commission, if any, to whom the function of passing upon the exceptions is delegated under section 5(d)(1).

"(c)(1) In any case of adjudication (as defined in the Administrative Procedure Act) which has been designated by the Commission for a hearing, no person who has participated in the presentation or preparation for presentation of such case at the hearing or upon review shall (except to the extent required for the disposition of ex parte matters as authorized by law) directly or indirectly make any additional presentation respecting such case to the hearing officer or officers or, upon review, to the Commission or to any authority within the Commission to whom, in such case, review functions have been delegated by the Commission under section 5(d)(1), unless upon notice and opportunity for all parties to participate.

"(2) The provision in subsection (c) of section 5 of the Administrative Procedure Act which states that such subsection shall not apply in determining applications for initial licenses, shall not be applicable hereafter in the case of applications for initial licenses before the Federal Communications Commission.

"(d) To the extent that the foregoing provisions of this section and section 5(d) are in conflict with the provisions of the Administrative Procedure Act, such provisions of this section and section 5(d) shall be held to supersede and modify the provisions of that Act."

SEC. 5. Notwithstanding the foregoing provisions of this Act, the second sentence of subsection (b) of section 409 of the Communications Act of 1934 (which relates to the filing of exceptions and the presentation of oral argument), as in force at the time of the enactment of this Act, shall continue to be applicable with respect to any case of adjudication (as defined in the Administrative Procedure Act) designated by the Federal Communications Commission for hearing by a notice of hearing issued prior to the date of the enactment of this Act.

Mr. HARRIS (interrupting the reading of the bill). Mr. Chairman, I ask

unanimous consent that the bill be considered as having been read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARRIS: Page 2, line 4, after the word "functions" insert the following: "(except functions granted to the Commission by this paragraph and by paragraphs (4), (5), and (6) of this subsection)".

Mr. HARRIS. Mr. Chairman, this is the first of three amendments that I will offer. The gentleman from California will offer another amendment, and they are to be considered together, in order to make it clear that there will be no doubt in anyone's mind as to the delegation of review functions. These three amendments provide that the employee board shall consist of three or more members and they shall have qualifications at least as great as the qualifications of an examiner and that they shall have no other duty to perform except this function itself; furthermore, that no review shall be delegated by the Commission of the action of an employee review board. In other words, the Commission itself is going to pass on any application for review filed from any employee board which has reviewed the work of the hearing examiner. That is the purpose of this amendment, in order that it may be abundantly clear as to what we intend by this legislation.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, these amendments, I hope, will be adopted not because I think they will do anything to remedy the situation that I pointed out a minute ago, but the fact that these amendments are being offered here on the floor points up the very thing I said a minute ago, and that is this, that until this bill got to the Committee on Rules the bill had been written and no one had suspected that an employee board could be the last appeal that a man in this country, with some right involved before a board of this kind, would have. It was only after the hearing before the Committee on Rules that these amendments were prepared and submitted to the Committee on Rules as an indication that it would take care of the proposition; that the employee board would not be the final place of appeal for some litigant in a matter of this kind.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. Yes, I yield.

Mr. HARRIS. Mr. Chairman, I know that the gentleman wants to be abundantly fair, as he always is, as a member of the committee. The gentleman knows of the discussion we had, and I told the Rules Committee that it was our feeling that the bill as reported to the committee did exactly this. The gentleman from Texas [Mr. ROGERS] knows that in the committee report there is a paragraph on page 7 where there is stated positively that it is not intended that the Commission shall be able to delegate to any other authority either the powers granted to it by this paragraph or any of the powers or duties imposed upon it by paragraphs 4, 5, and 6 of subsection (d) as proposed to be amended, and that is the fact, and the history of this legislation.

Mr. ROGERS of Texas. There is a little more history to that, and I am sure the chairman of the committee wants to be eminently fair, as he always has been. The fact of the matter is that this matter was discussed at length in the committee when we were writing up this bill. At that particular time this point was made. If there is any doubt in the minds of the people, this bill could have been written in the first place to nail down the proposition that an employees board would not be the final judge insofar as a thing of this kind was concerned at an administrative level. I simply point this out to bring to your mind the fact that there was sufficient doubt in this particular to cause this proceeding on the floor right now. Now, if that is true, why would it not be reasonable to suspect that there may be other flaws in this legislation? I would submit to any Member of this House that if you will read the section that the minority leader read just a moment ago about the powers of the Commission to limit the applications for right of appeal, and I submit to you that you will agree that perhaps this matter ought to go back to the committee and be restudied and approached on an entirely different basis so that the czar that my friend, the gentleman from California, Mr. YOUNGER, is so fearful of, may not come into being in a very few years.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arkansas [Mr. HARRIS].

The amendment was agreed to.

Mr. HARRIS. Mr. Chairman, I offer two other amendments which I would like to have considered en bloc.

The Clerk read as follows:

Amendments offered by Mr. HARRIS of Arkansas:

Page 2, line 8, strike out "matter." and insert in lieu thereof the following: "matter; except that in delegating review functions to employees in cases of adjudication (as defined in the Administrative Procedure Act), the delegation in any such case may be made only to an employee board consisting of three or more employees referred to in paragraph (8)."

And on page 4, after line 17, insert the following:

"(8) The persons serving on employee boards to which the Commission, pursuant to paragraph (1), may delegate review functions in cases of adjudication (as defined in the Administrative Procedure Act) shall be well qualified, by reason of their training, experience, and competence, to perform such review functions. Such employees shall be given no other duties and shall be paid compensation at rates commensurate with the difficulty and importance of their duties. Such employees shall not be responsible to, or subject to supervision or direction of, any person engaged in the performance of investigative or prosecuting functions for the Commission or any other agency of the Government."

And in line 18 strike out "(8)" and insert "(9)".

The CHAIRMAN. Without objection, the amendments will be considered en bloc.

There was no objection.

Mr. HARRIS. I have already explained the amendments, Mr. Chairman.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Arkansas.

The amendments were agreed to.

Mr. YOUNGER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. YOUNGER of California: Page 3, line 6, strike out the word "prescribe" and insert in lieu thereof the following: "prescribe, and every such application shall be passed upon by the Commission".

Mr. YOUNGER. Mr. Chairman, I just want to remind the members of the committee that in the consideration of this bill the legislative counsel, the Federal Communications Commission counsel and a majority of the attorneys on our committee felt that we had covered the question of the Commission's final decision, but as long as there was a difference even on the part of our good colleague, the gentleman from Texas [Mr. ROGERS], we thought we would add these amendments so as to make doubly sure that no lawyer would have any opportunity to say that the Commission did not have the final jurisdiction.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. YOUNGER. I yield to the gentleman from Arkansas.

Mr. HARRIS. May I say that the gentleman has discussed this amendment with me and I think it is appropriate. We accept it.

Mr. YOUNGER. I thank the gentleman.

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when a bill comes along, after we voted down a reorganization plan on the same subject, and the bill is now being amended on the floor to the extent this bill is being amended, I wonder how much attention was given to it. I heard this afternoon that this had been given such vast attention in the committee. Now we find it being amended all over the place. I think that what we have here is a watered-down version of Reorganization Plan No. 2, and I am not going to vote for it.

Mr. GRIFFIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I heard the chairman of the committee, I believe, indicate that the employees on the employee boards in accordance with the amendment which he intended to offer and which was adopted would have qualifications at least equal to those of a hearing examiner, but when I heard the amendment read I thought I heard it read that they shall be well qualified. Did the amendment go any further than that, may I ask the chairman? Of course, I am in favor of that amendment. They should be well qualified. All employees should be well qualified. But did it go beyond that?

Mr. HARRIS. It is difficult for us to draw language to spell out what the

qualifications of these employees should be. The hearing examiners have general qualifications under the Administrative Procedure Act. The purpose of this language is to insure that the legislative record, together with the letter I have from the Chairman of the Federal Communications Commission, which I have already referred to and stated I would include in the RECORD, made it definite and clear that the qualifications of these special employee boards for this purpose would be at least that of examiners, heads of bureaus, assistant heads of bureaus, and such types of qualified men, and that they would receive salaries commensurate with those responsibilities. That is just about as clear as the staff technicians in this field could prepare this in order to accomplish what we sought.

FEDERAL COMMUNICATIONS COMMISSION,
Washington D.C., July 31, 1961.

Hon. OREN HARRIS,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to clarify the Commission's position with respect to one aspect of H.R. 7856. Except for review functions in adjudicatory cases, the Commission now has the authority to delegate any of its functions to employees or employee boards, whose decisions are then subject to an application of review addressed to the Commission. Section 5(d) (1), (2), Communications Act of 1934, as amended. Under H.R. 7856, the Commission would be given the authority to delegate review functions in adjudicatory cases to employee boards.

This additional authority is much needed, both to cut down on the Commission's backlog and to free the Commissioners to concentrate on the more important matters of policy and planning, such as in the field of space satellite communications. I wish to emphasize that we will not employ this authority to avoid decision by the Commission on important matters or on any significant developments in communications law or policy. Only routine matters would be delegated to an employee board. And, even as to them, adequate safeguards would be provided. The application for review to the Commission (grant of which is discretionary) and the appeal to the courts (which is a matter of right).

Some question has arisen as to the nature of the employees who would be selected to serve on the employee board. The Commission will take great pains to select the most qualified personnel to fill these important assignments. Such personnel will be chosen from among our most senior and responsible employees, including our hearing examiners. Indeed, the only reason why we will not limit our range of selection solely to the body of hearing examiners is that we want to choose the very best, wherever he may be located within the Commission. For, unless the very best and most responsible employees are chosen, the Commission and the public will not derive the benefits contemplated by this remedial legislation.

In short, the Commission pledges that it will select the most competent persons, that these persons will be in a grade classification commensurate with their important duties and certainly not lower than that of the examiner, that they will perform no duties inconsistent with their review duties, and that they will be assigned to cases on a rotational basis.

Again, my thanks to you and your committee for your interest in this matter.

With all good wishes.

NEWTON N. MINOW, *Chairman.*

In case you should need a legislative proposal along the above lines, I have enclosed the following for your consideration:

"5(d)(9). The employees to whom the Commission may delegate review functions in any case of adjudication (as defined in the Administrative Procedure Act) shall be qualified, by reason of their training, experience, and competence, to perform such review functions, and shall perform no duties inconsistent with such review functions. Such employees shall be in a grade classification or salary level commensurate with their important duties, and in no event less than the grade classification or salary level of the employee or employees whose actions are to be reviewed. Such employees shall be assigned to cases in rotation so far as practicable and shall not be responsible to or subject to the supervision or direction of any officer, employee, or agent engaged in the performance of investigative or prosecuting functions for any agency."

Mr. GRIFFIN. I think that perhaps the legislative history that is now being made establishes it, but when I heard the amendment read the only thing I heard was that they should be well qualified. It did not spell out what those qualifications were. I assume we are relying on the legislative history to establish the point.

Mr. HARRIS. In order to clarify the language we have here in the amendment, yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. YOUNGER].

The amendment was agreed to.

Mr. JONES of Missouri. Mr. Chairman, I move to strike out the last word, and I do this for the purpose of asking the chairman of the committee a few questions.

If the distinguished chairman, the gentleman from Arkansas, will yield, I would like to inquire if any consideration was given in the consideration of this legislation to increasing the size of the Federal Communications Commission by adding to the number of Commissioners, to try to retain this adjudicatory authority within the Commissioners themselves?

Mr. HARRIS. Yes, that was discussed. Even during the course of the hearings that was discussed.

Mr. JONES of Missouri. I am sorry I was not present at the time.

Mr. HARRIS. I have found no sympathetic attitude on the part of anyone and have heard no one even suggest that the Commission be expanded. As a matter of fact, a lot of people think some of these commissions are too big now. On the other hand, I feel that these five-man commissions ought to be expanded and have so proposed legislation in the case of the Federal Power Commission. The Federal Communications Commission has seven members. If they would be permitted to divide themselves up in panels, as this bill proposes and authorizes, as the Interstate Commerce Commission has had authority to do throughout the years, then it will help them to perform their duties more expeditiously.

Mr. JONES of Missouri. Would it be your idea that that would be one way to approach this, by enlarging the Commission and dividing up this workload, so to speak? Can the gentleman answer that question "yes" or "no"?

Mr. HARRIS. Yes, as an alternative that would be one way.

Mr. JONES of Missouri. May I ask the gentleman another question. Is it the opinion of the committee that there are an insufficient number of employees in the Federal Communications Commission at the present time to carry on their work as promptly and as expeditiously as possible or as is desirable?

Mr. HARRIS. We think the Commission has sufficient personnel, if they can be given some flexibility in the utilization of the personnel, which this bill gives to them.

Mr. JONES of Missouri. Is it not a fact, it requires about a year and a half now for an ordinary application to go through the various stages even if there are no complications?

Mr. HARRIS. I think the time could not be pinned down to any given time. It depends upon the extent of the hearings by the hearing examiner how long that would take.

Mr. JONES of Missouri. I mean before you get to that stage. I am talking about just a routine application for a construction permit that would go through without any delays or anything getting in the way of the application, that the number of employees there are not sufficient to carry out the workload. I am not being critical of the people who are doing the work now, but I am inclined to believe that they do not have enough personnel there. What I am leading up to is this—I have always advocated a licensing of the facilities on which the Federal Communications Commission issues a license. I would like to ask you now if your committee has had any official request from the Chairman of the Federal Communications Commission, Mr. Minow, in the form of a suggestion that he made some time ago, which was given some publicity in the papers, where he advocated a four-tenths of 1 percent of the gross business as a licensee fee? Has he approached or discussed that with you in your committee?

Mr. HARRIS. I have had some discussion with him and I have had some communications on the subject. The Commission feels they have the authority to establish fees under the present law and consideration is being given to it.

Mr. JONES of Missouri. Do you agree that they do have the authority?

Mr. HARRIS. After reading his comments and finding out that it was a provision of legislation which was adopted in an appropriation bill some years ago, I say, "Yes, I would agree with their interpretation."

Mr. JONES of Missouri. In other words, you agree that they do have the authority to levy a license fee?

Mr. HARRIS. I would agree with their interpretation that they do have the authority to levy fees.

Mr. JONES of Missouri. Would these fees in excess of expenses go into the general revenue?

Mr. HARRIS. Yes, they would.

Mr. JONES of Missouri. And you think without any further legislation, the Commission could levy fees and that those fees could be used toward maintaining and paying the expenses of the

Commission and that any excess would go into the general revenues.

Mr. HARRIS. In my judgment, they could.

Mr. JONES of Missouri. I am glad to hear you say that. I hope the Commission takes notice of that and at least starts to do that so that the people who are benefiting from these licenses would contribute to the expenses of maintaining this important Commission. It is also my opinion that by the payment of such licenses and fees we would eliminate the necessity of using taxes to support this Commission, and in addition to this saving the U.S. Treasury would benefit to the extent of many millions of dollars annually.

Mr. HALLECK. Mr. Chairman, I move to strike out the last word, for the purpose of asking the chairman of the committee and our distinguished colleague, the gentleman from California [Mr. YOUNGER], about a matter of interpretation. The gentleman from California offered an amendment on page 3, line 6, adding after the words "shall prescribe" these words "and every such application shall be passed upon by the Commission."

Obviously, those words are included in an effort to provide, as I understand it, that the Commission shall pass upon any application for a review by an aggrieved party. My question is simply this. The proviso that follows, apparently, gives the Commission the right by published rule or order to limit the right to file applications for review and limiting it as a matter of right to proceedings involving issues of general communications importance.

In other words, my question is this: Would the language which has been offered by the gentleman from California to that proviso prevail in such manner as to make it possible for the Commission by rule or order to prohibit in the first instance the right of an aggrieved party to file an application for review?

Mr. HARRIS. On certain well-established policies of the Commission, yes; but that would have to be after the usual procedure of hearing and all parties having an opportunity to present their views to the Commission before such order or rule was adopted; and then, of course, it has been interpreted to mean that if there is any substantial question on any matter before the Commission, anyone who is capable of making a record could develop proceedings that would involve matters of importance.

The purpose of this act, I say to the gentleman, is to try to expedite a number of these routine matters that are taken just as a matter of course.

Mr. HALLECK. I appreciate that, and the gentleman knows I served on the Committee on Interstate and Foreign Commerce for many years.

Mr. HARRIS. And very efficiently.

Mr. HALLECK. And have been tremendously interested in all the activities of that committee since that time. But I must say that if that interpretation of the proviso is to prevail, the language added by the gentleman from California would be almost meaningless so far as its practical effect is concerned.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. YOUNGER. Present law provides that every such application shall be passed upon by the Commission. That was stricken from the original law. I understand legally the presumption would be that it was stricken for a certain reason, and I would presume it was stricken so that the right to pass on applications could be delegated to somebody other than the Commission. Now we are putting it back into the law the same as it is at the present time, so there would be no presumption whatsoever that we struck out a provision with the idea that it should be passed on. The balance of that, I understand, was put in there by legal counsel to make this bill conform to the Administrative Procedure Act.

Mr. HALLECK. That may be, and I am not going to prolong the discussion, but I must say that as long as the proviso stays in the law, if it is to become law, it seems to me very clear that the Commission by published rules or order may so limit the right to apply for review that in many, many instances no such right would prevail.

Mr. HARRIS. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield.

Mr. HARRIS. I might say to the gentleman that this intended to apply only to such routine cases as would come to the Commission and take up the Commission's time unnecessarily. That is really the purpose of this provision.

Mr. HALLECK. If I could be perfectly sure that was the sole intent of this provision I would have no fear about it at all, but I must say I have some reservations about it.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and Mr. ALBERT having assumed the chair as Speaker pro tempore, Mr. YATES, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 7856, 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, pursuant to House Resolution 400, he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. ROGERS of Texas) there were—ayes 93, noes 81.

Mr. ROGERS of Texas. 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 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 198, nays 151, not voting 88, as follows:

[Roll No. 132]

YEAS—198

Addabbo	Grant	Moss
Addonizio	Green, Oreg.	Moulder
Albert	Gubser	Multer
Ashley	Hagen, Calif.	Murphy
Avery	Halpern	Nix
Ayres	Hansen	O'Brien, Ill.
Baldwin	Harding	O'Brien, N.Y.
Barrett	Hardy	O'Hara, Ill.
Bates	Harris	O'Hara, Mich.
Beckworth	Hays	O'Konski
Bell	Hechler	Olsen
Bennett, Fla.	Holifield	O'Neill
Bennett, Mich.	Holtzman	Passman
Boggs	Hosmer	Patman
Boland	Huddleston	Perkins
Bolling	Hull	Pfost
Bonner	Ichord, Mo.	Philbin
Brademas	Ikard, Tex.	Pike
Breeding	Jarman	Price
Brewster	Jennings	Pucinski
Brooks, Tex.	Joelson	Randall
Burke, Ky.	Johnson, Calif.	Reuss
Burke, Mass.	Johnson, Md.	Rhodes, Pa.
Byrne, Pa.	Johnson, Wis.	Rivers, Alaska
Clark	Jones, Ala.	Rodino
Cohelan	Jones, Mo.	Rogers, Colo.
Collier	Karsten	Rogers, Fla.
Conte	Karth	Rooney
Cook	Kastenmeier	Roosevelt
Cooley	Kee	Rostenkowski
Corbett	Keith	Ryan
Corman	King, Calif.	Saund
Curtin	King, Utah	Schweiker
Curtis, Mo.	Kluczynski	Schwengel
Daddario	Kowalski	Seely-Brown
Daniels	Kunkel	Selden
Davis, Tenn.	Lane	Shelley
Dawson	Langen	Sheppard
Delaney	Lankford	Shipley
Denton	Lennon	Sikes
Derounian	Libonati	Sisk
Diggs	Lindsay	Slack
Dingell	Loser	Smith, Iowa
Donohue	McCormack	Spence
Downing	McFall	Springer
Doyle	Macdonald	Staggers
Dulski	Machrowicz	Stratton
Dwyer	Mack	Stubblefield
Edmondson	Madden	Sullivan
Elliott	Magnuson	Taylor
Ellsworth	Mahon	Thomas
Everett	Mailliard	Thomson, Wis.
Fallon	Marshall	Thornberry
Farbstein	Mathias	Toll
Fascell	Matthews	Trimble
Feighan	Merrow	Udall, Morris K.
Finnegan	Michel	Ullman
Flood	Miller, George P.	Vanik
Fountain	Mills	Van Zandt
Frazier	Moeller	Wickersham
Friedel	Monagan	Willis
Garmatz	Montoya	Yates
Gary	Moorhead, Pa.	Young
Gathings	Morgan	Younger
Giaimo	Morris	Zablocki
Gilbert	Morrison	
Granahan		

NAYS—151

Abbitt	Battin	Church
Abernethy	Becker	Clancy
Adair	Beermann	Colmer
Alford	Belcher	Cunningham
Alger	Berry	Curtis, Mass.
Andersen, Minn.	Betts	Dague
Anderson, Ill.	Bray	Davis, James C.
Andrews	Brown	Devine
Arends	Broyhill	Dole
Ashbrook	Bruce	Dominick
Ashmore	Burleson	Dorn
Auchincloss	Byrnes, Wis.	Dowdy
Bailey	Casey	Durno
Baker	Chamberlain	Fenton
Barry	Chelf	Findley
Bass, N.H.	Chenoweth	Fisher
	Chiperfield	

Ford	McIntire	Rutherford
Forrester	McMillan	Saylor
Frelinghuysen	McVey	Schadeberg
Fulton	MacGregor	Schenck
Garland	Martin, Mass.	Schneebeli
Gavin	Martin, Nebr.	Scranton
Goodell	May	Shriver
Goodling	Meader	Sibal
Griffin	Miller, N.Y.	Siler
Gross	Milliken	Smith, Calif.
Hagan, Ga.	Minshall	Smith, Va.
Haley	Moore	Stafford
Halleck	Moorehead, Ohio	Stephens
Harrison, Wyo.	Mosher	Taber
Harsha	Murray	Teague, Calif.
Harvey, Ind.	Natcher	Thompson, Tex.
Henderson	Norblad	Tollefson
Hiestand	Nygaard	Tuck
Hoffman, Ill.	Osmers	Tupper
Horan	Ostertag	Utt
Jensen	Pelly	Van Pelt
Johansen	Pillion	Wallhauser
Jonas	Pirnie	Watts
Judd	Poage	Weis
Kearns	Poff	Westland
Kilgore	Ray	Whalley
King, N.Y.	Reece	Whitten
Kitchin	Reifel	Widnall
Knox	Riehlman	Williams
Kornegay	Riley	Wilson, Calif.
Landrum	Robison	Wilson, Ind.
Latta	Rogers, Tex.	Winstead
Lipscomb	Roudebush	Wright
McCulloch	Rousselot	
McDonough		

NOT VOTING—88

Alexander	Gallagher	Nelsen
Anfuso	Glenn	Norrell
Aspinall	Gray	Peterson
Baring	Green, Pa.	Pilcher
Bass, Tenn.	Griffiths	Powell
Blatnik	Hall	Quie
Blitch	Harrison, Va.	Rabaut
Bolton	Harvey, Mich.	Rains
Bow	Healy	Rhodes, Ariz.
Boykin	Hébert	Rivers, S.C.
Bromwell	Hemphill	Roberts
Brooks, La.	Herlong	Roush
Broomfield	Hoeven	St. George
Buckley	Hoffman, Mich.	St. Germain
Cahill	Holland	Santangelo
Cannon	Inouye	Scherer
Carey	Kelly	Scott
Cederberg	Keogh	Short
Celler	Kilburn	Smith, Miss.
Coad	Kilday	Steed
Cramer	Kirwan	Teague, Tex.
Davis, John W.	Kyl	Thompson, La.
Dent	Laird	Thompson, N.J.
Derwinski	Lesinski	Vinson
Dooley	McDowell	Walter
Evins	McSween	Weaver
Fino	Mason	Wharton
Flynt	Miller, Clem	Whitener
Fogarty	Morse	Zelenko

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. John W. Davis against.

Mr. Bass of Tennessee for, with Mr. Herlong against.

Mr. Quie for, with Mrs. Blitch against.

Mr. Glenn for, with Mr. Hemphill against.

Mr. Nelsen for, with Mr. Alexander against.

Mr. Thompson of New Jersey for, with Mr. Whitener against.

Mr. Powell for, with Mr. Rhodes of Arizona against.

Mr. Keogh for, with Mr. Scherer against.

Mr. Buckley for, with Mr. Bow against.

Mr. McDowell for, with Mrs. Bolton against.

Mr. Anfuso for, with Mrs. St. George against.

Mr. Santangelo for, with Mr. Kyl against.

Mr. Harrison of Virginia for, with Mr. Bromwell against.

Mrs. Kelly for, with Mr. Weaver against.

Mrs. Norrell for, with Mr. Dooley against.

Mr. Kirwan for, with Mr. Cramer against.

Mr. Thompson of Louisiana for, with Mr. Wharton against.

Mr. Green, of Pennsylvania for, with Mr. Mason against.

Mr. Fogarty for, with Mr. Hoffman of Michigan against.

Mr. Celler for, with Mr. Hoeven against.

Mr. Dent for, with Mr. Scott against.

Mr. Holland for, with Mr. Hall against.

Mr. Carey for, with Mr. Kilburn against.

Mr. Zelenko for, with Mr. Morse against.

Until further notice:

Mr. St. Germain with Mr. Broomfield.

Mr. Healey with Mr. Fino.

Mr. Evins with Mr. Cahill.

Mr. Blatnik with Mr. Short.

Mr. Inouye with Mr. Derwinski.

Mr. Gallagher with Mr. Cederberg.

Mrs. Griffiths with Mr. Harvey of Michigan.

Mr. Peterson with Mr. Laird.

Mr. KARTH changed his vote from "nay" to "yea."

Mr. ASHMORE changed his vote from "yea" to "nay."

Mr. GATHINGS changed his vote from "nay" to "yea."

Mr. GUBSER changed his vote from "nay" to "yea."

Mr. JOHNSON of Maryland changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

Mr. HARRIS. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce be discharged from further consideration of the bill (S. 2034) to amend the Communications Act of 1934, as amended, in order to expedite and improve the administrative process by authorizing the Federal Communications Commission to delegate functions in adjudicatory cases, repealing the review staff provisions, and revising related provisions, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HARRIS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. HARRIS moves to strike out all after the enacting clause of the bill S. 2034, and insert the provisions of the bill H.R. 7856, 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, as passed.

The motion was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider and a similar House bill, H.R. 7856, were laid on the table.

ADJOURNMENT TO MONDAY, AUGUST 7

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY BUSINESS DISPENSED WITH ON AUGUST 9

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next may be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON FOREIGN AFFAIRS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent, on behalf of the gentleman from Pennsylvania [Mr. MORGAN], chairman of the Committee on Foreign Affairs, that the Committee on Foreign Affairs may have until midnight Saturday to file a report on the bill H.R. 8400.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

AMENDMENT TO DAVIS-BACON ACT

Mr. MACK. 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 Illinois?

There was no objection.

Mr. MACK. Mr. Speaker, in the Davis-Bacon Act Congress established the policy of requiring prevailing wage rates to be paid to employees of companies engaged in the construction of Federal buildings.

This requirement does not apply, however, to construction projects financed by private interests but intended for occupancy by the Federal Government under long-term leases.

Most post-office construction is in this category. These buildings are erected to Government specifications. While the leases generally run for 5 years, they are renewable. The Post Office Department, I am sure, envisions occupancy of each of these new buildings for many years to come.

Aside from post offices, many other Federal agencies throughout the country are contracting to lease new buildings built to their specifications by private interests. They are, in fact, Federal building in everything except ownership of the real estate.

Mr. Speaker, I believe that Congress, in passing the Davis-Bacon Act, intended that fair wages should be paid to workers on all Federal building projects. This principle is being circumvented by many contractors on buildings constructed under the leasing program.

For this reason, I have today introduced a bill to amend the Davis-Bacon Act to make it applicable to contracts under which a building is to be constructed or altered for lease to the Federal Government.

CONSIDERATION OF FOREIGN AID BILL

Mr. GROSS. 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 Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, I take this time to ask the distinguished majority leader if he can give us any indication of when the foreign giveaway bill will come to the floor of the House.

Mr. McCORMACK. May I say that the bill, which is so important in the national interest of our country and which the gentleman refers to in such erroneous language——

Mr. GROSS. What kind of language?

Mr. McCORMACK. I will answer the question and I will express myself in my own way. The bill has been reported out of the committee, the report to be filed on Saturday. I cannot tell on what date it will come up, but I think I can say it will not be programed for next week. That is a sufficient answer to the question.

Mr. GROSS. That was the answer I expected the gentleman to give, since he did not announce it as even a possibility of being programed for next week.

Mr. McCORMACK. When inquiry is made, it is always nice to ask the majority leader, who happens to be myself at the present time, if he can give any information as to when the bill will come up. A little colloquy is friendly.

Mr. GROSS. Of course. Always friendly as far as the gentleman from Massachusetts is concerned.

Mr. McCORMACK. I hope insofar as the gentleman is concerned, too.

Mr. SIKES. 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 Florida?

There was no objection.

Mr. SIKES. Mr. Speaker, if the distinguished gentleman from Massachusetts will yield at this point, may I say to him with all respect, sir, you do not "happen" to be majority leader, we picked you.

Mr. McCORMACK. I thank the gentleman and I appreciate that very much.

FAMILY FALLOUT SHELTERS

Mr. O'HARA of Illinois. 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 Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today I have introduced a bill that is expressly designed to comply with the President's request that all citizens be educated to the ways and means of protecting themselves in the event of a nuclear war, or any type of war for that matter. This bill would authorize the Director of Civil and Defense Mobilization to "provide for the construction of family fallout shelters at each of the 175 largest public museums in the United States." These shelters would be maintained as permanent exhibits and would be fully equipped and sufficiently stocked with food and medical supply for 14 days. The bill further provides for a proclamation designating the day on which the shelters are donated as National Fallout Shelter Day.

This legislation has been in the drafting stage since before the present Berlin crisis because it has been my feeling that in this era of nuclear weapons and highly refined methods of destruction it is imperative that our citizens be fully educated in the methods of self-preservation under any and all emergencies. The need for such education has, however, been enhanced by the worsening situation in Berlin.

A major point in the President's report to the Nation on the Berlin crisis was that one of our gravest responsibilities at this moment is to assure that our citizens know where to go and what to do in case of a direct attack on our shores. He has asked for funds for the purpose of making space available in existing private and public buildings that can be used for shelter; to stock these shelters with the essentials for survival; to improve the warning and fallout detection systems; and to take any further steps that may be necessary for the purpose of saving as many lives as possible should we ever be threatened.

Since our citizens have never had to fear a direct attack on their homeland, it is difficult to impress upon them the necessity of such preparation. It seems to me that the first step is to make samples of shelters available to them along with information explaining the extent to which they will be protected in the shelters and the amount of supplies that will be necessary for an extended stay in such surroundings. Along with this, it also would be effective to provide examples of what could happen if these shelters were not available to their families—this, perhaps, would be the most effective teaching device in our course on survival.

Mr. Speaker, no one knows what hour a nuclear war will burst. While we bend on our knees and pray for the peace of mankind, we must not be blinded to the dangers that may be thrust upon us by those who wish no peace. Today, for the second time, an American plane carrying Americans over their own American territory has been hijacked. If it is established that the hijackers acted for a foreign government, this is as much an act of war as though a foreign army had landed on American soil intent on hostile invasion. Whether in this, if proved, is a Soviet design only to accelerate the tensions close at home while the tension over Berlin approaches its climax, or is in fact the prelude to consequences of the gravest nature only time can tell. In a world of atomic and nuclear dangers, when we know not what is in the minds of those who may conspire to destroy our way of life, it is folly to be complacent. While we hope and pray for understanding and for peace, a failure now to prepare for the means of survival if, unhappily, war should come would be a criminal neglect in complacency. I hope that the bill I have introduced today will have early and favorable committee hearing and promptly will be enacted into law.

PUBLIC WELFARE AND RELIEF

Mr. DORN. 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 South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, the Newburgh, N.Y., welfare controversy points out the need for strengthening the law. I have today introduced a bill which would guarantee local control of relief and welfare.

It is my belief that the city of Newburgh in formulating recent welfare and relief regulations acted properly and wisely in the best interest of all her people. While I believe it was the intention of Congress to leave the administration of relief at the local level, the amendment I am introducing would make it crystal clear. This bill is an expression of confidence in local government. It is an expression of confidence in the citizens ability to administer at the local level and to do what is morally right at the local level. No one is better prepared to administer relief and welfare programs of this nature than those who live with the problems and know the individuals involved. No one will be more sympathetic, understanding, or humanitarian than the people at the local level. Also, no one will be more realistic and practical and economical than people at the municipal and county level. Conditions vary from community to community and even moral standards and ethics vary. Local people must be given the authority and expression of confidence necessary to handle these purely local problems and determinations concerning relief.

Mr. Speaker, this bill should be favorably considered by the Congress. In this time of increasing delinquency, it will help protect the morals of local communities. It will promote better home-life and protect the sanctity of our homes.

MONTGOMERY CONFIRMS LITTLE ROCK AS WARNING

Mr. ALFORD. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. ALFORD. Mr. Speaker, for many years I have been a student of the Constitution of the United States and basic American history. Thus, it was shocking to read in the August 1, 1961, issue of the Washington Evening Star certain statements attributed to our youthful Attorney General, Robert Kennedy, in a TV interview at Atlanta, Ga., on that day in which he defended the unlawful actions of the present administration in invading the State of Alabama with Federal marshals in connection with the recent race disturbances at Montgomery.

When asked why Federal marshals were not sent to Chicago to take care of its race trouble, Kennedy replied in an

obvious comparison to the police of Montgomery:

Chicago police are not standing back and waiting for people to be beaten up for 10 or 12 minutes and then stepping in. If they know there is going to be disorder they come in and try to deal with the trouble. That is all we are asking.

If there had been concerted effort on the part of the authorities in Alabama we would not have had to send marshals in there. * * * I have no apologies to make.

These statements show that the Attorney General set up for himself an arbitrary standard of 10 or 12 minutes to gage when he will usurp powers not granted him. As these statements alone convict him of the crime of attempted usurpation of the police powers of the State in violation of his oath to support the Constitution, they are of interest to all Members of the Congress who are likewise sworn.

The question, Mr. Speaker, is not whether the Attorney General of the United States thinks that the police of Alabama waited for "10 or 12 minutes" and did not measure up to his standard of promptitude or a matter for which "apologies" can be made. The question is the crucial one of what is the law.

Congress is authorized to make laws to regulate interstate commerce. No authority is given to the Congress to invade the State for enforcement of this law and no authority is given the President to invade the State on any pretext except on request of the legislature or of the Governor when the legislature is not in session.

When the Congress passes a law that is within its authority under the Constitution, it automatically becomes the duty of the Governor of the State to enforce it. If the Governor fails in his duty that is a matter between him and the people who elected him or their legislature. No authority is given to the Federal executive or judicial departments to do anything about it; and no authority can be claimed by any of these three agencies of government established by the States, under the Constitution except the authority therein granted.

In these general connections, Mr. Speaker, ever since first becoming a Member of the Congress, I have stressed at every possible opportunity the constitutional relationship of the several governments in our constitutional system—the sovereign States and the three Federal agencies created by them. Public response to my statements, has indeed been gratifying.

Of all the Members of this body, as far as can be ascertained, I am the only one who witnessed the unconstitutional and illegal invasion in 1957 of my native State of Arkansas by the Armed Forces of the United States under the orders of a former President.

In so violating a Federal statute that prohibited the use of military forces for such purposes; in violating an express provision of the Constitution—article IV, section 4—that Federal forces shall protect each State against invasion and not be the instrument of invasion; and in making such transgressions to enforce unauthorized and illegal decrees by members of the Federal judiciary seeking to overthrow the lawful order in my State, the then President forswore his oath—article II, section 1, U.S. Constitution. This oath "bound" him to "support this Constitution"—not to violate it.

The overthrow by force of the lawful government of any State represents a misuse by sinister forces of a power to protect lawful order. It represents the misuse of this power to oppress brave and defenseless people.

In the recent disturbance at Montgomery, Ala., incited by agitators known as freedom riders, who were admittedly encouraged in their raids by officials of the executive branch of the Federal Government, this agency, without request from the Governor of Alabama or its legislature, again attempted to intervene with force in normal law enforcement processes.

Despite the fact that the Governor of Alabama had declared martial law in Montgomery and that law and order was being enforced by those officials responsible for the exercise of the police power of the State, there were anonymous veiled threats published of the possibility of the use of regular troops in addition to marshals.

Such use of the Federal forces, Mr. Speaker, in this country that prides itself on the fidelity of its public institutions in upholding the law, is an ominous revealment of the power and ruthlessness of the subversive forces that control the channels of communications between our great people and their representatives in this body as well as the constitutional illiteracy on the part of our officials, both Federal and State.

In reading the press stories and their sensational headlines about the riot in Montgomery, I was impressed by the similarity of their treatment to that applied in 1957 to Little Rock. There were, with few exceptions, the same distortion, the same deception, and the same failure to present the full story to our people or to clarify the constitutional questions involved.

So obvious was the exaggerated reporting that many asked why the propaganda buildup. The communistic objective of using the race issue to incite civil strife is well known and extensively documented. Was the undue emphasis in the press treatment a deliberate attempt by its controllers to divert attention from the Cuban fiasco and the dangerous situation in the Caribbean in order to beguile our people? Was it designed to embarrass our President who was then on the eve of a vitally important international conference? It certainly served those purposes and should be so recognized.

Fortunately, today we understand the constitutional relationship regarding the maintenance of public order better than in 1957. Among the papers clarifying the "law of the land" that was overthrown at Little Rock was one by Alfred J. Schweppe, broadcast on January 12, 1958, over the Manion Forum Network.

As one of the leading legal scholars of the Nation, a distinguished professor of constitutional law, and a former head of the Law School of the University of Washington, Dean Schweppe possesses high qualifications for the conclusions that he reaches.

In order that his constructive contribution may be available to all leaders of our Government, both State and Federal, who no longer can plead ignorance of what is the "law of the land," I quote this broadcast, two editorials by David Lawrence, and an article by Thurman Sensing, and commend them for study by every official of our governments, Federal and State:

EISENHOWER'S INVASION OF LITTLE ROCK ILLEGAL

Dean MANION. It has long been our prideful boast that we are governed by inflexible laws and not by the whims of men. This principle is one of the hallmarks of liberty. Can the President set aside the law and substitute his personal judgment of right and wrong in an emergency?

Did the President do this in the Little Rock school disturbance? My distinguished guest tonight will answer this question and he is well qualified to answer it. He is a former dean of the University of Washington Law School, a teacher of constitutional law, a member of the board of editors of the American Bar Association Journal and a nationally prominent practicing attorney.

It is my pleasure to present the Honorable Alfred J. Schweppe, of Seattle, Wash.

Mr. SCHWEPPE. Thank you, Dean Manion. The use of troops in domestic affairs is, indeed, a very grave matter—the deep concern of every citizen—and may involve fundamental questions of self-government and of civil liberties—questions as basic as the question involved in the great civil liberties case of *Ex Parte Milligan* (1866) 4 Wall. 2, which invalidated an Army court-martial approved by President Lincoln in a northern area where the civil courts were regularly functioning.

The legal problem is simply stated, namely: Where does the legal power reside to enforce Federal court decrees rendered under article III, the judicial article, of the Federal Constitution?

The issue, of course, is only one of legal power. The President, like everyone else, is, as Lord Coke said of James I, "under the law." The issue has nothing to do with segregation or desegregation, but only with the lawful manner of enforcing Federal court decrees.

The President himself has said specifically that troops are in Little Rock "not to enforce or advance any governmental policy respecting integration, desegregation, or segregaiton" but only to enforce a U.S. district court decree.

The Federal Constitution, in article I, delegates all legislative power to Congress. Article II delegates the executive power to the President, including the duty to "take care that the laws shall be faithfully executed." Article III delegates the judicial power of the United States to the Supreme Court and such inferior courts as Congress may establish.

Article I delegates to Congress many specific legislative powers and finally the broad power "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department of officer thereof."

Thus the lower Federal courts are exclusively created and exclusively regulated by Congress. The Supreme Court has affirmed this clear constitutional principle hundreds of times.

Acting under these constitutional powers, Congress from the beginning provided that Federal court decrees rendered under judicial article [III] of the Constitution shall be executed by the U.S. marshal, now title 28,

United States Code, section 547, which provides that the U.S. marshal "shall execute all lawful writs, processes, and orders issued under the authority of the United States and to command all necessary assistance to execute his duties."

The assistance which he may command has since ancient times been known as a posse comitatus.

This power of the marshal to carry into effect the judicial article [III] of the Constitution could derive only from Congress, as decided by the Supreme Court [Chief Justice Marshall] in *Wayman* v. *Southard* in 1825.

The President, who has the duty under article II to "take care that the laws shall be faithfully executed," has no power to enforce, or aid in enforcing, Federal court decrees rendered under the judicial article III of the Constitution unless Congress invests him with such power.

The only statute that ever gave the President the power to employ the land and naval forces or militia "to aid in the execution of judicial process" was section 9 of the act of April 9, 1866, and section 13 of the act of May 31, 1870.

The latter was the Civil Rights Act of 1870, passed to "enforce" or implement the terms of the 14th and 15th amendments, as provided in those amendments. Sections 9 and 13 of the 1866 and 1870 statutes were reenacted as section 1989 of the Revised Statutes of 1873, becoming section 1993 of title 42, United States Code.

On February 16, 1957, a high Government official was interrogated by the Senate Judiciary Committee on the intention of the administration to use troops to enforce Federal district court decrees in school integration cases under section 1989 of the Revised Statutes.

Though a negative answer was given, still, undoubtedly at the instance of members who feared the power might be used, section 1989 of the Revised Statutes was expressly repealed in the Civil Rights Act of 1957, of which section 122 reads as follows: "Section 1989 of the Revised Statutes (42 U.S.C. 1993) is hereby repealed." The President signed this bill on September 9, 1957.

IKE'S ONLY RELIANCE WAS REPEALED

Thus, in September 1957, with the President's express approval, there was repealed the only statute in the United States Code giving the President power to use military force to aid in the execution of judicial process.

Congress in 1957, when the matter became a direct issue, clearly intended that the President should have no power in respect of Federal court decrees in civil rights cases. The repeal of a statute specifically dealing with enforcement of court decrees would in any event control over a general statute, if any is otherwise applicable, on executing the laws of the United States.

Hence, under present congressional legislation, only the U.S. marshal has power to enforce court decrees rendered under article III of the Constitution.

That, by way of virtually a simple syllogism, is the answer to the problem.

The answer can be supported in other ways. The Supreme Court has often held that the laws which the President shall faithfully execute are the acts of Congress. It was so decided in the recent Steel Seizure cases, in 1952, written by Mr. Justice Black, of Alabama, and in Ex Parte Quirin, written by the late Chief Justice Stone in 1942.

As succinctly put by Mr. Justice Douglas in his concurring opinion in the Steel Seizure cases:

"The power to execute the laws starts and ends with the laws Congress has enacted."

Under the Constitution, the lawmaking power is in Congress alone. Only Congress makes laws of the United States. Supreme Court decisions and district court decisions are not laws of the United States in the constitutional and statutory sense.

They are merely decisions between parties to a case or controversy which interpret or declare what law is binding between these parties. They do not bind any other person anywhere.

On the other hand, laws of the United States passed by Congress bind everybody everywhere within the jurisdiction of the United States.

It is, of course, well known that President Andrew Jackson, who had been a judge of the Supreme Court of Tennessee, did not think that a Supreme Court decision was a "law of the United States" that he was bound faithfully to execute. When he was advised in 1832 of the Supreme Court's decision in *Worcester* v. *Georgia*, involving Cherokee Indians, he said, "John Marshall wrote it; let him enforce it."

Moreover, and obviously, a U.S. district court decree cannot properly be held to be a law of the United States. Such a decree is binding only on the parties, is a precedent only within the district, and not binding on a Federal judge who disagrees.

The statutory sections on which the President relied in his proclamation of September 23, 1957, entitled "Obstructions of Justice in the State of Arkansas," namely sections 332, 333, and 334 of title 10, relating to the Armed Forces, as revised in 1956, cannot by any fair construction be made to give him, under the guise of enforcing the laws of the United States, the power to enforce Federal court decrees in civil rights cases, of which Congress, with his own consent, had stripped him exactly 2 weeks before.

Sections 332 and 333 empower the President to "call into service such of the militia of any State, and use such of the Armed Forces, as he considers necessary" when "unlawful obstructions, combinations, or assemblages" make it "impracticable to enforce the laws of the United States in any State or territory by the ordinary course of judicial proceedings."

These sections themselves clearly differentiate betwen "laws of the United States" and judicial decrees to enforce them. There is no conflict between section 1989 of the Revised Statutes, just repealed, and sections 332 and 333 of title 10 governing the Armed Forces. Section 1989 was a specific statute relating to the execution of judicial process. Sections 332 and 333 relate to enforcement of laws of the United States where judicial proceedings are impracticable.

The difference is sharp and clear. There is, as everyone knows, no act of Congress requiring integrated schools. In fact, in addition to establishing and maintaining segregated schools in the District of Columbia schools for many decades right down to the recent decision of the Supreme Court in the Brown case, Congress directly recognized segregated schools in the States as late as 1946 in the school lunch legislation, by requiring separate but equal distribution of the Federal funds provided for that purpose (42 U.S. Code 1760).

The President has, as noted at the outset, squarely predicated his action on an assumed duty to enforce Federal court decrees on the basis of sections 332 and 333 of title 10, and not on the basis of suppressing "domestic violence." That is the only way he could avoid a clash with article IV, section 4, of the Constitution, which says that the United States shall protect each State against invasion "and on application of the legislature, or of the Executive—when the legislature cannot be convened—against domestic violence."

FEDERAL INTERVENTION MUST BE INVITED

The Federal Government is not to interfere in a case of domestic violence within a State unless invited by the representatives of the people. The Constitutional Convention was even fearful of reposing this inviting power in one man alone, but insisted that the State legislature do the inviting, if at all possible.

The Founding Fathers were taking no chances with an all-powerful Central Government and did not want that Government to interfere within a State unless expressly invited. The tread of Redcoats on the streets of Boston was still ringing in their ears. Fresh was the memory that royal governors did the inviting—not members of colonial assemblies.

The Founding Fathers closed the book forever on the exercise of such unrestrained executive power as led to the Revolution. They remembered Cromwell and George III. They knew history. They knew despotism; and they provided against it.

While, under article II, they made the President Commander in Chief of the Army and Navy of the United States, "and of the militia of the several States when called into actual service of the United States," and imposed on him the duty to "take care that the laws of the United States be faithfully executed," they were careful to spell out that Congress should have power "to provide for calling forth the militia to execute the laws of the Union," and that Congress should have the power "to make rules for the government and regulation of the land and naval forces."

These subjects were advisedly delegated to Congress under article I and not to the President under article II. (See the Federalist, No. 24.) Hence, Congress alone was empowered to determine how, when, and in what circumstances the President may call forth the militia to execute the laws of the Union within the United States.

The laws of the Union to be executed by the militia are, of course, the same laws that the President is faithfully to execute under Article II, namely, acts of Congress, as the court has held in many cases, the latest being the famous Steel Seizure cases.

And it should be emphasized again that the President can only use force to execute the laws of the Union in the manner and to the extent authorized by Congress. He has no power to use force except as authorized by Congress. The Founding Fathers saw to that.

In consequence, however we proceed, we end up with the conclusion that military States and judicial proceedings to enforce Federal court decrees because the only specific statute was repealed in 1957, or (2) to execute the laws because (a) statutes on which he relied are inapplicable and themselves distinguish between laws of the United States and judicial proceedings to enforce them, and because (b) court decrees are not laws of the United States in the constitutional and statutory sense.

Clearly, only, the U.S. marshal has the power and duty to execute Federal court decrees with the assistance, if need be, of a posse comitatus, not including military forces. (Sec. 1385 of title 18, United States Code).

The President's action at Little Rock is, in my judgment, utterly illegal and beyond his constitutional and statutory powers.

Dean MANION. Thank you, Alfred Schweppe, for this objective, clarifying discussion of the law of the land at Little Rock.

[From the Evening Star, May 23, 1961]

RIGHTS AND INCITEMENT TO RIOT—JOURNEY OF FREEDOM RIDERS IN ALABAMA VIEWED AS VIOLATION OF CONSTITUTION

(By David Lawrence)

There is a constitutional right to free speech, but—as the Supreme Court has said—there is no right falsely to cry "Fire!" in a crowded theater.

There is a constitutional right to demonstrate, but not a right to provoke or incite people to riot.

There is a constitutional right to assemble in a hall to espouse any cause, but not a right to organize a sit-in demonstration for the express purpose of using private property—against the wishes of the owners—to stir up passions and create incidents of disorder.

For decades now the American people have been denouncing lynch rule and mob action, and the cry has been for adherence to constitutional law and the orderly procedures of the courts.

But what happened in Alabama over the weekend reveals clearly that incitement to riot is the fundamental cause of the trouble. Mayor Robert Wagner of New York, not many months ago, rightly refused to give a permit to a rabble-rouser who wanted to defend the Nazi point of view at meetings in the heart of the metropolis, where the bulk of the population was bound to resent such statements and perhaps be stimulated to mob action.

It was all very well for civic groups later to argue that a permit should have been granted by the mayor and that the champion of Nazi doctrines had a right to free speech, but the mayor knew what the consequences would be and acted wisely. Alabama's attorney general has just told the same rabble-rouser to keep out of the State.

Today the Federal Government under the Kennedy administration has made the same mistake at Montgomery as did the Eisenhower administration at Little Rock. Both refused to let local authorities deal with the situation. The more than 400 Federal marshals, fully armed, who were mobilized in Montgomery last Sunday were, as Senator DIRKSEN, of Illinois, says, hardly different from Federal troops.

There are, of course, plenty of legalisms involved. At Little Rock the Governor of Arkansas ordered out the National Guard to prevent mob violence around the school. But the Federal Government construed this as an impediment to the enforcement of a Federal court order on desegregation of public schools.

In Alabama a court order issued by an Alabama State judge had called on the so-called "freedom riders" to abstain from their demonstrations on buses which had been advertised in advance and were certain to stir up trouble. Notwithstanding the existence of this State court order, the Federal Government intervened with Federal marshals, claiming that "law and order" had broken down.

Indeed, an 1871 Federal statute was cited by the U.S. Department of Justice as authority for the step, though this law specifically refers to Federal intervention only where there is insurrection or domestic violence due to a refusal or inability of a State to grant protection. It can hardly be said that the action of a mob, even though some negligence is temporarily displayed by local police, constitutes such an insurrection in a constitutional sense. On the contrary, the Governor of Alabama recognized the right of the bus to engage in interstate travel and the right of passengers on the bus to be protected. Just how this gets to be insurrection is hard to understand. Neither the Governor nor the legislature requested the Federal intervention as the Constitution prescribes must be done when domestic violence develops beyond the State's control.

It is true that the U.S. Attorney General and the Governor of Alabama discussed beforehand the events leading up to the crisis on Saturday, but this does not justify Federal intervention any more than it justifies mob action. Unless the regular processes of the law are permitted to take their course, the whole thing just becomes an emotional spectacle with politics and the bid for votes in the populous Northern States playing its part, both under a Democratic and a Republican national administration.

If, as Supreme Court decisions in the past have indicated, there is a right of any citizen to travel through a State or inside a State without color discrimination on vehicles of transportation, the proper course for the aggrieved parties is to apply for court orders. Long drawn out as the cases might be, the necessary court support would be forthcoming and arrests for contempt for violating court orders would follow as a routine procedure.

To say that all this takes too much time, and that we have waited long enough is exactly what the mobsters used to argue passionately as they prepared to lynch a rapist. The cry was then heard: "He's guilty anyhow, why wait for the courts."

Unfortunately, the 14th amendment, under which equal protection of the law has been fostered, was itself ratified at the point of the bayonet when, 3 years after the Civil War was over, the Southern States were coerced—by militiamen sitting in the State legislatures—into ratifying the amendment. The Constitution itself prescribes a proper method of ratification, and the present generation is suffering 100 years later the consequences of the disregard of the Constitution in the period immediately after the Civil War. The Supreme Court has ruled on many 14th amendment cases but has consistently refused to pass upon any case involving the legality of the ratification of the 14th amendment itself.

[From the Evening Star, June 7, 1961]

FEDERAL POWER OVER THE STATES—U.S. BRIEF ON PUBLIC SCHOOL SYSTEMS CALLED MASTER-AND-SLAVE ACTION

(By David Lawrence)

The Kennedy administration has asked the courts, in effect, to make the Federal Government master and compel the States to be servants—a form of slavery and subservience never envisioned by the framers of the Constitution.

The Department of Justice has just filed a brief with a three-judge Federal court asserting that the National Government may force a State legislature to appropriate funds or levy certain taxes as the Federal bosses in Washington may dictate. If a State wishes education to be conducted in private schools altogether in a State or county, with perhaps tuition grants to parents, the Kennedy administration says this must not be permitted and that every State must be required—against the will of its voters—to maintain a public school system throughout a State.

This usurpation of power—unprecedented in American history—is unequivocally urged by Attorney General Kennedy. It is, in reality, a demand that the 10th amendment of the Constitution be either repealed or ignored. This amendment reserves to the States the powers not delegated in the Constitution to the Federal Government and those not prohibited by the Constitution to the States.

The three-judge court in Louisiana asked these two questions of all the State governments as well as the Department of Justice:

"Would the abandonment by a State of its public school system deprive children of right guaranteed by the due process or equal protection clauses of the 14th amendment?

"Would the answer be the same if the abandonment were on a local option basis after a vote of the electorate authorizing county school authorities to close the public schools?"

The Kennedy brief answered both questions in the affirmative. It said previous cases "establish the principle that where a State has provided a valuable opportunity, whether it be called a 'right' or a 'privilege,' and then attempts to withdraw that opportunity for irrational or discriminatory reasons, it violates due process rights."

This is an extraordinary claim. It might mean that a Democratic administration on being elected to office in a State couldn't fire a Republican or vice versa. There are many ramifications to the word "irrational" or to the definition of "privilege." It is certainly novel to find the U.S. Department of Justice insisting on uniformity of "privileges" within a State.

The major argument made, of course, by the Department of Justice is that education is a "necessity" and that only through public school systems can the citizens of one State compete with the citizens of another State in the struggle for professional and economical achievement. This certainly downgrades private schools and places public schools on a level of superiority which nothing in the Federal Constitution would seem to justify.

It so happens that when the attorneys general of all the States were invited to submit by June 5 briefs on this all-important issue, a significant document was filed by Attorney General Richard W. Ervin and Assistant Attorney General Ralph E. Odum of Florida. It flatly contradicts the argument of the Federal Government. The Florida brief says in part:

"Our present Constitution, including the 14th amendment, has not delegated to the United States the power to establish State-operated public school systems; to compel States to operate public school systems; to compel States to levy taxes for public school purposes or to determine the adequacy or inadequacy of a State-operated public school system.

"We respectively submit that an affirmative answer to this question by the Supreme Court of the United States would be tantamount to a judicial repeal of the 10th amendment. The Supreme Court has no such power under our Constitution.

"All States are not required by the 14th amendment to offer their citizens the same public services and facilities regardless of how important and necessary such services and facilities may appear to be."

The Florida brief goes on to point out the variations in laws between the States, in both criminal and civil matters, and the many deviations as between forms of government among counties within States. The brief adds:

"The 14th amendment does not guarantee that all States shall have identical laws, but it does provide for the equal administration of such laws as the States may enact."

Finally the Florida attorney general quotes from a decision of the Supreme Court of the United States (*Bowman* v. *Lewis*) which says:

"The 14th amendment does not profess to secure to all persons in the United States the benefit of the same laws and the same remedies."

Certainly there are no uniform State laws on all subjects, nor for instance, statutes in all States forbidding the intermarriage of certain races.

It could conceivably be argued by the Federal Government some day that intermarriage of races is desirable as a means of impressing the new African states that the United States has no racial barriers. Also, it could be contended that certain States don't appropriate enough money for this or that worthy purpose, or that cities do not properly take care of certain groups of citizens, and that unless the States come up to the standards in such matters set by a Federal dictatorship in Washington, the States will be accused of being irrational and of violating the due process clause of the Constitution. This could reach into housing and urban development and put an end to home rule by States and localities in America.

THE SOUTH INVADED

(By Thurman Sensing, executive vice president, Southern States Industrial Council)

Invasion of the Southern States by the freedom riders (surely the most inappropriate description ever used of any group) is further evidence of the revolutionary design against this region, a strong bulwark of constitutional government in the United States.

Calling themselves "nonviolent demonstrators," the agitators from the Congress of Racial Equality (CORE) actually are seeking violence. They were successful in some communities in provoking some elements into bloody clashes. As a whole, however, the southern people have displayed a remarkably temperate response in the face of the most blatant and outrageous provocation.

These agitators have entered States with the deliberate purpose of breaking the law. Then they immediately demand that Federal law be invoked to protect them in their nefarious schemes.

The country should take a close look at the leadership of CORE and other demonstration groups. One CORE leader on the trip served 3 years in jail for draft dodging during World War II and also had been arrested for trespassing on an atomic weapons test site. Another one of the freedom riders had sought to enter the Eniwetok atom test site in the Pacific in 1958. He was arrested in Honolulu. Does the administration know what kind of individuals it is defending?

Indeed, many of the organizations now stirring up trouble in the South have long records of involvement with questionable causes. The Fellowship of Reconciliation, which trained the leading sit-in leader in Nashville last year, recently opposed a strong U.S. defense posture against Fidel Castro.

The Federal Government has a duty to probe CORE and the other groups, but it apparently is unwilling to do its duty. In the absence of Federal investigations, the States should have their legal officers dig out the radical records of these groups and membership. Once the country understands the character of these groups, it will view the southern position with greater understanding.

The timing of the freedom rides should be of interest to all Americans. The bus invasion of the South coincides with protest movements elsewhere in the world—protests which hit at the best interest of the United States. In Scotland, radical demonstrators swarmed into a small seaport to protest against the basing there of a supply ship for American nuclear submarines. In Cambridge, Mass., 42 professors at Harvard signed an "Open Letter to the President" urging a soft policy on Red Cuba. In Aspen, Colo., an organization known as the Conference on Science and World Affairs, has launched a drive to have Chinese Communist scientists admitted to the United States this fall.

It is clear that since the collapse of the Cuban invasion, a mighty leftwing pressure campaign has been underway in the United States. Congress should consider this matter of the timing of the freedom rides into the South.

Certainly, there is irony—if not tragedy—in the Kennedy administration's response to the bus invasion. Whereas the administration wouldn't order troops into Cuba to put down a Communist regime, it acted like lightning in ordering Federal marshals into Alabama to police a community where local and State authorities were fully capable of putting down further demonstrations. It is distressing and troubling that the U.S. Government won't act against Communists at our national doorstep but will use all available force to stamp down southerners whose only crime is that they ask respect for the system of States rights ordained by the Founding Fathers of this Republic.

Now that the leaders of the riders have blatantly rejected Robert Kennedy's appeal for a cooling-off period, perhaps it will soak in on even the U.S. Attorney General that these agitators are not interested in either law or reason. Even so, the Justice Department has announced it is joining the riders in a suit to overthrow State laws. Does the Justice Department itself also want to tear down the constitutional form of government created for us by our forefathers?

RURAL DEVELOPMENT

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Washington [Mrs. MAY] is recognized for 60 minutes.

Mrs. MAY. Mr. Speaker, one of the major weaknesses in the total resources and economy of the United States is underemployment among farm and nonfarm rural people. This underemployment in agriculture is the equivalent of nearly one and a half million unemployed persons.

More than income is at stake in effective development of rural America. It is the progress and well-being of fine rural families. We must continue to look to rural America for the social stability and the spiritual and cultural strength to continue us as a great and powerful nation.

This afternoon, Mr. Speaker, it is my privilege to present, with the fine cooperation of my able colleague, the gentleman from Kansas [Mr. McVEY], a discussion of the problems and solutions in the successful development of the new rural America. Our discussion will be a continuation of the series on unemployment in the dynamic American economy, a project of the House Republican policy committee's special committee on special projects.

We will use, as the basis of this discussion, an excellent and provocative paper by True D. Morse, business and agricultural consultant of Austin, Tex. Mr. Morse for 8 years was Under Secretary of Agriculture in the Eisenhower administration and is former chairman of the Committee for the Rural Development Program, initiated in 1955 under President Eisenhower.

Underemployment and unemployment in rural America is due in great part to the greatest advance in efficiency ever known to agriculture anywhere in the world, which, in itself, is a fact of which America can be justifiably proud.

In America today one farmworker produces enough food and fiber for 26 persons. One hour of farm labor today produces four times as much food and fiber as in 1919–21.

In contrast, the employment of about half of the work force of Russia is required in agriculture to feed that Communist nation, and in most areas of the world the great majority of the population is engaged in agriculture and food still is scarce.

The general economy would experience a substantial buoyancy by the restoration of rural purchasing power. The greatest underdeveloped markets for the goods produced by factories and labor in the cities now are in rural America.

In spite of many difficult obstacles, the rural development program has consistently been enlarged and made more effective year by year since it was announced in 1955. This program is now widely accepted as a major national approach to helping rural people improve farming, obtain off-farm work, and build better, more prosperous communities. The record of achievement and progress has been remarkable, especially when compared with the problems to be overcome.

Mr. McVEY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Kansas.

Mr. McVEY. Mr. Speaker, first of all I wish to compliment the gentlewoman, who is my colleague, on her fine work in behalf of agriculture as a member of the Agriculture Committee of this body.

Mr. Speaker, former President Eisenhower set the stage for the rural development program in his message to Congress on April 26, 1955, when he said:

> More than one-fourth of the families who live on American farms still have cash incomes less than $1,000 a year. They neither share fully in our economic and social progress nor contribute as much as they would like and can contribute to the Nation's production of goods and services.

It was felt that a continuation of indiscriminate Federal handouts would only treat the symptoms rather than the basic illness of the rural economy, which seemed to be worsening.

An interdepartmental committee was created to provide leadership for the rural development program and to coordinate its activities. This committee included Under Secretaries of Agriculture, Commerce, Health, Education, and Welfare, Labor, and Interior, as well as the Small Business Administrator and a member from the Council of Economic Advisers.

The program was to strengthen the Nation's agricultural economy and it has done so by creating additional sources of income and supplemental employment opportunities, by encouraging the introduction of new farm products, by expanding more efficient farm marketing, and by enlarging vocational guidance and training programs. By 1958, 30 States and Puerto Rico were participating in the program.

Mrs. MAY. Mr. Speaker, as the gentleman has pointed out, in the progress of this program I would like to also continue and add statistics.

In 1956, less than 25 rural counties in only a handful of States had begun formal programs. Today more than 210 counties in all major sections of the Nation have the work underway or in the planning stage.

Reports show more than 2,000 projects to improve farms, build new industries and expand existing ones, help both youth and adults to obtain the training they need, improve health, and accomplish other aims.

Thirty-five States and Puerto Rico now have rural development work underway. Regional meetings are going forward throughout the Nation to help leaders in all States plan and inaugurate rural development activities.

Rural development has brought increased understanding that farm im-

provement alone cannot solve the problem of a concentration of low incomes in certain rural areas.

The approach must be one of balancing improved agriculture with industrial and business development and building the kind of community facilities that will help rural people—especially younger people—prepare for the opportunities and challenges of the future.

Probably the most significant accomplishment of the program has been to establish a climate of opinion permitting broader use of nonfarm solution to the low-income farm problem.

Mr. McVEY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I will be glad to yield to the gentleman from Kansas.

Mr. McVEY. In your opening remarks, you stated that underemployment in agriculture is equivalent of nearly one and a half million unemployed persons. This was verified by the testimony of the Secretary of Agriculture on February 27, 1961, wherein he stated:

> There is enough underemployment each year among workers 20 to 64 years of age who live on farms to equal a full year of employment for 1,400,000.

Many people possibly do not understand the meaning of this statement. If if it were stated in another way, it would simply be that these farm people have off seasons when there is no crop to plant or harvest and this idle time represents wasted man-hours which could be devoted to other employment. In other words, these people are underemployed and if they were included in the unemployment figure for our Nation, it would add 1,400,000 to the total. Underemployment and unemployment are twins and should be considered together.

The farmer is ensnared in his own efficiency. With improved farming practices and automation, it is possible to get larger crop yields from smaller acreages than ever before. Also, less time is required so that it is no wonder that U.S. Department of Labor projections reveal that employment of farmers and farmworkers in the next 10 years will drop 17 percent, when demand for professional and technical workers will go up nearly 40 percent, and most other occupations will increase in size. Thus, your figure of one and a half million unemployed persons will be appreciably increased in the next 10 years unless the underemployed problem is solved.

Mrs. MAY. I would like to carry this on further as we are preparing here to study the problem before we go into the solution that in April 1955, the report, "Development of Agriculture's Human Resources," was released following a year of cooperative study by private organizations and Federal and State agencies. On release of this report, the Committee for Rural Development Program stated:

> The problem is more basic than low incomes expressed in dollars; it embodies human values, the lives and welfare of people and of families.
>
> Clearly a broad, aggressive, well-coordinated assault is urgently needed. New measures must be launched; established activities must be strengthened.

Private and governmental action was recommended to:

First, strengthen industry in low-income rural areas and widen the range of off-farm job opportunities; second, help families with the desire and ability to stay in farming gain tools and information so they could farm successfully; third, provide more job training, education, and health services.

No rapid, easy solutions were offered; no schemes to buy the problem away with massive public funds; no plans to move responsibility and direction from the areas concerned to Washington, D.C.

Mr. McVEY. Mr. Speaker, will the gentlewoman yield further?

Mrs. MAY. I yield.

Mr. McVEY. May I point out that when we speak of rural America in this discussion that the term has a double meaning. Out of every eight people living in rural residences, only three can be classified as farm people; however, many of the nonfarm people are faced with the same problems of low income and underemployment.

Mrs. MAY. Certainly an important factor in solution to the problem facing rural America is in training and retraining those who are unable to compete in what has become the highly competitive and scientific field of farming. This remedy, however, is not an easy one to apply, as my colleague, Mr. CURTIS, of Missouri, pointed out in his remarks on page 12210 of the CONGRESSIONAL RECORD on July 10. The remedy does not lend itself to one quick application, but rather requires patience, perseverance, and tedious attention. As Mr. CURTIS so ably stated:

> The remedy will not be found in the rather offhand fashion that the Kennedy administration has sent up to the Congress, the recommendation that the Congress enact a Federal program for retraining calling for Federal expenditures of almost $1 billion in the next few years. We need knowledge and analysis. I hope the Kennedy administration will learn that Federal dollars are not proper substitutes for applied brains in this area or any other area.

Mr. McVEY. Mr. Speaker, will the gentlewoman yield further?

Mrs. MAY. I will be glad to.

Mr. McVEY. It would seem that State and local education departments can assist with projects to improve education and vocational training for low-income people. Mr. MORSE points out in his paper that 76 percent of farmers and farmworkers have less than a high school education. All of us know this amount of education is inadequate in our modern world, and such a condition affects our national economy as well as local economies. Obviously, one of the solutions to our rural underemployment problem is to give our rural people the kind of education that will train them in a skill that is in demand in the area where they live. The State of Kentucky is doing this, by taking vocational training into rural areas with mobile units and teaching trades, such as plumbing, electrical work, and mechanics, on the spot.

Also, we must inaugurate stay-in-school campaigns to encourage our youth to acquire a useful education. Aptitude testing should be made available to our rural citizens and also employment services and job counseling, just as these services are now made available to urban citizens.

Mrs. MAY. I also would like to point out that the recently enacted Area Redevelopment Act is a very good case in point on this matter of training and retraining.

As you will recall, one of the provisions in the bill set up a new $4.5 million per year vocational training and retraining program.

The substitute proposal offered by Mr. WIDNALL, however, recognized that since this occupational training was the only help some of the unemployed in depressed areas would get out of the administration proposal, the amount provided for occupational training in the administration bill was inadequate. Mr. WIDNALL'S bill more than doubled the amount by increasing the program from $4.5 to $10 million.

Further, the authorized appropriation would have been placed on a 1-year basis to force the coordination within that time of this new program with the existing vocational training programs of the Department of Health, Education and Welfare.

I believe the substitute measure, if it had prevailed, would have provided a much more effective means with which to combat the unemployment problems of depressed areas, and I regret that the substitute proposal did not prevail.

Mr. McVEY. Mr. Speaker, will the gentlewoman yield further?

Mrs. MAY. I would be very glad to yield to the gentleman.

Mr. McVEY. When people think of my State of Kansas, they envision the vast wheat farms of the West, with endless miles of treeless plains, but this is not typical of my district, which lies in the southeastern corner of the State. It is hilly and wooded, with many rivers and streams, so that the farms in this area are small farms by comparison and the fields are irregular in shape and sometimes hilly, which makes them difficult to farm. These are really the "family farms," although many of them are owned by urban residents and farmed by tenants. As might be expected, these farmers are not as influential politically as their wealthier counterpart and their economy is not benefited so greatly by the Federal farm programs. These are the rural people who really need the most help. They are least benefited by price supports which completely ignore many farm products such as poultry and eggs, vegetables, and other produce. In fact, most of these low-income farms are not benefited by price supports, for the price supports they receive are very small. There are no large industrial cities in my district where the underemployed rural people can look for employment. The towns are small towns which have been established principally as farm marketplaces in the past. I doubt that this problem is peculiar to my district. Probably it applies to other parts

of the Nation as well, and in this instance, at least, the failure of rural economies may bring about the failure of urban economies unless private industries and governmental departments and functions are moved into these areas to furnish employment.

Long overdue is the need for an overall plan to distribute industry throughout the Nation and also to distribute governmental offices and functions so that all the people in all the States may enjoy the fruits of American prosperity. Too long have the "plums" dropped into the same baskets. National defense alone dictates that the population be encouraged to spread rather than to concentrate in a few urban areas, but the present patronage system forces millions of our population to leave their chosen homes and to move to "favored" States and cities. I propose that rather than doling out subsistence in the form of handouts to the underemployed that the Federal Government lead the way to a solution of rural underemployment by spreading its departmental offices throughout the Nation rather than concentrating them in Washington, D.C., and a few other favored cities.

No matter how much is said or done about retraining rural people, retraining programs are useless unless the people have jobs to go to. More than that, most people probably do not want to move to Washington, D.C., to find a job because they prefer to live in their chosen States. Instead of forcing people to move to the jobs, let us take the jobs to the people and balance our economic strength.

It has been proven in my district that this will work, for twice the agricultural census has been conducted from my district at both Pittsburg and Parsons, Kans., with outstanding success. The Census Bureau in its interim report on the 1960 census, made to the House Committee on Post Office and Civil Service on May 5, 1961, said:

> A favorable statement can be made concerning the labor force available at both of these locations (Pittsburg and Parsons, Kans.). The general educational level and the initiative and resourcefulness of the individuals passing the test resulted in low training costs, high productivity, high quality work, low sick leave rates, and an unusually low turnover rate for temporary work. Also, at both locations, local officials and the public generally gave enthusiastic support which was of material assistance in establishing and operating these decentralized facilities.

In support of my theory, the report continues:

> The Bureau of the Census feels that planned decentralization carefully considered against the specific criteria outlined above is an effective way to carry out temporary mass-processing type operations and at the same time do much to bolster local economies.

The centralization of most governmental departments and bureaus in Washington, D.C., is actually an archaic plan resulting from the limited communication facilities of colonial days. The U.S. Air Force Strategic Air Command efficiently operates its worldwide network of bases from Omaha, Nebr. Can other governmental departments with less urgent functions do just as well on a nationwide network? The need for government departmental centralization no longer exists.

Mr. ELLSWORTH. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Kansas.

Mr. ELLSWORTH. I would like to compliment the gentlewoman from Washington and also the gentleman from Kansas on their contribution to this problem. The rural portions of my district are contiguous to the gentleman's district and identical with his in many respects. On behalf of the people in my district I should like to express to the gentlewoman and the gentleman both my appreciation for the tremendous job they are doing here, and for the contribution they are making to the thinking in this area and the excellent presentation they are making this afternoon. I am listening to it with a great deal of interest.

Mrs. MAY. I thank the gentleman.

While we are on this subject, my distinguished colleague from Kansas has brought up a number of instances where people can be taken from areas of rural unemployment and given employment in other fields. I would like to speak specifically of one area that comes to my mind, that we really have before us in this session of Congress, and this concerns the U.S. sugar program.

There are a number of areas in which the Federal Government can offer leadership in helping the employment problem in rural America, which could prove most effective if studies were undertaken and were followed by appropriate policy.

One of these that immediately comes to mind is the U.S. sugar program. I hope that all Members of Congress, if they were not on the floor of the House at the time, will read in the CONGRESSIONAL RECORD the very excellent and informative discussion pertaining to our sugar program as it took place on the floor of the House on Monday of this week, July 31.

The sugarbeet is a good, solid cash crop, and the American farmer is pleading with the Congress for the right to grow sugarbeets. We used to obtain one-third of our national supply from Cuba, but now that this source is cut off, the Cuban quota has been reallocated to other foreign suppliers, and not 1 ounce of the Cuban quota has gone to American farmers. These farmers are willing to grow sugarbeets. They have the ability. If the administration would announce a willingness to allow them to grow only a portion of the former Cuban quota, and that policy were put into meaningful legislation, new sugarbeet processing factories could be built in old and new sugarbeet growing areas in many parts of the Nation, and the economies of these rural areas would receive a substantial boost.

Mr. DOLE. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Kansas.

Mr. DOLE. This is true not only of the State of Washington but of the State of Kansas and many, many other States. Is that correct?

Mrs. MAY. That is correct. I do not know that the figures are accurate because we have not done tests in all the States, but it is possible to grow sugarbeets in the rural areas of 20 or more States of the United States, and it may be that every State in the Union has a potential for growing sugar.

Mr. DOLE. Coming from the State of Kansas, one of the potential areas, I know many of our growers could find jobs on the farms or in processing plants if we could have some sugar legislation. It means we are more intent on helping someone in foreign countries than we are in helping American farmers.

Mrs. MAY. I am sure the gentleman would agree that bringing processing plants for any commodity into any community helps with the freight rate problem, the creation of new jobs, and getting our agricultural products to market. This is not a surplus commodity. Most of all, this would be accomplished through private enterprise. In the simplest of terms, the Government needs only to say to these American farmers that it believes in their ability to become efficient and help themselves make good.

Mr. DOLE. Since the gentlewoman is a member of the Committee on Agriculture, I hope she will do all she can to have hearings held on this subject.

Mrs. MAY. I am doing everything in my power, I am sure, to get those hearings called.

I certainly am hopeful, throughout this discussion today and other discussions we have had on the floor of this House, that all Americans will learn the facts about the sugar situation in America today, as I feel they might be rather surprised and even shocked to find out what has happened to the Cuban quota, while American farmers have been denied.

Mr. McVEY. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I yield to the gentleman from Kansas.

Mr. McVEY. I have another suggestion to strengthen our rural economy. As I have already emphasized, this is not merely a farm problem, for five out of every eight persons living in rural areas are nonfarmers. City dwellers are moving to suburbia which is that area outside the corporate limits of our cities. A few enterprising farmers and more city real estate brokers have made a neat profit by subdividing farms into lots and selling them to people wishing suburban residences. Strangely, the Federal Housing Administration does not have authority under the law to make subdivision loans. Amending the law to provide this assistance would undoubtedly stimulate our rural building economy and also enhance the economic status of many farmowners.

Mrs. MAY. Mr. Speaker, the Family Farms Subcommittee of the House Committee on Agriculture has long recognized that there is a deterioration of the economic structure of the family farm, already manifest in the disappearance of thousands of small family-operated farm units. The answer ultimately must be the decision of the American people—urban and rural people alike—on the fundamental question whether the Nation can afford to risk the consequences of a decadence of the basic rural system

that pioneered and for so long a time has nourished the American economic, social, and political order.

The subcommittee, of which I am pleased to be the ranking minority member, impresses particularly upon all thoughtful persons, the place of the family farm in the free enterprise system.

By the proportion the Nation permits a lessening of the number of opportunities for venture into individual enterprises—for one to own his own farm or his own business—then by an even larger measure will the free enterprise system be weakened. Free enterprise is the spirit of the frontier. The frontier must be kept open for men to venture into, and to achieve independence in, individual and family enterprises. The self-interest of those who have a stake in the American system—and that is all Americans—requires this.

Mr. BEERMANN. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to my colleague.

Mr. BEERMANN. Mr. Speaker, as a member of the Committee on Agriculture and serving on the same committee with the gentlewoman from Washington, and knowing the gentleman participating in this discussion, we have friends in common, I appreciate their remarks and the work that they have done to present this matter to us, especially about the sugar program and its relationship to increasing jobs, and private enterprise participation in this kind of program in each of your States as well as my own State. We have an industry called the alfalfa dehydrating industry. It is a private enterprise industry and is serving in a capacity for rotation of crops and cash markets for crops in those areas and I liken it as very similar to the sugarbeet industry except that it is completely a free enterprise industry. I appreciate your remarks very much.

Mrs. MAY. I would like to say to my distinguished colleague who is a member of the Committee on Agriculture, I understand that he and the gentleman from North Dakota [Mr. SHORT] plan to present some very interesting figures later on to the House of Representatives as to the potential of job creation, the creation of new jobs in rural areas by the establishment of processing plants for sugarbeets in our various States.

Mr. BEERMANN. We will do our best to present those figures and try to help in the solution of that problem.

Mrs. MAY. We will be very glad for your help.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to my colleague from Missouri.

Mr. CURTIS of Missouri. I first want to commend both you and your colleague, the gentleman from Kansas [Mr. McVEY] for undertaking this subject and developing it as you have. To me, it is one of the most important aspects of this problem of employment in our dynamic economy because it, probably more than any other area of our economy demonstrates what really has been going on, that the unemployment problem in rural areas is the result of the success of the agricultural system where one person is now providing the food and fiber when it used to take five people. In that process of achieving that success, we have created obsolescence in skills and we no longer need the unskilled and semiskilled worker to the extent that we used to. This is not failure, however, and that is the point—this is not failure that has produced this result. It is the very success that has done that. The question you have been posing is whether or not this system that has produced these successes can meet these new problems that result from success, and I am satisfied and I know the way that this matter has been presented here that you feel it can be solved, if we direct our attention to it in the proper way and diagnose it properly and avoid calling success a failure in trying to grapple with these problems.

Another point I would like to make, Mr. Speaker, is to emphasize that the Keynesian economists who seek to solve the problem of unemployment by increasing the purchasing power in aggregates of our people say that just by doing that, and they usually want to use the Government to do it, and it does not matter what the money is spent for just so long as it is spent, will solve these problems.

In the farm sector, the agricultural sector, it is pretty hard to demonstrate why that will not happen because even if our people throughout the country have more money it is very questionable whether they would buy more agricultural produce as a result, because, if anything, our doctors are telling us to eat less rather than more, and it would hardly have an impact on the agricultural surplus that we have.

I wanted to point out something that I had not thought of before but the gentlewoman's discussion has brought it to mind. Some years ago we used to speak of food and fiber, but actually today our agricultural produce is coming into another area which is quite interesting, the area of industrial produce. Soybeans, for example, are not fibers, but they are not used entirely for food; actually, they are being used in manufacturing processes. A great deal of sugar is not being used for food, and certainly in wartimes it is not; it becomes industrial alcohol and is used in making artificial rubber and many other commercial and industrial products. This is an area in agriculture that is somewhat new, almost what one would call industrial agriculture, and it would look as though there were a considerable future in this area, and the gentlewoman from Washington has very aptly pointed that out.

I wanted to make these observations and again commend both the gentlewoman from Washington and the gentleman from Kansas for this discussion and the contribution to this study which we are trying to make into employment in our dynamic economy.

Mrs. MAY. I thank the gentleman from Missouri.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include related matter, in particular a statement prepared by Mr. True D. Morse.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

(The statement referred to follows:)

RURAL DEVELOPMENT: REDUCES UNDEREMPLOYMENT AND INCREASES INCOMES

(By True D. Morse)

(NOTE.—Business and agricultural consultant, 3302 Big Bend Drive, Austin 3, Tex. (for 8 years of Eisenhower administration, was Under Secretary of Agriculture; former chairman, committee for rural development program).)

Waste of manpower is a serious problem among rural people of the United States. This includes nonfarm people as well as farm people.

This results from serious and chronic underemployment and periodic unemployment in widespread areas of the United States.

About one-half of the farm families and large numbers of rural nonfarm people have low incomes and a level of living far below that enjoyed by most people.

As a whole, underemployment among farm and nonfarm rural people is a major weakness in the total resources and economy of the United States.

Underemployment in agriculture is the equivalent of 1,400,000 unemployed people. This fact was brought out in the testimony of the Secretary of Agriculture, February 27, 1961. He said:

"There is enough underemployment each year among workers 20 to 64 years of age who live on farms to equal a full year of unemployment for 1,400,000 workers. That is to say—if we did not have so many people underemployed in agriculture the Nation would have roughly 1,400,000 more unemployed workers than are currently reported.

"It is clear that unemployment and underemployment are basically the same condition."

This is not a new problem—it has existed down through the years.

But it was not until the rural development program came into being in 1955 that a national effort was made to get more income for rural people who lack full-time employment either on or off their farms. This program was moving forward in some 35 States and Puerto Rico by January 1961. Other States were getting rural development work started.

Farming alone cannot overcome low incomes and poverty of farm families on small and low-production farms, with few exceptions.

It has not in the past—in spite of all the great scientific and educational advances in agriculture.

It cannot in the future.

Farming alone need not be the sole source of income for the fine farm families who need more income and a better way of life.

Our great and prosperous industrial Nation has jobs for these people. The talents and labor of the underemployed farm families are needed. More and more factories and businesses are locating in small towns and rural areas where farm and other rural people can commute to their employment.

Farm people with small and low-production farms are eagerly reaching out for off-farm employment. Many are driving 20 or 40 or 60 miles to industries, towns and cities to earn money with which to supplement their farm incomes.

While city people are exploding out into the suburban and rural areas to get country living—farm people who already have a country home are commuting to offices and industries for employment.

It is highly desirable that even more families live in the country. But this country living must be accompanied by the opportunity to have adequate incomes.

The low incomes and poverty of too many family farms that have existed down through the years must not be tolerated for the future.

Dr. William H. Nicholls, of Vanderbilt University, has analyzed and discussed on various occasions rural low incomes and rural poverty. He says, "After nearly 20 years of national prosperity, the families of the Southern States have average incomes only about two-thirds as high as those in the rest of the United States. * * * Southern farm families even now have incomes only about one-half of those of farm families elsewhere in the United States."

This situation should not—and need not—continue to exist.

The family farm is changing—rapidly changing.

Farms are much larger—up from an average of 174 acres in 1939 to 302 acres, which is now the average for the United States. This has meant fewer farms. The average size of commercial family farms will continue to increase.

Much has been said about family farms. Much said is untrue—causing confused thinking and misunderstanding.

Farms continue to be family operated. Over 95 percent of all farms are family operated—as high a proportion as 20 or 30 years ago.

The family farm is not vanishing.

In fact, with modern equipment farms are operated even more as family units—since there are now fewer sharecroppers and less use of employed labor.

Farms will continue to be family operated.

People are not being driven off farms as some say. The unprecedented continuous prosperity of the United States in recent years has been pulling people out of farming. Newspapers have been filled almost constantly with "help wanted" advertisements. There have been special recruitment efforts.

Commercial family farms have been able to increase rapidly in size only by buying up adjoining or nearby farms. Guaranteed prices for support crops have helped give extra dollars to the larger operators with which to outbid the little, low-income farmer who has been even more in need of additional land with which to have an efficient farm.

However, even more people now live in suburbs and out in rural areas as the new rural America has been taking shape. This is good for America.

Increasing numbers of families living on small farms or poor land can continue to live at home and commute to off-farm employment. Thus, country living is being combined with greatly increased incomes to help banish the age-old poverty or near poverty that has been the lot of too many fine farm and other rural people.

The new rural America is characterized by such trends and facts as:

There are now five nonfarm people for every three farm people living in rural America. The number of rural residences—in contrast to farms—will rapidly increase.

People: families want to live in suburban and rural areas. Witness the "explosion" of population centers. The flight to the fringe of cities and the urban sprawl will rapidly put more nonfarm people out in the country.

Mixed income and diversified income areas will become more common. They will be more actively promoted for the good of farm and town people alike.

Farm families now receive about $1 out of each $3 of total income from off-farm employment and other nonfarm sources. This income from off-farm sources will grow rapidly and be actively promoted as a means for overcoming low incomes of both farm and nonfarm rural people.

An increasing number of rural families have both farming and industrial or other nonfarm employment. These mixed income and diversified activities will continue to increase rapidly. This will be true especially for small and low income farm families.

Some 2 million farms now produce over 90 percent of the farm products marketed.

There will continue to be a declining need for farmers and farmworkers. It is the only major occupational group for which the Government forecasts less manpower demand during the 10 years ahead, the 1960's. farmers and farmworkers down 17 percent, while other except unskilled workers increase sharply. ("Manpower Challenge of the 1960's," U.S. Department of Labor.)

The great new highway system under construction with the improved connecting roads will put all of America on Main Street. Every area will be accessible. People of practically every area can commute to employment. Manufactured goods and farm products can flow more readily to markets.

As economists point out "communities like clusters of leaves along the main stem and branches of highways and roads" have grown in recent years at about 3½ times the rate of gain in national population. More and better highways and roads will speed up this population growth in the rural and farming areas.

Power, transportation, and communications now serve all communities and areas.

Milk, bread, and the daily paper are delivered along the country road in growing communities—city life widely spaced.

The one-room country school has all but disappeared. Larger and larger areas are being served by consolidated schools.

The country church, like the little country school, tends to grow larger and often gives way to the town and country church in the towns and villages.

Rural communities are being remade. Farm and nonfarm families, including the people in small towns, villages, and suburban areas, increasingly work, play, worship, and study together. There are many occupations represented among the neighbors in these new communities.

All this and much more adds up to a rapidly changing agriculture and a new rural America—today and more especially for tomorrow.

Underemployed rural people will find more complete employment in the dynamic American economy—and in turn will give our country an even more dynamic economy than would otherwise be the case.

The central purpose of the rural development program is to increase the incomes of farm families who do not have enough productive land for an adequate living. These higher incomes will be largely spent for a higher level of living and will thus help stimulate the total economy.

About 35 States and Puerto Rico, with rural development programs, have been clearly demonstrating how to bring higher incomes to farm families and entire rural areas. Here are examples drawn from the rapidly growing list of accomplishments, which illustrate what is being achieved—and how:

1. Farming is made more efficient and profitable as some of the farms become larger and sufficiently productive to be commercial farms. A wide variety of activities is increasing farm incomes. For example:

In Bertie County, N.C., in 2 years the vegetable industry was expanded from practically nothing to 1,700 acres. A produce company was organized and a $70,000 market built.

Georgia organized a peach-packing plant which increased peach shipments from 83 cars annually to 390 cars.

In Cumberland County, Va., a special feeder pig production and marketing program added $8,000 of income. Commercial laying flocks and aromatic tobacco added another $21,000.

Minnesota has organized feeder pig marketing associations in two rural development counties.

Farm families, without such potentials, diversify and supplement their incomes with off-farm employment or other sources of incomes. For example:

2. Industries and businesses already operating are often expanded. Area leaders look first to see if such can be enlarged to employ more people.

A lumber mill in Twiggs County, Ga., has grown from a 10-man operation to employ 100 workers.

Madison County, Ark., rural development leaders have helped a lumber company double its payroll to 16—making furniture frames under contract.

Amite County, Miss., encouraged a prefabricated house manufacturer to expand his plant. Now 200 instead of 60 are employed.

3. New industries are being started. The list is long and growing constantly, but a few examples will illustrate what is being accomplished:

Huntsville, Ark., starting 2 years ago has a thriving new garment factory employing over 150 people. Another company has eight men making furniture.

Suwannee County, Fla.: During the past year four new industries have begun operations and the plant for a fifth is under construction. These employ over 200 workers with annual payrolls well in excess of half a million dollars.

Price County, Wis., was among the first to report more industry and more off-farm employment. It is a challenging success story.

Missouri reports that "within the next year, almost 1,000 new full-time jobs and over 300 part-time jobs, with an annual payroll of $2,750,000 will be available to the people in the six rural development counties."

Lincoln County, Nev., has a new plant under construction that will employ 75 workers.

Tennessee says, "New industries are going in, new businesses are springing up—in the past year alone new and expanded industry employed an additional 400 people with an estimated payroll of $1 million."

Illinois lists a quarter of a million-dollar woodchip mill has been established.

Carroll and Grayson Counties, Va., stimuated by rural development, organized a chamber of commerce that is very active. One result is a new underwear factory under construction that will employ nearly 1,000 people.

Hillsville, Va., has a sewing enterprise employing 25 women—expected to later provide work for 100.

4. Forests are being made much more productive. Entire areas are awakening to the fact that trees are a valuable crop.

Low income farm areas are about one-half in timber. Therefore the forestry committee often becomes the most active and productive part of the rural development program where there is timber.

"For every dollar the timber owner gets for his stumpage, an average of $17.60 more value" can be added by the time it reaches consumers. These additional dollars go to workers and various businesses—more income for areas with timber. (See "Forest Industry Opportunities in Rural Development," USDA Information Bulletin No. 222.)

Amite County, Miss., planted 2 million pine seedlings to start its reforestation program.

In Minnesota several counties have organized Christmas tree growers' associa-

tions—for more profitable production and marketing.

These are but two of the hundreds of successful forestry projects.

5. Outdoor recreation is a cash crop that is being cultivated to produce more income. Americans have 50 percent more leisure time today than a few decades ago. We take longer vacations and more of them.

The northern peninsula of Michigan, found that hunters, fishermen, and tourists bring in $9 of income for every $1 of farm income. So area leaders set to work to cultivate the $9 crop to make it flourish and produce more—while not neglecting the $1 crops and livestock.

Stephens County, Wash., is actively promoting the tourist business.

Director L. E. Hoffman after spending 2 days in the rural development county of Crawford, Ind., wrote: "I was amazed at the amount of thorough planning. I agree with them that one of their greatest opportunities is recreation." The area close to the Ohio River has Wyandotte Cave, claimed to be "the second largest cave in the world."

Washington County, Maine, conservatively estimates $1.5 million more annual income largely from sportsmen and tourists as a result of rural development activities. The growing demand for campsites opens up opportunities for farmers. A campground can be built and equipped during the winter. The operation and maintenance can often be done by the farmer's family. People are willing to pay to use a good camp area.

6. Tourist business is a growing and expanding source of income. There may be 80 million more people in just 20 years and 180 million more in 40 years. They will want to travel—and have healthful outdoor recreation.

It is big business—for attractive towns and areas that hang out a welcome sign—and prepare for travelers.

In the 15-county Upper Peninsula of Michigan a training program reached 1,500 people working with the growing tourist business, and 125 businessmen serving tourists attended special classes.

7. Country homes and retirement homes help build up the economy of areas that are made attractive as places to live. There is a rapidly growing proportion of the population of retirement age—and they have money to spend on their homes and in the communities where they live.

For example, Arkansas, Louisiana, and Florida are among the States having rural development areas featuring retirement homes.

8. More education and the kind of vocational training that boys and girls can use in their life's work are major activities of local people working together on rural development.

Leaders face up to the hard fact that 76 percent of farmers and farmworkers have less than a high school education. Only unskilled workers have more—80 percent. This is not enough in the atomic and space age of the 1960's.

County and area rural development committees go into action—to give their youth a better chance in life. For example:

Kentucky took vocational training out into the country with mobile units—teaching plumbing, electrical wiring, mechanics, etc.

Rural development committees have carried on stay-in school campaigns and programs to encourage boys and girls with ability to get education beyond high school.

The Upper Peninsula of Michigan has set up rural counseling services staffed by leaders in business, banking, farming and education to advise farm families on small farms about needed farm and off-farm adjustments.

Stevens County, Wash., has a new junior college as a result of their rural development program.

The Joint Congressional Committee on the Economic Report (Senate and House) 84th Congress, said there should be greater opportunity for rural people to obtain training for nonfarm occupations * * * to improve the education of farm people, to make training in industrial skills available to them, and to overcome obstacles faced by people who wish to make the transition from farm to nonfarm work.

9. Employment services, job counseling, and aptitude testing are being carried forward. Pilot programs carried out by State agencies and the U.S. Department of Labor in Arkansas, Kentucky, Tennessee, and Wisconsin show tremendous potentials. In the four-county rural development area of Batesville, Ark., in the Ozark Mountains, over 7,000 people voluntarily took aptitude tests—ages 15 to over 65. The area is getting a new rubber factory after Governor Faubus convened the State legislature and enabling legislation was passed so that areas could meet financial requirements for new industries.

10. Better health has been among the first and most vigorous action programs. No county or area need wait to push ahead.

Report after report shows stepped up inoculations against disease, and more X-rays. Health clinics and hospital facilities have been installed—improved diets, water supplies, sewage disposal and sanitation have come through local people actively working with available medical and health associations and State and Federal agencies and departments.

The philosophy and concepts of rural development in terms of "The Challenge Ahead" are ably set forth by Dr. Ernest J. Nesius, dean of agriculture in West Virginia. He says:

"Rural development is, perhaps, more than anything else, an expression of need—a need to do something for those families that seem to be frozen or otherwise stalemated in their efforts to obtain some of the benefits of our American productivity and wealth."

He recognizes five distinct concepts:

"1. Rural development was launched on the premise that agriculture alone could not solve the problem of low incomes for the families living on the land because the answer, or some segment of the answer, was to be found in nonfarm situations. * * *

"2. Another idea that has borne fruit has been the increased emphasis on cooperation and working together by agencies—State, Federal, and county; public and private; tax supported and member supported. * * * Their efforts can complement rather than compete. * * * The idea of close agency cooperation as a concept of rural development has been truly a tremendously hopeful one. * * *

"Uniting capabilities into a unified program in an agreed upon direction, in which each agency acts independently and retains its identity and claims credit for what it has accomplished, has been a most promising and encouraging development in agency cooperation.

"3. Local leadership has been recognized and featured as the primary vehicle for action. * * *

"4. We have come to recognize more clearly that the economic flows and social phenomena are not contained by political boundaries. So we think in terms of trade areas or regions. * * *

"5. Rural development has caused us to more sharply define process and to adjust our program activities accordingly. * * * Process here is contrasted with a single event at a given time and at a given place. Process is a stream of events in sequence and in some direction."

Dean Nesius then goes on to observe:

"From experience in rural development there appears to be more specialized resources available by the agencies and organizations to the community than it knows how to use effectively. * * *

"I am repeatedly amazed at the kinds of varied and free services available to the individual and the community. We haven't done a good enough job of showing our talents in present-day situations. * * *

"Within the matrix of the local economy more attention needs to be given to finding and developing off-farm job opportunities for the underemployed people. We haven't begun to exploit the possibility of the new business that starts small and grows as the man and the market grows.

"The heavenly dream of attracting industry which employs a number of people is, indeed, a beautiful one—but its realization is rare. The traditional American success story starts with conditions of limited resources, hardships, failures, and eventual success. * * *

"Decisions are the focal points of thinking and action; therefore, our activities as agencies bear fruit when good decisions are made. Good decisions are founded on vision, objectivity, knowledge, and known goals with procedures for implementing the goals."

Effective development of rural America should be the concern of every thoughtful citizen—whether city dweller or farmer or rural resident—and regardless of occupation.

More than income is at stake. It is the progress of well-being of fine rural families.

We must continue to look to rural America for the social stability and the spiritual and cultural strength to continue us as a great and powerful Nation.

Of such are the opportunities and challenges of the rural development program. It can be of major help in achieving a stronger and more dynamic American economy for the future.

ATTAINING HIGH EMPLOYMENT AND ADEQUATE GROWTH RATES WITHOUT INFLATION

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Missouri [Mr. CURTIS] is recognized for 60 minutes.

Mr. CURTIS of Missouri. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include related matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CURTIS of Missouri. Mr. Speaker, I will not take the 60 minutes, but in continuing a discussion of this program of employment in our dynamic economy, this is part of the same Republican study into employment. My topic is "Attaining High Employment and Adequate Growth Rate Without Inflation."

Dr. Fellner of Yale University has prepared a splendid paper entitled "Attaining High Employment and Adequate Growth Rates Without Inflation," pointing out the many questions involved in dealing with the basic economic aggregates which relate to attaining high employment. I shall include this paper following my remarks.

The Employment Act of 1946 set out as our national goals maximum employment commensurate with maximum economic growth and—impliedly—maximum price stability. It is important to review the debate which occurred in the

Congress over whether the term "maximum employment" would be placed in the act or the term "full employment." This was not a futile exercise in semantics as the proponents of the term, full employment, who lost the debate, would have us now believe.

The issue involved is the basic relationship of government to the private enterprise system in our society. The term maximum employment recognized what I believe are the economic facts of life that employment comes essentially from a system of private enterprise and that government at best can merely be a helper, not even a copartner, in attaining this goal. The goal is the maximum employment attainable without sacrificing our progress toward the other two economic goals—maximum economic growth and maximum price stability.

The term full employment on the other hand was meant to mean that the Government had a responsibility for guaranteeing jobs to all of our people, and that therefore, government could create jobs and should create jobs whenever the private sector of the economy failed to create them. Under this concept government is not the mere handmaiden of the private sector, it is at least a copartner and at the most the major partner in a society. This theory was rejected by the Congress, but its proponents have been trying to minimize their defeat ever since by pretending that they never offered the challenge. Furthermore, they have been advancing their theories as if the Employment Act was not written as it was written and that the Federal Government has accepted as one of its goals guaranteed jobs for all its citizens.

Those of us who regard the political government as the handmaiden of the private sector of the economy in this matter of employment do not do so because we are opposed to full employment, indeed we hope that maximum employment will be full employment. We do so because we are convinced that government fiat cannot change the basic laws of economics any more than could King Canute cause the tides to cease by a governmental order. Economically, there is unemployment in the countries that have their governments guarantee to their people full employment. These countries merely hide their unemployment. I am satisfied that an objective economic analysis of Russia and of other nations that claim to be communistic and socialistic, and it is difficult to get these analyses, would reveal that their unemployment has been greater and more severe than the societies which have not in braggadocio manner claimed they could repeal economic laws and guarantee full employment to their people.

Of course, a society can hide unemployment temporarily by make-work laws, but upon analysis make-work laws are nothing more than spreading the wealth in accordance with the principle to each according to his needs from each according to his abilities. These laws do not create wealth. As Russia has found, this principle does not lead to either maximum employment, economic growth or price stability.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I think the gentleman is speaking directly to the point. He brings in the relationship of the planners of government to produce full employment and the performance of the Government that has attempted to do so. We find in many instances that the people who espouse the political theory of the Government guaranteeing in effect cradle to the grave prosperity to its citizens finds that the Government also manufactures, shall we say, distressed areas? Which creates a crisis by which to continue their program.

On the other hand, we find with a reasonable amount of understanding and confidence on the part of Government officials and the public in the free enterprise system, we achieve far more effective results with less cost to the taxpayers.

I think the gentleman is speaking directly to the point when he points out the artificiality of government manipulation of economy, as seen in other countries, that we are forewarned not to take that tragic step.

Mr. CURTIS of Missouri. I thank the gentleman for his comments. That is exactly what I am trying to point out. This kind of a guarantee is a false illusion, that really we cannot make. Jobs are only created in the economic process and in the private sector.

The Russian political leaders are pragmatists, not theorists, and accordingly they have been instituting in recent years a system of incentive pay which in the areas where it applies is considerably beyond the differentials which exist in many sectors of the private economy of the United States. They still talk socialism, but they are beginning to practice capitalism and to the extent they have started this practice they have reaped some real economic rewards. Conversely in some respects we in the United States have been talking capitalism and practicing a bit of socialism and accordingly we have been reaping some bitter economic fruits. Public housing, for illustration, is one of the many unripe persimmons we have plucked.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. CURTIS of Missouri. I yield to the gentleman from Illinois.

Mr. DERWINSKI. I would like to give the gentleman one practical illustration of the point he made, concerning the development of capitalism under a Communist government. Two years ago when I was in Poland I had occasion to observe the construction of homes in the rural areas, and an interesting story was told. It seems when the Polish Government, under pressure of a series of crop failures, turned from the collective farm program and returned to free enterprise, letting individual farmers produce on their own land, a tremendous boom developed in homebuilding in the rural areas, because prior to that, on account of being forced to live and work on the collective farms and therefore working entirely for the Government, the people maintained these minimum standards, but when there was a degree of private property restored to them, they immediately turned their energies into rebuilding their homes, working with their neighbors and building individual homesites because of the fundamental investment they had in it at the time their property was taken. They were capitalists, and they were willing to work for it.

Mr. CURTIS of Missouri. I thank the gentleman for that illustration.

Indeed that is all, really, that the private enterprise system is, when you boil it down: It is the emphasis on the individual, and the individual is the unit, and its society is the handmaiden or servant of the individual, not the individual the servant of the government. And, it is that that produces real wealth. I like to use this as an illustration to many of my doubting friends who think that you can accomplish things simply by ordering that it be done.

After 1946 it became very important to our society to get uranium ore. Now, there were two ways we could have gotten uranium ore: one by creating a bureau that would hire a lot of people to go out with Geiger counters and go around the wastelands of the West and try to find it, working 8 hours a day. If we had followed that procedure, I suspect we still would be minus a lot of uranium ore. Instead of that we followed what is traditionally an American system. We said that these are public lands out in the West, as most of them are, and under the law any individual who wants to take a Geiger counter anywhere around out there and can find it, it is his; he can stake out a claim. "Sure," you say, "but what right has that individual to that ore? He just found it. It is on public land. Why is that not something that the Government should take?" The answer is: What were we after? We were after uranium ore, and by putting the emphasis on individual initiative, we got more uranium ore than we can actually use at the present time. But, there is a real contrast between the private enterprise system and this foolish will-o'-the-wisp that the Government, by just ordering things, can accomplish these results.

I do not intend to go over the excellent discussion Dr. Fellner has presented in detail. There is much room for agreement and disagreement on many of his observations and proposals. The main purpose that Dr. Fellner's paper serves, and it serves admirably in the discussion the Republican task force on employment in our dynamic economy has undertaken, is to point up the economic balances that are involved in attaining maximum employment, maximum economic growth, and maximum price stability. It also points up the important position that Government has to play in maintaining these balances even though its function is ancillary, not primary.

Dr. Fellner's paper also points up, through his selection of details to illustrate his points, that this is not mere academic discussion. Here the Ways and Means Committee has before it at this very moment a question of modifying its basic tax laws by including a tax

credit for corporate investment in growth measured by depreciable capital assets. Should the committee follow this recommendation or should it, as Dr. Fellner discusses, lower the corporate tax rate? The two alternatives hit at the same goals—maximum employment, maximum economic growth, and maximum price stability.

There has not been one economic expert called before the Ways and Means Committee to discuss the problem. Neither the Treasury Department, the Ways and Means Committee, nor the Senate Finance Committee with all their staff experts are geared to discussing tax problems or broad fiscal problems in relation to their economic impact. Yet the questions Dr. Fellner raises in his paper should have been the starting point of the hearings before the Ways and Means Committee.

I have one other observation I would like to make at this time. Dr. Fellner in his paper and the Employment Act of 1946 deal in terms of economic aggregates.

We have to start somewhere and I believe dealing in national accounts or aggregates is as good a place to start as any. However, I have observed that in this process there has been a tendency to forget that aggregates are made up of component parts and that frequently, indeed usually, the components are going in diverse directions.

I believe it is imperative that we do more to break down our aggregates into component parts for study if we are to come up with the correct answers of the ancillary part that Government should be playing in the economic scheme of things. This is particularly important in the area of employment and unemployment in our dynamic economy.

There has been such single attention directed to aggregates by our professional economists that the President's Council of Economic Advisers is approaching the problem of employment by riveting its attention on aggregate unemployment. They do so because their interpretation of the economic aggregates, not broken into component parts, suggests that our economy has not been attaining its potential economic growth. This analysis based on aggregates leads to make-work programs and juggling Federal monetary and fiscal policies.

On the other hand people like myself believe that the problem is primarily one of unfilled employment opportunities resulting from unusually rapid economic growth. We concentrate our attention for further growth on filling these employment opportunities. In the search for people to fill these jobs we look to the pockets of unemployed people. This analysis leads us to establish programs to make workers skilled and to keep Federal monetary and fiscal policies neutral.

I believe a study of the components that go to make up our aggregate statistics in employment, in unemployment, in gross national product, in productivity, in price indices, in consumer credit, in money and in other things, would reveal whether it is an economic sickness we are trying to cope with, as the President's Council of Economic Advisers seem to think it is, or growing pains, as I think it is. The remedy for growing pains obviously is a great deal different than the remedy for a sickness. We need a correct diagnosis lest we do irretrievable damage to our economic system which in spite of the abuse we have given to it, remains the greatest in the world today.

At this time I wish to thank my colleague, Dr. EDWIN DURNO, of Oregon, for his cooperation in analyzing this topic and this paper by Professor Fellner. I am especially pleased to note the interest and the quality of the work done by him and by the other first-term Congressmen who have participated in this project.

Mr. Speaker, Dr. Fellner's paper follows:

ATTAINING HIGH EMPLOYMENT AND ADEQUATE GROWTH RATES WITHOUT INFLATION

(By William Fellner, Yale University)

Section I attempts to place the problem in its proper setting.

Section II stresses the need to coordinate monetary and fiscal policies with a program to increase the mobility of labor.

Section III is concerned with the need to step up investment and with shaping budgetary policy in view of this need. This section contains also an appraisal of the administration's tax-credit proposal and of some possible alternatives. Further, the section contains observations on certain differences between the methods of taxation used in the United States and in other countries.

Tables I and II, which are appended to this paper, compare the extent of reliance on direct versus indirect taxation in the United States with the extent of reliance on these methods of taxation in other countries.

I. NATURE OF THE PROBLEM

Government policy can obviously influence cyclical movements as well as long-run trends in the economy. At present it should be an objective of public policy to stimulate an increase of the rate of output which is big enough to reduce the unemployment ratio. This involves a gradual increase of output whose effect on the demand for labor outweighs those factors which make more labor available for employment. We may distinguish the following three factors which make increasing amounts of labor available as the economy expands: (1) The increase in output per man-hour (i.e., the decrease in man-hour requirements per unit of output, as a consequence of rising productivity); (2) the increase of the labor force; (3) the lengthening of the average workweek. We want the unemployment ratio to decline, and this implies that the increase in output must be big enough to have a stimulating effect on the demand for labor such as outweighs the effect of the three factors we have just listed.

This proposition will stay true for some time to come, but it will have to be modified for the advanced stages of the expansion. In the advanced stages of a true recovery, the appropriate further rate of increase of output will become smaller. This is because by that time the employed ratio of the labor force should have increased (the unemployment ratio should have declined) to a level which can be accepted as more or less normal. From there on the increase of output should increase the demand for labor to about the extent required for offsetting—but not for significantly outweighing—the joint effect of the factors enumerated in the preceding paragraph. If, after completion of the recovery, the effect of these factors, which make more labor available, is just about offset, then the employed proportion of the labor will stay approximately unchanged in a gradually growing economy. Futhermore, the force of the first two of the three factors listed in the preceding paragraph becomes reduced when the recovery is completed and the economy is growing in a state of already achieved high utilization; and the third factor ceases to play any role whatever (indeed, the third factor may in the long run be turned around, since the lengthening of the workweek during the cyclical recovery may gradually give way to a slow trend-like shortening of the workweek). These are the reasons why the appropriate rate of increase of output becomes smaller once the recovery is completed.

It follows that during the recovery period we should be aiming at a supernormal rate of increase of output. But it will be argued in this paper that it is necessary to watch some aspects of the situation carefully if significant disturbances are to be avoided during the recovery process. These disturbances could prevent the economy from completing the recovery or from subsequently making a smooth and gradual transition from a supernormal rate of expansion to a normal rate of growth. Consequently, while high speed of recovery is a desirable objective per se, single mindness concerning the speed of recovery would in all probability prove self-defeating. We should be aiming for the maximum speed of recovery which is compatible with certain other considerations, so that it should be possible to complete the recovery and to mitigate the subsequent fluctuations around the growth path of the economy. What are these other considerations?

II. LABOR MOBILITY

The present unemployment problem has the characteristics that a good many unemployed members of the labor force were employed in industries and regions different from those in which they could eventually become employed again in a state of reasonably full employment. In other words, it seems that a relatively high proportion of the unemployed are occupationally and regionally maldistributed.

According to newspapers, the administration is considering a program for promoting the processes of relocation and retraining. It is to be hoped that a constructive program of this sort will actually be put into effect without delay and that it will be roughly synchronized with a program of providing monetary and fiscal stimuli for recovery and long-run growth. Exclusive reliance on monetary and fiscal inducements for an ambitious program of high employment would result in inflation, i.e., in a rising general price level. This is because, in the absence of a deliberate policy effort for greater mobility, a boom of inflationary dimensions would be required in the expanding sectors to overcome quickly the rigidities now tying a considerable proportion of the unemployed workers to specializations and to regions from which they should be moving out. On the other hand, a program of relocation and retraining is not feasible if expanding sectors are incapable of absorbing those whom the program is intended to redirect.

Consequently, a constructive approach requires that monetary and fiscal policies, such as are helpful to the recovery process, should become coordinated with policies of relocation and retraining. It is the task of monetary and fiscal policies to shape the environment in such a way that buyers' preferences should create enough demand in some sectors to reduce the overall unemployment ratio; and it is the task of policies promoting the process of relocation and retraining to make labor available to the sectors favored by buyers' preferences ("expanding" sectors). These are essentially

two halves of one and the same program, a program of reducing the unemployment ratio within a reasonable period of time by noninflationary methods. A noninflationary process of expansion is one in which output increases along with demand, and the general price level stays constant.

It seems to me that constructive criticism of the policies of the administration should point out the fact that while specific elements of such a program have received attention on various occasions, a consistent and integrated plan of action has not so far emerged. The policy should be one of using monetary and fiscal inducements of a size sufficient for decreasing the unemployment ratio without price inflation, in circumstances where labor mobility is enhanced by the proper governmental policies. To be effective, this should become an integrated program without further delay. It would be highly desirable that the relocation policies should at least start bearing fruit during the coming 2 or 3 years over which, we hope, the present cyclical expansion may extend. (One may hope that over a longer period further favorable results would show in a gradual reduction of the normal unemployment ratio which is observable at peak levels of the business cycle.)

III. WHAT SORT OF MONETARY-FISCAL INDUCEMENTS?

It should be an essential objective of economic policy to increase the amount of productivity-raising investment. International comparisons of investment activity have many pitfalls, but it is nevertheless reasonable to conclude that the United States uses for capital formation a smaller proportion of its output than do, for example, the leading nations of the European Continent. This obviously has an influence on the rate at which various nations are putting new technological methods into effect. A steep rate of technological advance requires an adequate amount of new capital formation.

Quite aside from the question of what value each of us may wish to place on the rate of economic development per se, it must be recognized that our chances to avoid appreciable price inflation will be very much better if we succeed in establishing once more a high rate of increase in productivity. Some years ago the rate of increase of money wage rates was so high that it seemed inevitable to place emphasis on monetary-fiscal restraints rather than on efforts to match the money-wage increases by productivity increases. It would have been hopeless to try to raise the long-run rate of productivity increase to 5 percent per year. But in this regard the situation has improved to some extent, and a policy of accelerating our productivity trends through the right kind of investment might now very well bring the productivity trends in the vicinity of the observable money-wage trends.

Limitations of credit policy: One way of favoring investment is to provide the demand stimuli for recovery by easing credit conditions. But a policy limiting itself to this method would probably not be a very powerful policy. Furthermore, this method needs to be used with caution in any period in which a balance-of-payments deficit is creating difficulties or is threatening to do so. Given the effects of the expansion of domestic output and income on the balance of trade, the effect of the policy on the total balance of payments will be more adverse if the expansion is accompanied by great ease of credit than if it is not. This is because, other things equal, easy credit leads to capital exports and to a loss of reserves. At present, effective stimuli for domestic expansion must, therefore, come largely from fiscal policy rather than from credit policy in the narrower sense; and the objective should be to provide these fiscal stimuli primarily to investment rather than directly to consumption.

An appraisal of the administration's tax-credit proposal versus the lowering of corporate income tax rates: In general, the tax-incentive program of the administration which was described in the President's special tax message of April 20 is directed to the right problem. Various parts of the program—for example, those relating to expense-account deductions—will, I think, rightly receive almost universal support. However, the program has some weaknesses, and I would like to call attention to two points. To anticipate my main conclusion, I believe that a reduction of the corporate income tax rate would have been preferable to the proposed plant-and-equipment credit; and that if, nevertheless, the plant-and-equipment credit should be enacted, it would not be preferable to abolish the dividend exclusion and the dividend credit. I now turn to my two points, in support of these propositions.

1. I shall argue here that the administration's tax-credit proposal is more conducive to the concentration of economic power (and also to investment decisions of a somewhat arbitrary character) than would be a reduction of corporate income tax rates, or than would be the proposed tax credit without abolition of the dividend exclusion and of the dividend credit. It is undesirable to promote mainly those acts of investment which are internally financed out of the undistributed earnings of enterprise that is already highly profitable. Lopsided stimulation of these particular investments may well lead to further concentration of economic power. Internal financing has also the disadvantage of channeling funds into the process of capital formation by administrative rules of thumb of corporate management.

These rules of thumb governing the allocation of undistributed internal funds are not fully equivalent to the criteria of selection directing funds into the most promising channels in a nationwide capital market. To be sure, there exists no "general case" against internal financing; this method of obtaining investable funds has some economic advantages as well as drawbacks. But pressing self-financing too far would have several undesirable consequences, and hence a balanced program should give additional inducements to invest and also additional inducements to accumulate savings out of personal income. These individual or personal savings are the funds which are channeled into investment through the capital market. Misgivings seem justified against the proposal that additional inducements to invest should become coupled with measures such as reduce the personal savings of individual income recipients out of any given national income. Yet, abolition of the dividend exclusion and of the dividend credit is likely to have just this effect if this measure is coupled with the proposed plant-and-equipment credit.

I am not suggesting that leaving the 1954 dividend-exclusion and dividend-credit provisions on the statute books and then adopting the proposed plant-and-equipment credit would be the ideal solution. As I said above, lower corporate rates, possibly with no dividend credit, might have certain advantages over the investment-credit plans.

The objection that a reduction of the corporate rate might make corporations more satisfied with the profits they already earn, and hence may not induce them to engage in additional risky investments, seems very unconvincing. At any rate, if this objection were based on correct psychological assumptions, then the objection would apply to the administration-sponsored plant-and-equipment credit as well. Against the tax-credit proposal of the administration one could, for example, argue in this fashion: a corporation might go on investing at a rate no higher than that at which it has been investing (or it may go on investing at a reduced rate); it could, nevertheless, cash in on the proposed tax credit; thereby it could increase its net profits; this might make the management more satisfied with the present position of the corporation; and the management might therefore shy away from increasing its risky investments. I think these are exceedingly unrealistic assumptions. However, the point is that these assumptions are no more realistic for the simple device of reducing the corporate income tax rate than for the complicated tax-credit device which has been proposed.

It is true that against the idea of reducing the corporate income tax rate it might be possible to voice also the following objection: One might argue that, while on reasonable assumptions this measure would indeed directly increase the desirable investment expenditures of business, there would at the same time be some undesirable immediate increase in consumption expenditures. I believe that this objection against reducing the corporate rate is as weak as the previously discussed one. If, for example, the corporate rate were reduced to 45 percent, it would be reasonable to estimate that of a corporate tax saving of roughly 3 billion an amount of 1.5 billion or more would go into additional investment via plowed-back profits, and that a good part of the remaining 1 to 1.5 billion (which would become diminished by personal taxes) would go into further investment via increased personal savings out of dividends. Further, a stimulus would be provided also to the investment of funds now held in liquid form. It is unlikely that the direct consumption-raising effect of the tax cut (via dividend payments) would amount to more than about $500 million and a small leakage of this sort is in practice inevitable in connection with any tax-incentive device for investment. I might add here that, according to the data published on page 47 of the April 1961 Monthly Letter of the First National City Bank, all other Western countries have either appreciably lower corporate tax rates than ours or have appreciably higher dividend-credit provisions than those which the administration now wishes to abolish. (I have not myself collected data on this aspect of the problem and I am therefore referring to the monthly letter for further details.)

However, as an investment-stimulant the administration's tax-credit proposal is superior to a cut in the corporate rate if the situation we are considering for illustration has the following special characteristics. The corporation under consideration assigns an exceedingly high probability to its earning appreciable profits on its basic operations, but the risk of loss on additional plant-and-equipment projects is considered prohibitive. The potential loss on these additional projects would make these unpalatable, even if a tax cut should increase the wealth of the enterprise and the net profits earned on its basic operations. The additional projects can be made acceptable only by a reduction of the potential loss on these projects. These projects are so much worse than the projects which have already been undertaken that the management will not turn to them merely because a tax cut increases the net profits on the basic operations and the wealth of the corporation.

On these assumptions, one does indeed arrive at the conclusion that the administration's proposal is superior to a tax cut. The proposal leaves the 52-percent tax rate on the potential net profits of the additional project unchanged, and also leaves the 52-percent tax saving on the potential loss caused by the specific project unchanged, and reduces the potential loss on the project by granting a bonus on the additional investment, regardless of the profitability of the latter (a set of conclusions which we should presumably regard as favorable); while a cut in the corporate rate has merely

the effect of increasing the potential net profits of the additional project in the same proportion as the tax saving on the potential loss (a set of conclusions which we should presumably regard as unfavorable).

The cut in the corporate rate does not achieve its objective because a reduction of the risk of loss on the additional investment is the only change that would make the additional project acceptable, and a cut in the corporate rate does not accomplish this. Yet this argument breaks down whenever the management regards the given risk of loss on various additional projects as acceptable if the net profits on the previous operations and the wealth of the corporation increase. On this assumption, which for well-established enterprise, I consider much more realistic, a cut in the corporate rate is likely to be a very effective method of stimulating investment, and it is a much less arbitrary device that the tax-credit plan now proposed.

However, there exist situations (which I would not consider typical) to which the administration's proposal is tailor made. This should be admitted. My belief that a cut in the corporate rate would be preferable is based on the conviction that it is less important to keep these special situations in mind than it is to increase the personal savings of individuals along with the corporate savings of large and well-established enterprise.

Moreover, I believe that the question whether the initial cost of such a program, in terms of tax revenue, is a billion greater or smaller is a matter of no great importance. On the other hand, the removal of impediments to investment is no doubt of primary significance, and the 52-percent corporate rate is a considerable impediment. The reduction of this impediment would lead to more personal savings of a diffused sort as well as to more corporate savings of large enterprise, while the administration's tax-credit proposal does not stimulate personal savings (indeed, if the dividend credit were abolished the proposal would reduce personal savings).

This concludes the argument under my first point, an argument which so far has not taken account of the fact that the administration's proposal provides greater direct benefits to enterprises whose present profitability is already great than to enterprises which are not yet very profitable. My second point relates to this question.

2. I do not see how the carry-forward period for the administration-sponsored tax credit could be made long enough not to harm new or as yet insignificant enterprises also for the reason that the present profits of such enterprises are insufficient for making them full beneficiaries. This may turn out to possess an important bearing on the position of firms that could increase the degree of competition in now highly concentrated ("oligopolistic") industries. I have in mind the position of new enterprises relative to the position of growing but already well-established "dominant" corporations. New firms, or firms that are initially insignificant, have no accounting profits at the outset, or they have at best profits which are very small as compared to the bulky investment expenditures needed to raise them to significance. They would have very little from which to deduct the plant-and-equipment credit. It seems to me that it would take carryforward periods of impractical duration to let such firms benefit from the planned measures to an extent that would not place them at a significant disadvantage in comparison with growing firms which have already reached a stage of high profitability. Even a carry-forward period of 5 years would not eliminate this handicap because even the 5-year profits of rapidly growing new enterprises are likely to stay smaller relative to their present investment expenditures than are the corresponding 5-year profits of well-established enterprises relative to their present investments.

For this reason, and also for the reason that was already explained under (1), it would, I think, have been preferable to reduce the corporate income tax all around (and in this case perhaps to abolish the dividend exclusion and dividend credit, as is planned even in connection with the administration's tax-credit plan which in my opinion should not have been supplemented by this abolition). I believe that in the event of a reduction of the general corporate rate, new and as yet unprofitable firms would be more willing to anticipate that from now on all corporations will be subjected to lesser taxation than how willing a new and as yet unprofitable firm would be to anticipate that, on the basis of the administration's proposals, it will be able to deduct within, say, 5 years, a fair proportion of its present investment expenditures from future tax liabilities. This is not merely a psychological difference: significant ventures frequently mature after a gestation period of considerable length, this being a period which elapses between the time when large investment expenditures are made and the time when the costs start coming back with profit.

In summary, I don't see the need for introducing complicated gadgets instead of using the simple method of reducing the corporate income tax rate. As for the alternative possibility of pushing "accelerated depreciation" further, my feeling about this would be that by going too far in this direction one might increase the difficulties of many specific firms and industries which after a rapid rate of expansion will sooner or later have to make adjustments to more stabilized conditions in their specific markets. At that time, accelerated depreciation will catch up with them, i.e., will result in much higher tax liabilities for them, although the device will never catch up with the economy as a whole if the general economic growth rate does not slacken. In other words, the dictum that by permitting accelerated depreciation the Treasury is granting merely a loan will in the predictable future stay fictitious for the aggregate economy, but this dictum will assert itself as a piece of truth to specific firms and industries at a time when they will have to make a difficult transition to less dynamic market conditions (and when other firms and industries will take over the role of leaders in dynamic development).

The question remains whether those favoring a general reduction of the corporate income tax rate would not be placing themselves open to the political criticism that their sense of equity is smaller than is that of their opponents. I am, of course, not competent to judge this specifically political aspect of the matter. It seems to me, however, that one's ideas about the efficiency and also about the equity of various tax structures must, to some extent, be adjusted to the tasks with which a country is confronted in some given period. If it is our present task to develop good longrun growth rates in a market economy, without heavy reliance on direct controls, and with that amount of redistribution which is really helpful to the lower income classes, then we should, I think, have an open mind about modifying various features of the present American tax structures. It is, for example, not at all clear in what sense any income group is supposed to benefit from our holding the line on the 52-percent corporate rate (and on some other features of the present tax system).

Direct versus indirect taxes in the United States and in other countries: A comparison of the American tax structure with that of foreign countries shows that we collect our tax revenues from personal-plus-corporate taxation to an appreciably greater extent, and from indirect taxes to an appreciably smaller extent, than is usual even among very progressive and socially minded nations. The data which I have summarized in table I and in table II make this clear. Our savings and capital formation have been smaller relative to output than has been that of a good many other important countries, and our recent growth rates have also been on the low side. Considering the requirements of the present period, it would be desirable gradually to correct those features of the tax structure which in the long run are likely to hamper private saving and capital formation (and thus are likely to be harmful to the longrun interests of all social classes).

Government expenditures and the question of budgetary balance: The foregoing observations relate to tax policies, that is, to the revenue side of the budget. So far as the expenditure side is concerned, comparisons with other advanced private-enterprise economies do not point to our total government expenditures being particularly high relative to GNP. As our GNP rises along the growth path of the economy we should take a positive attitude to public expenditures of a productive kind, and also to public as well as private efforts to eliminate pockets of poverty. However, a desirable program should, I think, place great stress on (1) the need to concentrate on those expenditure items which are either defense oriented or are genuine complements of private investment, and (2) the need to reduce pressure-group expenditures such as indirectly subsidize the consumption of individuals whose public support cannot be justified on grounds of inevitable hardship. This adds up to the following: we should give monetary and fiscal inducement to recovery and growth; these inducements should be made noninflationary by being coordinated (synchronized) with programs for increasing the mobility of labor; and the inducements should have the result of stepping up the amount of productivity-raising investment as well as the amount of personal savings. One important implication of these statements is that we should be moving gradually toward a tax structure which is more in keeping with growth objectives.

Whether a program of recovery and growth will prove compatible with a reasonably stable general price level depends in part on the factors just discussed (labor mobility, the amount of productivity-raising investment), and in part on the behavior of large unions and large corporations. These are questions of great significance. On the other hand, I believe that not much importance attaches to the question whether in a growing economy a completed cycle of, say, 4 years' duration ends with a moderate budgetary surplus or with a moderate budgetary deficit (i.e., whether the deficit in years of subnormal activity are or are not fully made up by surpluses in subsequent years of advanced expansion). A reasonable program should be aimed at the objective of noninflationary growth in the absence of direct controls and with primary reliance on market processes; within the limits in which such a program is likely at all to create either deficits or surpluses, these deficits and surpluses should be viewed not as direct targets of policymakers but as byproducts of a reasonable policy. Aside from rather severely depressed periods (which we hope it will be possible to avoid), large deficits will be inconsistent with the principles here discussed because large deficits would be generating money demand at an inflationary rate (i.e., at a rate overtaxing the mobility of labor and overtaxing the ability of output to keep pace with demand); large surpluses, too, will be incompatible with the principles by which we should be guided because, in a period in which balance-of-payments considerations exclude easy-credit policies, large

surpluses would depress demand. Within the narrow limits in which surpluses and deficits may develop as a result of an otherwise reasonable policy, it does not matter too much how they come out. It seems singularly unconvincing to me to make our choice among tax-incentive plans dependent on whether at the start they cost $1.7 billion or, say, $2 to $3 billion.

In general, we need a flexible tax policy, one that is conducive to the expansion of demand within those limits in which output can keep pace with demand (i.e., within the limits of noninflationary expansion). The present recovery has started in a fiscal year which will end with a small deficit, and the following fiscal year is likely to end with a somewhat bigger deficit. Expansion phases of the American business cycle have on the average lasted more than 2 but less than 3 years (although some were longer than here suggested, while others were shorter). We should not run the risk of killing the expansion early by an attempt to match the numerical amount of the deficits now in sight by subsequent surpluses before the expansion phase of the present cycle ends. Such attempts at precise numerical balance may easily prove self-defeating. As for the present and the coming fiscal year, the character of these 2 years (their location in the cyclical sequence) does seem to justify the size of the prospective deficits during this early stage of the upgrade. I would be more critical of the fact that some of this deficit will be created by the wrong kind of public expenditure, and that not enough is being done to promote growth in the private sector by means of tax policy.

Any otherwise desirable expenditure program that transcends the limits of noninflationary expansion—i.e., creates demand at a rate with which output cannot keep pace, so that inflationary price movements develop—should I think be fought because of these inflationary consequences. While it is safe to infer that in the present circumstances large deficits (over the cycle as a whole) would indeed be inflationary, and large surpluses deflationary, economic analysis does not support the claim that the twin objectives of good growth rates and of reasonable general price stability would always call for a precise numerical matching of the deficits of some years with the surpluses of other years over the cycle.

TABLE I.[1]—*Central and local tax revenues (1957)*

Country [2]	Direct taxes as percent of GNP	Indirect taxes as percent of GNP	Total government revenue as percent of GNP	Ratio, direct taxes to indirect taxes	Country [2]	Direct taxes as percent of GNP	Indirect taxes as percent of GNP	Total government revenue as percent of GNP	Ratio, direct taxes to indirect taxes
Sweden	17.7	9.5	32.1	[3] 1.87	Canada	10.4	12.8	27.7	0.81
United States	14.2	8.9	28.2	1.61	Belgium	7.3	9.6	23.8	.76
Luxembourg	12.8	9.4	33.3	1.37	Germany	9.5	14.7	35.3	.64
Netherlands	13.0	10.1	32.9	1.29	Portugal	5.4	8.5	18.6	.64
Switzerland	[4] 7.7	[4] 6.2	[5] 18.0	1.24	Spain [6]	[4] 4.6	[4] 8.6	[4] 17.1	.53
Norway	[1] [4] 14.7	13.5	31.3	1.09	Italy	5.8	13.8	29.3	.42
Denmark [6]	11.7	11.4	26.0	1.03	France	5.8	16.9	31.9	.35
Finland	[4] 14.7	[4] 15.5	[4] 35.4	.95	Ireland	5.4	16.8	25.8	.32
United Kingdom	12.6	13.5	31.5	.93	Greece	3.6	11.7	20.3	.31
Austria	11.9	13.7	34.9	.87					

[1] Real estate taxes are included in indirect taxes; social-security contributions are omitted from both direct and indirect taxes; total government revenue includes direct taxes, indirect taxes, social-security contributions, and governmental revenues from entrepreneurship. Figures are for 1957.

[2] Source, unless otherwise indicated: (1) Tax and total revenue figures, "OEEC Statistics of Sources and Uses of Finance, 1948-58," Paris, 1960; (2) GNP, "U.N. Yearbook of National Accounts Statistics, 1958," New York, 1959.

[3] While I have not tried to work changes since 1957 into this material systematically, it should be pointed out that on Jan. 1, 1960, Sweden introduced a 4-percent general purchase tax and that there has occurred a minor reduction of direct taxes in Sweden.

[4] Source: United Nations Economic Commission for Europe, "Economic Survey of Europe, 1959," ch. 5, p. 9, Geneva, 1960.

[5] OEEC estimate published in their country paper on Switzerland.

[6] 1956 figures.

TABLE II.[1]—*Central and local tax revenues (1957)*

[For differences between the 2 tables, see footnotes]

Country [2]	Direct taxes as percent of GNP	Indirect taxes as percent of GNP	Total government revenue as percent of GNP	Ratio, direct taxes to indirect taxes	Country [2]	Direct taxes as percent of GNP	Indirect taxes as percent of GNP	Total government revenue as percent of GNP	Ratio, direct taxes to indirect taxes
Luxembourg	20.7	9.4	31.1	2.21	United Kingdom	14.8	13.5	29.4	1.10
Sweden	20.4	9.3	33.2	[3] 2.19	Peru [4]	6.8	6.3	13.6	1.07
Netherlands	20.4	10.1	32.8	2.02	Portugal	9.1	8.5	19.1	1.07
United States	17.6	8.7	26.3	2.01	Japan	[5] 10.2	9.7	20.9	1.05
New Zealand	15.8	8.4	27.0	1.88	Italy [7]	14.4	13.8	29.3	1.04
Austria	19.4	13.7	34.2	1.41	Australia	11.3	12.0	25.4	.94
Belgium	13.4	9.6	23.8	1.39	Canada	11.3	12.6	26.3	.90
Union of South Africa	9.1	6.7	17.4	1.35	France	15.0	16.9	32.8	.88
Germany	18.9	14.7	36.7	1.28	Greece	7.2	11.7	20.6	.61
Norway	17.0	13.5	31.5	1.26	Colombia	3.9	9.3	13.1	.42
Denmark [4]	12.8	11.3	25.9	1.13	Ireland	6.5	15.9	23.6	.41
Finland	17.4	15.4	35.9	1.13	Philippines	2.5	7.3	10.4	.34

[1] The main difference between the concepts used here and those in table II is that in the present table social-security contributions are included in direct taxes. Also, here in col. 3, governmental entrepreneurship income is not consistently included.

[2] Source for all countries except Italy: United Nations, "Yearbook of National Accounts Statistics, 1958," New York, 1959.

[3] While I have not tried to work changes since 1957 into this material systematically, it should be pointed out that on Jan. 1, 1960, Sweden introduced a 4-percent general purchase tax and that there has occurred a minor reduction of direct taxes in Sweden.

[4] 1955 figures.

[5] 1956 figures.

[6] Other current transfers from households and private nonprofit institutions included with direct taxes. This element is not large in the accounts of most other countries.

[7] Source: Same as in table II. The only change from the data in table II is that social insurance contributions have been added to direct taxes.

EMPLOYMENT AS A GOAL IN PUBLIC POLICY

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. GOODELL] is recognized for 60 minutes.

Mr. GOODELL. 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 New York?

There was no objection.

Mr. GOODELL. Mr. Speaker, this is another in the continuing series of papers presented by the House Republican policy subcommittee "Operation Employment." I have had the pleasure of participating in discussion of other papers emanating from this laudable and constructive effort on the part of our Republican Members of the House. Today's subject is "Employment as a Goal in Public Policy." I am proud to be able to present this discussion in conjunction with my distinguished colleague from the Sixth Congressional District of Kansas, the Honorable ROBERT DOLE.

As you are all aware, each phase of "Operation Employment" begins with a basic paper which has been prepared outside of the Halls of Congress by a leading authority in the academic world. In this instance, Prof. Don Paarlberg, of Purdue University, has written a paper which I am pleased to make a part of the RECORD at the conclusion of my remarks, with the unanimous consent of my colleagues.

In discussing employment and public policy, we should first have a clear understanding of our objectives. First of all, we Republicans start with the basic

premise that capitalism is and will continue to be a conspicuous economic success. We believe that the dynamic record of the past can be improved in the future provided we do not tamper with the fundamental principles which have permeated our system and produced our success in the past. In 1946, the Congress adopted the Employment Act which proclaimed national policy, as follows:

The Congress declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means consistent with its needs and obligations and other essential considerations of national policy, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions under which there will be afforded useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote maximum employment, production, and purchasing power.

I would emphasize that the Employment Act says that Federal responsibility for producing "useful employment opportunities for those able, willing, and seeking to work" should be pursued "in a manner calculated to foster and promote free competitive enterprise and the general welfare."

The act of 1946 also provided for the creation of a Council of Economic Advisers in the Executive Office of the President. This Council is composed of three members appointed by the President, by and with the advice and consent of the Senate.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Kansas.

Mr. DOLE. So that the RECORD may show it, may I ask who is the present head of the President's Council of Economic Advisers?

Mr. GOODELL. That is Dr. Heller, the Economic Adviser to the President. He is the Chairman of that group. Of course, they advise the President directly on economic problems.

The Council members are charged with the responsibility of appraising present programs and formulating national economic policy "to promote employment, production, and purchasing power under free competitive enterprise." In addition, the Employment Act of 1946 provides for an annual Economic Report from the President to be referred to a new Joint Economic Committee of Congress.

The Employment Act provides a foundation upon which the Congress may build in the future. We all recognize today the potential of the Federal Government to moderate severe economic fluctuations. This can be done in a number of ways: through fiscal and monetary action, through the Federal budget, through tax legislation, through legislation restricting abuses of the marketplace, and so on.

But let me emphasize here today my faith, and I believe the faith of the Republican Party, that the basic mechanism of competition in the free marketplace must be preserved in our system. We have developed an ingenious economic apparatus for meeting the needs of our people. Generally speaking, the decisions of our marketplace are made in a decentralized fashion that does not permit domination by excessive private or public monopoly, nor by Government. We believe that the automatic workings of supply and demand, the free price system, and the driving motivation of competition are the best ways to utilize our productive resources and attain rapid economic progress.

We all recognize unemployment as a personal tragedy. It is also a national tragedy if it is permitted to persist and if the talent of our energetic people is permitted to stagnate. In other words, we must find ways to cut the ragged edges from our free economy so that it not only continues to produce the great material abundance that is our heritage in this country, but at the same time minimizes the human toll of misery that is inherent in every economic system known to man.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Kansas.

Mr. DOLE. I would like to emphasize that paragraph because you clearly state we all recognize unemployment as a personal tragedy. At times the Republican Party is accused by some people of being indifferent so far as concern for the unemployed and the workingman is concerned. I merely want to add my emphasis to the point you very clearly stated.

Mr. GOODELL. I think that is an excellent point. I might emphasize here that the Republican position is that in helping the people who are unemployed, we do not want to destroy the very genius of the system that has given us the most abundant economy in the world.

Let us start by recognizing that maximum employment cannot be maintained by a forced draft of excessive Federal expenditures. Let us recognize frankly and honestly that the New Deal failed to achieve maximum or full employment after 7 years of Federal manipulation and deficit spending. If the New Deal proved anything at all, it proved that erratic and insensitive meddling in our free economic system by the Federal Government cannot, in and of itself, cure anything. The New Deal also taught us many constructive lessons. We have many weapons of public policy available today with which to solve our economic problems. Let us not embrace the repudiated policies of the past. We must avoid a simple resort to centralized control and vast Federal expenditures as the answer to all our economic problems.

This country can achieve maximum employment if we adopt Federal policies which stimulate and reinforce a free and vigorously competitive economy. Maximum employment can and should be attained without rampant inflation. One of our primary goals must be maximum employment in an economic atmosphere of price stability. The American people do not have to choose between inflation with maximum employment and price stability with unemployment. Our American economy does not depend upon Federal expenditures nor inflation to maintain maximum employment. This has been dramatically demonstrated in the past as our economy adapted with speed and efficiency to the extreme distortions of war and subsequent conversions to peace.

In his paper, Professor Paarlberg has placed great emphasis on the role of education in promoting maximum employment. We all recognize that with education and training go greater adaptability. One out of every five unskilled workers today is without a job. As pointed out by Professor Paarlberg, the rate of unemployment for the poorly educated is about three times as great as for the trained. I believe that Federal stimulus and coordination can promote a diversified attack on the problem of retraining and reeducating our unskilled workers. We have a bipartisan bill, H.R. 7373, which, in my opinion, will take this country a long stride forward in this critical area.

The statement by Don Paarlberg, of Purdue University, previously referred to, is as follows:

EMPLOYMENT AS A GOAL IN PUBLIC POLICY

(By Don Paarlberg)

Even during a time of widespread unemployment, the metropolitan newspapers will carry many columns of "help wanted" advertising. These will be, for the greater part, appeals for people with special skills and with better-than-average educational attainment. To some extent these job openings will be filled by qualified people who temporarily are unemployed. But some of these openings will go unfilled because there just are not sufficient numbers of qualified people to fill them.

Thus, some share of the unemployment problem represents not the inability of the economy to create jobs but our failure to train people who are qualified to fill them.

What kind of workers are seeking jobs? The answer is amply documented: in the main, the poorly educated and the unskilled.

What kind of jobs are seeking workers? The answer is equally clear: for the greater part, those that require considerable education and those that require a skill, even though it be a humble one.

The 1959 census reported that almost exactly half the men and women in the civilian labor force had stopped short of completing high school. Almost three-fourths of the unemployment was found among this half of the labor force. The other half of our working force, those with above average educational attainment, experienced only about one-fourth of the unemployment. This means a rate of unemployment for the poorly educated which is about three times as great as for the well trained.

The 1950 census has been carefully analyzed with respect to the effect of education on employment and unemployment. This is the overall relationship among male workers:

Education attainment and percent of the labor force unemployed

No school	7.3
1 to 4 years	6.1
5 to 7 years	5.8
8 years	4.6
1 to 3 years high school	4.3
4 years of high school	2.8
1 to 3 years of college	2.6
4 or more years of college	1.5

Education has the great advantage that it increases mobility. The worker who will consider any of several jobs, at home or at

a distance, is more likely to find one than the worker who will not shift his vocation or his place of residence. Education of almost any kind increases awareness of new opportunities and diminishes the fear of change. These attributes of education may be more important job-getting factors than the improved qualifications which result from specific training.

Still another advantage of education, as regards employment opportunities, is that it prolongs the useful life of the worker. Among workers past 65, college people participate in the labor force at a rate about 50 percent higher than is true for workers with less than high school training. In other words, the years of earnings forgone to school attendance in one's youth are compensated by added years of earning power as an adult.

The educational attainment of the working force has been steadily rising:

TABLE 1.—*Trends in educational attainment of the labor force 18 to 64 years old, 1940–59*

Age group and year	Percent completing at least 4 years of high school	Percent completing 4 years or more of college
18 to 64 years:		
March 1959	50.9	9.7
March 1957	48.5	9.2
October 1952	44.5	8.1
April 1940	32.0	5.7
18 to 34 years:		
March 1959	61.9	10.2
October 1952	55.8	8.1
April 1940	40.5	5.4
35 to 44 years:		
March 1959	53.6	10.4
October 1952	46.0	8.8
April 1940	27.3	6.7
45 to 64 years:		
March 1959	38.0	8.9
October 1952	30.5	7.5
April 1940	21.6	5.5

There is reason to believe that the complexity of society is increasing even more rapidly than these very significant advancements in educational attainment. Thus, despite rapid and widespread progress in education, the training task which confronts us grows steadily greater.

Studies in the United States and abroad in industry and agriculture almost invariably indicate that the increased investments in physical capital explain only a part of the overall advances in productivity. On one set of assumptions, reported by Prof. T. W. Schultz, of the University of Chicago, the unexplained part amounts to nearly three-fifths of the total increase between 1929 and 1956. The presumption is strong that a large share of this unexplained increase results from the additional education of workers and employers. The obvious conclusion is that additional education not only greatly increases the employability of the workers but also much increases their productivity.

Returns to capital invested in the human being in the form of improved education may appear to be high. G. S. Becker, in the American Economic Review of May 1960, places the return on investment in college education at 9 percent. This is computed from a measure of costs which takes into account not only the private but also the public outlay for education. In addition, it makes a charge for income forgone during the college period. It allocates all these costs to economic objectives, none to cultural or consumption purposes. The estimated 9 percent return on investment in education therefore seems conservative.

At what levels of education should additional increments of effort be primarily directed? The ready and appropriate answer of the educator is "at all levels." Considering costs and results and in terms of enhanced employability per dollar spent, improved and more generally available elementary and secondary education seems to merit priority. Of course, for highly technical job openings such as in the electronics industry only those with advanced education find their qualifications acceptable.

Liberal and vocational training have their respective merits and their advocates; on-the-job training, vocational retraining and adult education have their defenders and their undoubted merits. Apart from the highly technical subjects, the fact that one has studied something appears to be the important consideration.

The respective shares of the educational cost which should be borne by the individual and by the society are not a concern of this paper. Nor does this brief discourse relate to the appropriate means of sharing the public cost of education among local, State, and Federal governments. It is hoped that discussions of these issues will not deter us from getting on with the educational task.

The major point of the paper is that, in attacking unemployment, we should focus more attention on training prospective employees for the increasingly demanding jobs that will be available during the rest of the 20th century. This does not detract in any way from the importance of encouraging investment so as to create jobs. The problem of unemployment can best be solved by working on both the employer and the employee sides of the job equation.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Kansas.

Mr. DOLE. Will the gentleman briefly explain for the RECORD the possible benefits of the bill, H.R. 7373.

Mr. GOODELL. The bill, H.R. 7373, as it came out of committee is quite a different article from what was recommended originally by the President. It is a program set up to retrain workers, particular emphasis being placed upon those workers who have been unemployed for a long period of time. The training is set up under the legitimate existing framework of the vocational training program under the Department of Health, Education, and Welfare, and primarily under the jurisdiction of the States themselves. It would give assistance to those workers who are unemployed and who want to learn a new skill. It would be coordinated very, very carefully with the private employer and labor facilities that are available and are being used today to meet this problem.

I might emphasize that we eliminated from the bill which came out of the committee the relocation allowance which would have placed the Federal Government in a position of going into a community that it feels is an area of labor surplus and in effect moving workers out of that area to another area in the country. They would have done this by a payment of the cost of transportation and, of course, getting an agreement before they retrain the worker that he would be willing to go.

Mr. DOLE. It does represent, in the gentleman's opinion, a realistic effort to get at the core of the problem.

Mr. GOODELL. I think it is a very good effort, and I might point out that the concern of a great many of the Members is that this retraining be coordinated with the unemployment compensation system which is in existence today, and there is a feeling that this bill may be the first step in an attempt to federalize the unemployment compensation or superimpose that system on the unemployment compensation system and thereby neutralize the present system of unemployment compensation that is operated primarily through our States.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. I want to discuss this very point, but before I do so let me compliment both the gentleman from New York and the gentleman from Kansas for the work they have done in preparing this aspect of the problem. I want to commend the gentleman and the other members of the committee, and in particular the chairman of that subcommittee, of the Committee on Labor and Education, the gentleman from Pennsylvania [Mr. HOLLAND], for moving into this area and coming out with legislation. I had the pleasure of testifying before the subcommittee on this matter because I felt it was so important.

The gentleman is very right in pointing out an area that has worried the Ways and Means Committee members who have had it called to their attention, which I have done to be sure that this is coordinated with the unemployment insurance program. Many people do not realize it, but actually our present unemployment insurance program, which is a Federal-State program, works in reverse at least in 40 of the 50 States. If a person takes retraining he goes off of unemployment insurance. Only 10 States have seen the wisdom of making retraining a part of the whole program, but I am very hopeful about the situation. I have worked very closely with the gentleman from Pennsylvania [Mr. HOLLAND], and the gentleman from Arkansas [Mr. MILLS], chairman of the Ways and Means Committee to try to get this coordinated. Our efforts have not been completed, but I am very hopeful we will do that.

There is one point I did want to bring out in this bill which the gentleman mentioned which to me is the safety factor in it. It requires, as I understand, the Department of Labor, and I think also the Department of Health, Education and Welfare, to report back. Am I correct?

Mr. GOODELL. Yes.

Mr. CURTIS of Missouri. It requires both departments to report back within a year as to what they have done in this area.

The thing that disturbs me after reading some of the transcripts of the gentleman's committee's hearings and also from my own personal investigation, is that too little has been done in the Department of Labor and in the Department of Health, Education and Welfare in this area of retraining of labor, either identifying new skills or anticipating skills that are going to become obsolete. Many of the skills are so new we do not even have names for them. The Department of Education, in turn, has the

problem of vocational education, and there has been very little coordination between them; and I can say this as a Republican, because for the past 8 years these two Departments were under our own administration; so this is not a political observation. We should have this reporting back by these two Departments within a year, telling us what they have done, once they get this information and find out what has been done by the States. The State of New York, the gentleman's own State, has done a tremendous job in this area. They are so far ahead of the Federal Government it really causes comment. I did want to make those observations.

Mr. GOODELL. I appreciate those observations. We are proud of our record in New York State, and I agree with the gentleman's comment. I also agree wholeheartedly with the gentleman's commendation of the chairman of our subcommittee, the gentleman from Pennsylvania [Mr. HOLLAND].

We received a recommendation for legislation in this field which involved an expenditure of $700 million over a period of 4 years in this retraining bill. I agree most emphatically with the comments of the gentleman from Missouri that our main problem here in terms of the role of the Federal Government is that the precise agencies we were going to give the $700 million to are the agencies that have not done the basic work up to this time. They were not equipped to move in with a large scale program that efficiently and effectively would meet the problem. It was in our opinion another illustration of the philosophy that you cannot solve those problems by putting a massive amount of money into them. That is the hardest way and the most wasteful way, and in many instances does more harm than good.

I hope we will work out this problem with reference to the unemployment compensation system. New York does permit workers to undergo training and continue to receive unemployment benefits. It seems to me to be shortsightedness on the part of our society to insist a worker must cease to get any benefits at all if he tries to improve himself so he can get a job and be productive in our society again.

I hope this question will be resolved.

I want to thank the gentleman from Missouri publicly for his hard and concentrated effort in this field. He has been most helpful. I believe we will work it out with the assistance of the chairman of the Committee on Ways and Means, the gentleman from Arkansas [Mr. MILLS] and the gentleman from Pennsylvania [Mr. HOLLAND] and the subcommittee.

Much as we want to solve the problem of unemployment, let us remember that we do not have to sacrifice our other values in order to eliminate needless unemployment. There are even higher values in our society than offering every able-bodied man and woman an opportunity to work. We can guarantee maximum employment by strangling our free economy, by loading it down with the heavy weight of bureaucracy, by punishing initiative and imagination through the agonies of administrative regulation and confiscatory taxes, by stoking the furnace of inflation with Federal greenbacks and by a number of other means which all add up to the stifling of the genius of our system. Socialism and communism and fascism have solved the unemployment problem by destroying the most cherished human values. We must not accept that tempting and too-easy alternative.

Let us recognize that a substantial portion of our unemployed in the United States today is a product of the dynamism in our economy, not a product of stagnation. The last thing we want to do is to freeze people in obsolete jobs. Often the destruction of a job in a plant is just the first and immediate impact of progress. We cannot afford to become obsessed with that initial step to the point that we feel our problem of unemployment will be solved if we merely prevent the destruction of jobs.

The genius of a free system is the very fact that a multitude of adjustments and changes and adaptations are being made throughout our economy at every instant. Jobs are being destroyed in one place while other new and better jobs are being created in other places. In this connection, a free capitalistic system is analogous to the human body. Certain cells in our bodies have an average life of something less than 30 days. An obsolete human cell dies and is replaced by a new and healthy cell. So in our free capitalistic economy, an obsolete job dies and is replaced by a new and more productive job.

Public policy can and should moderate the human impact of job destruction and job creation in a capitalistic economy, but public policy must never impede the process of shedding obsolescence in our economy. I expect that, as we learn more about the ways of coping with these problems, we will find that public policy must stimulate rather than stultify the rapid responses of a free economy to ever-changing conditions.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Speaker, it is a pleasure for me to participate in "Operation Employment" and to discuss specifically "Employment as a Goal in Public Policy."

This project, undertaken by the House Republican policy subcommittee, constitutes a completely objective approach to a fundamental problem confronting, not only Congress, organized labor and industry, but all Americans sincerely interested in the free capitalistic system. I consider it a privilege to present this topic in cooperation with the Honorable CHARLES E. GOODELL from the 43d Congressional District of New York.

The basic paper on "Employment as a Goal in Public Policy" has been prepared by Prof. Don Paarlberg, of Purdeu University, which has been made part of the RECORD and as he states, "The problem of unemployment can best be solved by working on both the employer and the employee sides of the job equation."

The new unemployment statistics released on August 2 reemphasize the need for both the private and public sectors of our economy to take a careful look at what each can do to alleviate our present unemployment problem. Despite the continuing upward trend of our economy toward its former high levels, the national rate of unemployment shows no sign of decreasing markedly. It remains close to the alleged recession peak and 6.9 percent of the American labor force are now jobless. In June, 928,000 of those unemployed had been out of work for 27 weeks or more and another 647,000 unemployed from 15 to 26 weeks. It is this group—1.6 million men and women—somewhat larger now, who deserve the attention of the Congress and the business community—for in my opinion, they represent the hard core of the unemployed.

Mr. GOODELL. Mr. Speaker, will the gentleman yield at that point?

Mr. DOLE. I yield to the gentleman from New York.

Mr. GOODELL. The point is well taken. In emphasizing the percentage of unemployed, I notice that this morning's paper reported that the Labor Department had announced that the unemployed for 6 months or more had now been raised to 1,026,000. The New York Times describes this 6.9 percent unemployment rate as one that statisticians recognize as virtual stability. It would appear that the rather frantic efforts to spend our way out of unemployment has had virtually no impact at all upon this unemployment rate and particularly on the long-term unemployed in this country in the last 6 months.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. The thing I wish the people would pay attention to, at the same time these unemployment figures are discussed, referring to the New York Times on Sunday, you will notice in the want ads there will be column after column, page after page, of skills that are in demand at the same time we have this other problem.

Mr. DOLE. I thank the gentleman from Missouri. I mention that later in my paper, and I want to agree with the gentleman from New York. Actually, the longtime unemployed have increased 100,000 a year. So, as the gentleman from New York [Mr. GOODELL] has said, despite all the frantic measures taken by the Federal Government in pump priming, unemployment has actually increased; the longtime unemployment has increased. At the present time there are 5,140,000 unemployed, but the longtime unemployed have increased over the month of June.

The economic progress of our society and the ever present change in consumer demands will cause dislocations in various segments of the economy. The demand for coal as fuel declined following World War II, for example, resulting in a 65-percent drop in coal mining employment. The cause was a shift to oil, natural gas, and other forms of fuel plus the greater degree of mechanization in the coal industry. This shift in demand

has occurred many times before in our history, and many times the economy has made its adjustments to new situations without massive Federal Government pump-priming programs.

In this 87th Congress we have witnessed a parade of essentially pump-priming programs which we were exhorted to pass to aid the plight of our unemployed. Depressed areas legislation which President Eisenhower wisely vetoed, was pushed through the Congress with overinflated claims it would bring relief to the many pockets of concentrated unemployment caused by economic dislocation. Results of Government measures, such as this one, at best accomplish only limited and temporary results at extremely high cost and in many instances result in shoringup a basically unsound local economic structure.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. GOODELL. The gentleman mentioned the depressed areas legislation and the President's veto of this legislation last year—President Eisenhower. I think this is a very good example of the type of program which neutralizes itself and ends up really only spending a lot of the taxpayers' money from Washington.

Mr. Speaker, the depressed areas program, as it finally passed and was signed by President Kennedy, had virtually no priorities in it. It spread the Federal moneys all over the country to so many different places that the truly chronically depressed areas where they had a problem of a structural nature in their economy found themselves competing for Federal money and therefore found themselves competing for Federal money with many areas that have just a temporary problem and do not belong in the classification of a depressed area.

Mr. Speaker, one of the items that President Eisenhower objected to most strenuously in the depressed areas legislation last year in his veto was the fact that they were going to spend about 25 percent or one-fourth of the total amount of money on rural depressed areas. When it came down to defining and putting under the magnifying glass all these rural depressed areas there were about 88 percent of them in the South, areas that were competing with Northern industrial areas for industry, and in many respects caused a part of the dislocations in these Northern States.

Mr. Speaker, in the bill that passed the Congress there was $100 million of the $394 million that was going into these rural depressed areas. I might point out that this morning's paper said that of the 150 major industrial areas in this country classified by the Department of Labor, 88 of them are classified as areas of substantial labor surplus. This means that well over half of our major industrial areas are so classified. If the Federal Government is going to help everybody, the person that gets the aid is going to find that it does not mean too much.

Mr. DOLE. I certainly agree. I think the only priority passed by this Congress was a political priority. That may or may not be true, but I think the program for construction in the South was, of course, I might say a political priority, and a measure necessary to secure adequate votes.

Mr. GOODELL. If the gentleman will yield further?

Mr. DOLE. I yield to the gentleman.

Mr. GOODELL. I do not want to make it appear that we have anything against our colleagues in the South. They will participate equally in the entire program. But this particular rural section was obviously put in there just as political bait of some kind, and then I would add that it was so much out of proportion to the other areas of our country that I am afraid it does more harm than good for the whole economy of our country.

Mr. DOLE. I also come from a rural area in rural Kansas, and we are not yet a depressed area. However, we are beginning to have our doubts.

In the past few years the tendency of many in Government has been that the injection of public funds would solve all problems. This feeling has, to some extent, even permeated the thinking of the American public. I, for one, reject this philosophy but I am concerned about our unemployed, and do not believe we should just let nature take its course. We must get to the core of the problem and take prompt and sound action necessary to eliminate the basic causes of unemployment.

The Employment Act of 1946 pledged our national efforts to the achievement of a high, stable rate of employment. It set as a standard of economic justice that no individual who wants to and is able to work should be deprived of a job. This is a goal few could disagree with, as long as it is held in balance with two other important economic goals—those of general price stability and continuing economic growth.

Who then are the unemployed who have been out of work 15 weeks or more? Why have they been unemployed so long? What promise of future employment can we hold out to them?

Records conclusively indicate high incidence of unemployment occurs among the unskilled with scant education and training or among older workers with obsolescent skills and less inclination to migrate to new labor centers. The groups most affected by unemployment include young workers—particularly dropouts from high school—older workers, women, handicapped persons, Negroes and other minority groups. Prejudice plays an important part in their unemployment status and this is something requiring our persistent efforts to eliminate. The key elements, however, are lack of education and vocational training. Almost one-half of our civilian labor force for various reasons failed to complete high school, and three-fourths of our unemployed are among this group. The "help wanted" ads are still plentiful, yet the greater demand, by far, is for applicants with special skills and a better than average education. A great percentage of our unemployed are victims of the failure of our education system to meet the needs of today's world.

Mr. GOODELL. If the gentleman will yield, Mr. Speaker, I should like to emphasize that last sentence of the remarks of the gentleman from Kansas, which I think puts it very well regarding the failure of our education system to meet the needs of today's world. We have had testimony in our subcommittee that the vocational training system in many respects was teaching obsolescent skills. Under those circumstances, putting more money into the process of teaching obsolescent skills certainly does not seem to be the answer. We are going to need some rather drastic changes in the approach of both the Labor Department and the Department of Health, Education, and Welfare, presumably in the vocational training field, in order to update our methods and teach the skills that are most important to our economy today.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. CURTIS of Missouri. I was quite interested in the statement made to me as the result of a discussion I had with one of the leaders of the NAACP who was in charge of their educational program. He told me that as far as his people were concerned the vocational education program largely—he used that word, if I recall it correctly—was training their people in obsolescent skills. I can imagine nothing so discouraging for a young person who has worked hard in a vocational school than to find out when he or she graduates that there is no demand for that skill. Therefore, the Department of Labor and the Office of Education ought to be doing something, because almost all of our vocational education programs do give Federal grants. One thing that the Office of Education at the national level could be doing would be interchange of information. I, for the life of me, cannot see an excuse for continuation of vocational education in obsolete skills. This testimony of the gentleman from the NAACP, in charge of this, and who has made a deep study of it, I think is something that needs a great deal more public dissemination, although I did bring it to the attention of the Holland subcommittee.

Mr. GOODELL. If I might comment in that respect, the testimony from the administration spokesmen denies that they are teaching obsolescent skills in our vocational training program. That gave me even less confidence in the original approach of the Kennedy administration in just funneling more funds into these programs. We had such testimony both before the committee and privately, that in many respects these vocational schools are teaching obsolescent skills, which is not entirely their fault. As the gentleman from Missouri earlier emphasized, to a large degree we have had no real scheduling of the jobs that are in demand in this economy, the types of jobs in which, if we train the workers for such jobs, they can go out and find employment.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. Yet, some of this is being done. I remember a lit-

tle booklet that I brought before the Holland subcommittee, put out by the New York State Employment Agency. If I recall, the title of it is "Jobs in Electronics in 1964." In other words, there the State employment agency is looking forward into the future as to what jobs are going to be created in this dynamic economy. This was an excellent study. It was in pamphlet form so it was disseminated, I am sure, throughout the State of New York as a guide to vocational educators as well as to the employment bureaus. The evidence shows that in some instances, some of the skills in demand are so new that we do not even have the nomenclature to describe it.

Mr. GOODELL. This sort of central coordination and guidance is to me the most important role that Government can perform in trying to stimulate our economy and train the workers in the skills that are really in demand today.

Mr. CURTIS of Missouri. I certainly agree with the gentleman.

Mr. DOLE. I thank the gentleman. I have heard it said that some of our educational methods are comparable to teaching our Army to use bows and arrows. We really do not need bows and arrows, although some say that we are going to go back to conventional arms. It is about the same comparison. I would like to point out that education, I think, is the key to this thing and retraining and things of that kind.

In terms of increased mobility, rising productivity and a longer period of possible employment, education rewards the investor many times and more than repays him for the loss of some early working years.

A concrete suggestion has been proposed by our distinguished colleague from Missouri [Mr. CURTIS], to encourage educational pursuits. Mr. CURTIS recommends giving workers a special tax deduction for courses they take to improve their job training or to retrain to meet changing employment needs. He also recommends tax deductions for parents sending their children to colleges or technical institutes.

These proposals seem sound to me and far preferable to the administration's program.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Missouri.

Mr. CURTIS of Missouri. Not only should we have some affirmative legislation along these lines, but actually our tax laws now discourage this. This was brought to my attention a few years ago when I was talking to a group of schoolteachers. They said to me, "Congressman, why is it we cannot deduct the cost of going to summer school as a business expense?" And I, with my great wisdom, said, "I thought you could." A chorus of noes from the attending teachers showed me that I was wrong. I checked into it. I found out a curious thing. I was wrong except for one thing. If a school board called a teacher in and said, "Look sister, you go to summer school or you will lose your job." Then, she could deduct that money on her income tax return. But in the case of a teacher trying to improve herself and maintain her skills, that teacher could not deduct that expense on her income tax return. Through discussions with the Bureau of Internal Revenue, I was able to get them to change that by regulation. But, it really should have been changed by law because they were basing that decision on what is the general interpretation of the law, that if you upgrade your skill, you are just trying to improve yourself and, therefore, a person should not be given any special tax deduction for that. So our tax laws today actually are negative on this thing, and not only do we need to make them neutral, in my judgment, but I would suggest and as the gentleman so kindly pointed out, we should make them affirmative and encourage them.

Mr. DOLE. I think they do certainly discourage any improvement or betterment of any person at this time.

In addition to improving our educational system, we can fight against creeping unemployment by encouraging private industrial development and expansion. Since the end of World War II, Federal Government programs, and more particularly Federal income tax rates, have discouraged business growth and have reduced business investment incentives. The private sector of the economy must offer the prime source of expanded permanent job opportunities, however, if returns on capital investments are not attractive in the United States, capital funds will seek markets overseas—as we have painfully witnessed in recent months—and they will be hoarded until a better investment opportunity appears.

We have heard much in the past year about how America must increase her economic growth rate—I could not agree more, but when will Government take the steps essential to promote such growth?

We cannot expect to achieve an income tax rate-schedule which will foster increased capital investment by permitting our Government to sink deeper and deeper into deficit spending as this necessarily precludes a sound revision of existing tax laws. Efficiently administered national defense expenditures are essential, of course, but Government expenditures in other areas could be sharply curtailed. Capital accumulation must precede capital formation for if business profits are half taxed away to pay for the many Government ventures, capital accumulation is severely restricted. Our present tax structure digs deeply into the very sources on which capital investment and a growth in our national employment depends. If we are to have a 3-, 4-, or 5-percent economic growth rate, we must revise our thinking about unfettered Government spending programs

As stated initially, Members of Congress have an obligation to the 5.6 million unemployed and, more particularly, to the 1.6 million longtime unemployed. A realistic reappraisal of our national unemployment problem should be made, for the present administration has already demonstrated millions of dollars alone will not change the statistics. The administration is gearing its efforts to the results of unemployment, rather than the cause of the problem. The unemployed men and women, particularly those with families, cannot wait forever for a solution to their distress. It is time the widely circulated, fine sounding phrases of expanding job opportunities be replaced with the action necessary to encourage a growing economy, and an appropriately trained labor force.

Mr. GOODELL. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield.

Mr. GOODELL. I think the point made by the gentleman is very definitely underscored by the statements which are made by the administration that we are at this moment in our economy on the upward move, as a matter of fact, rather dramatically moving upward, and it is anticipated that we will have .n the period of high prosperity by the winter of 1961–62—and yet the administration spokesmen have been making it clear that they anticipate an unemployment low point of about 6 percent next winter. This in spite of their big spending program, in spite of their deficit financing, and presumably they are going to go ahead and spend more money from the Federal Government to try to correct this problem, even in a period of high prosperity. I think it is generally conceded by even the economists who feel we should spend more than we take in in periods of recession, but certainly we should not do it in periods of prosperity because then you are just stoking the fires of inflation.

Mr. CURTIS of Missouri. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. CURTIS of Missouri. The gentleman from New York is certainly correct in his statement. The thing that to me is tragic is the way the administration spokesmen say that if they get to a 4-percent unemployment figure, that is what we are always going to have. I do not understand such a negative approach to this thing, but they nonetheless have said that. In my judgment and in the judgment of many others I think we should not be content with such a figure.

Mr. GOODELL. It is almost as if they were anticipating the failure of their own program and are laying the groundwork in advance to prepare the public for the failure.

Mr. DERWINSKI. Mr. Speaker, will the gentleman yield?

Mr. GOODELL. I yield.

Mr. DERWINSKI. The point that the gentleman from New York just made was excellent because in 1960, during the campaign, there was a deliberate attempt first of all to plant a fear psychology in the minds of the people and then to work from that point.

Coming into power we find that a lot of their basic philosophies are antifree enterprise, anti-American business. The unemployment statistics which the gentleman gives show a high and continued rate of unemployment which is at least in part the result of anti-America free

enterprise attitude on the part of key administration officials.

Mr. DOLE. According to the administration, it will be the latter part of next year before we will have a substantial reduction in unemployment. We can account for a large part of that. That is not due to anything except the fact we have appropriated $3.5 billion for defense. This will create new jobs. We are going to draft a couple of hundred thousand people, we are going to call the Reserves. That will take care of some unemployment. I do not think that is what we had in mind when we talked about an objective solution of this problem.

Mr. CURTIS of Missouri. I am glad the gentleman mentioned that. We are going to take care of 200,000 to 300,000 young people by putting them in the armed services. The reason that is important is this: In the past 8 years of the recent administration, spokesmen of the present administration were constantly critical of this area of unemployment. They pointed to the recession year of 1954. I would point out that at that time we had just closed down the Korean war. We had returned out of the armed services many hundreds of thousands of young men, as well as many people from munition plants. We had to find jobs for them. To this day the administration spokesmen and economists will not pay any attention to the impact of war on employment. Sure, you can solve unemployment tomorrow by going to war. The gentleman in his speech referred to the fact that the New Deal did not solve unemployment in the great depression; in fact, there were over 10 million unemployed after 6 or 7 years of its operation. Unemployment and the depression were solved by World War II, by America becoming the arsenal for the democracies. That is the record.

Our job is to try to figure out how we can take care of unemployment based upon a peacetime economy, not a wartime economy. I hope that the Kennedy administration will bear in mind as we look into these next few months that they have not been able to help alleviate unemployment by drafting people into the service.

I hope they do not try to take credit for that method of operation.

Mr. GOODELL. Regardless of whether they try to take credit for it or not, I hope they will assign the right reasons for the improvement in unemployment. I would agree it is related to the fact we have gone into an emergency, we are drafting more people, and it would be a sorry thing for them to claim that the big spending programs they have initiated were the reasons for some improvement in this figure. I think we all anticipate there will be a slight improvement due to the fact they are going to draft more people and take people in the Reserves. But that is not the way we want to solve the unemployment problem.

Mr. DOLE. I have heard it said they could draft people from the State Department and solve two problems: First, help unemployment, and, second, the world situation in general.

Full employment is and will continue to be a primary goal of the Republican Party. Full employment cannot be attained by wishful thinking, by massive expenditure of public moneys, by high sounding phrases, tours of inspection, or by Executive order. We are dealing with deep personal misfortunes of millions who have every right to expect progress, not pity, cooperation not charity, and, most of all, results not regimentation by Federal bureaucracy. To this end Congress should be dedicated.

Mr. GOODELL. I conclude by thanking my colleagues for their contribution to this discussion and particularly to pay tribute to the chairman of our Operations Employment Committee, the gentleman from Missouri [Mr. CURTIS] for the very great and constructive effort that he has put forth, and we are very proud of it—our party—both as Republicans and as Americans.

PROPOSAL FOR THE ESTABLISHMENT OF A SPECIAL HOUSE COMMITTEE ON CAPTIVE NATIONS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. DERWINSKI] is recognized for 30 minutes.

Mr. DERWINSKI. 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 Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, since last March the proposal for the establishment of a Special House Committee on Captive Nations has been before the Rules Committee. Hearings on the measure were conducted on two occasions, and all essential aspects of the numerous resolutions advancing this important proposal have been carefully considered. I know that I express the thoughts and hopes of an overwhelming number of my colleagues when I say that the necessity and urgency of such a committee warrant immediate final determination of these resolutions. Time is running out in more ways than one.

WIDE SUPPORT OF THE RESOLUTIONS

Wide popular support of the resolutions calling for a Special Committee on Captive Nations is clear and unmistakable. In these many months an impressive amount of evidence substantiating this support has accumulated. Led by the original resolution of the gentleman from Pennsylvania [Mr. FLOOD] almost two dozen similar resolutions have been submitted as a clear reflection of this growing support.

Consistently, week after week, letters have been pouring in from all parts of the country in favor of such a special committee. The RECORD has shown some of this two or three times a week since last March. Moreover, in response to this popular support, the House Republican policy committee placed itself on record on May 23, 1961, fully and unequivocally backing the proposal of a Special Committee on Captive Nations.

CAPTIVE NATIONS WEEK CRYSTALLIZES SUPPORT

Mr. Speaker, this year's observance of Captive Nations Week crystallized this support for a special committee. In area upon area one of the major themes of the observance was the creation of a Special Committee on Captive Nations in this session of Congress. And, as was shown over a week ago in this Chamber, this paramount theme was sounded not only in cities like New York, Chicago, and San Francisco, but also in Miami, New Orleans, and Los Angeles. I should like to add to the material and evidence provided in that discussion on Captive Nations Week, 1961, and the necessity of a Special Committee on Captive Nations—RECORD, July 24, pages 13168–13196. I request that at the conclusion of my address, this material from the Miami Herald, New Orleans Times Picayune, the Denver Register, and other sources be inserted in the RECORD. The mounting interest in the strategic importance and value of all the captive nations, as shown in every section of our country, offers solid justification for the establishment of a Special House Committee on Captive Nations. It cannot be emphasized too often that nowhere in this Nation is there any systematic, methodic and continuous study being made of the captive nations in the aggregate.

We in this body have now an excellent opportunity to satisfy this urgent need and to meet and abet the interest shown by our people in the captive nations. This need, this interest—can be effectively realized and satisfied only by the creation of this special committee.

THE BERLIN CRISIS, THE PRESIDENT, AND MOSCOW

Mr. Speaker, it has frequently been pointed out that there is nothing more irritating, more fear inducing, more disturbing to the Moscow colonialists than the subject of captive nations. As a matter of fact, except for the U–2 incident last year, no single event in the last 10 years has produced such an outburst of staged indignation and hurt than the passage of the Captive Nations Week resolution by Congress in 1959. The most sensitive chord of Moscow's colonial empire was struck. Khrushchev knew it and most of us did.

We cannot ignore the fact that last year and, significantly again this year, Moscow and its colonial puppets have reacted even more vehemently and vituperatively to the Captive Nations Week observances. Last week, others pointed to the sharp attack in Izvestia and many puppet organs against President Kennedy's Captive Nations Week proclamation. To this I should like to add the fact that the Russian organ, Pravda, launched a similar attack in its July 21 issue. More than this, a report distributed by the American Committee of Liberation, which I append to my remarks, shows the staff of Radio Moscow going to the lengths of calling Mississippi Gov. Ross R. Barnett to establish for its listeners the fantastic thesis of enslaved people in the United States.

These and other facts demonstrate beyond doubt that we have pierced the

sprawling Bear where it hurts most. We should be guided by this evidence and also profit by it, particularly in this period of the Berlin crisis. We should uncover, cultivate, and disseminate such facts in the interest of American public enlightenment and also of U.S. policy and action. Once again, for the purpose and objective only a Special Committee on Captive Nations can do the enormous job required.

Mr. Speaker, it is necessary to mention a grievous error committed by the President in his address to the Nation last week on the Berlin crisis. But this also proves the need for precise and sound knowledge about the captive nations which a special committee, by its specialized undertaking of study and information, can guarantee and insure. The President's statement, "We recognize the Soviet Union's historical concern about their security in central and eastern Europe after a series of ravaging invasions," is shocking for its historical inaccuracy and lack of factual base. I shudder to think what the Lithuanian, Latvian, Ukrainian, White Ruthenian, Polish, Byelorussian and other captives in and outside the Soviet Union must feel upon hearing this—their lands ravaged and exploited by Moscow. But this dominant fact is rationalized away by an American President under the cloak of some fictitious historical concern on the part of the Soviet Union for its security. And this only 1 week after the President's proclamation of Captive Nations Week.

ADDITIONAL REASONS FOR A SPECIAL COMMITTEE

Mr. Speaker, when we witness such gross inaccuracies and historical fatuities on the highest levels of our Government, what could be expected from some other spheres of our society with regard to accurate knowledge and understanding of our natural allies, the captive nations? This should be reason enough for the establishment of a special committee devoted to this vital subject. However, there have been many reasons offered by my colleague from Pennsylvania and others—reasons which have yet to be refuted—CONGRESSIONAL RECORD, May 10, page 7741.

I should like to add to those reasons and arguments the following points which have emerged in discussion about this crucial subject:

First. A Special Committee on Captive Nations would have definite legislative intent. This intent is indicated in the proposal and resolutions. The sequence of events leading to the full realization of this intention would be:

(a) Extensive and intensive study and investigation;

(b) Conclusions based on the committee's findings;

(c) Recommendations founded on conclusions for legislative action; and

(d) Formulation of legislative acts in connection with the captive nations. A whole spectrum of activities in relation to the Red colonial empire could conceivably come for reexamination in the light of the committee's findings.

Second. In reality, such a committee would not encroach upon the work of any standing committee. The outstanding fact is that none of our committees is engaged in a systematic, methodic, and continuous study of the captive nations as a whole, in the aggregate. Indeed, our committee structures do not even run along these lines to perform the tasks contemplated. For example, with the draft of the 20-year plan announced in Moscow, it is appropriate to ask what committee has had the time and resources to investigate the reality of economic imperialism and colonialism within the Soviet Union or the plight of the over 30 million Moslems in this empire? Yet, one need not think twice about the possible impact that detailed facts in these areas could produce on our legislation and general policy.

Third. These examples alone suggest that considerable time, effort, and application would be necessary for the fulfillment of the objectives of such a committee. No existing committee could possibly afford this. A special committee, comprised of Members who have a profound interest in the captive nations and are dedicated to the task of showing the tremendous strategic value the captive nations have for the security of our Nation and the free world, could alone meet these requirements.

Fourth. There are, of course, numerous proposals and resolutions made for special and select committees to deal with various matters. But who, in these times of foreign crises, the threat of Moscow, and the threat of war, would deny the priority of purpose and value attached to the necessity of studying, knowing, understanding, and functionally appreciating the captive nations both within and outside the Soviet Union? It is an open secret that we lag badly in this important respect and yet, sooner perhaps than we think, we may have to depend heavily on these natural allies in the Red colonial empire.

Mr. Speaker, it is for these reasons and the many others that have been given since the beginning of March that I urge speedy bipartisan action on the resolutions proposing a Special Committee on Captive Nations. The full justification for such a committee is being discussed and well received in many quarters of this Nation. As a further example of this, I wish to introduce as part of my remarks the lecture delivered by Dr. Lev E. Dobriansky, of Georgetown University, on "A History of Communist Aggression." This lecture was given last week at the anticommunism strategy seminar held at the U.S. Army Command and General Staff College, Fort Leavenworth, Kans. One of the conclusions reached by Dr. Dobriansky is that our general knowledge of the history of Communist aggression is basically faulty. In the public interest, in the interest of our national security, this defect can be rapidly overcome by the work and effort of a Special Committee on Captive Nations.

In addition, Mr. Speaker, I place in the RECORD at this time an editorial from the Chicago Daily News of Tuesday, August 1, entitled "Ventriloquist," which is illustrative of the Red propaganda against Western imperialism and other illogical suggestions that we turn the tables on the Communists in this arena.

Mr. Speaker, to sum up my purpose in once more calling this matter to the attention of the House, may I point out that we are obviously in the homestretch of this congressional session. It would be most practical for the Rules Committee to approve a captive nations resolution so that the House could act, and the committee organize and commence this most needed work immediately at the close of the session. It is my understanding that the chairman of the House Foreign Affairs Committee has had numerous invitations to appear before the Rules Committee on this subject, and has failed to avail himself of the opportunity.

I certainly hope, Mr. Speaker, that I am in error if I draw the conclusion that there is a deliberate attempt being made to block the creation of this Special House Committee on Captive Nations. Surely there must be some people in our State Department with enough imagination and energy to realize that we must take the counteroffensive in propaganda against the Soviet Union, and that this special House committee would perform a tremendously important function to the benefit of our State Department in its concern with international problems. I have repeatedly emphasized the value of this committee to our representatives in the United Nations and to the entire American position in world affairs. I am convinced that a vast majority of House Members would give the creation of this committee their vigorous support, and I express my appreciation to my colleagues who have been untiring in their efforts to achieve this goal.

The sands of time in this session, Mr. Speaker, are running out. They must not do so before we have created this committee, put it to work, and then properly anticipate its progress, accomplishments, and effective contribution to the cause of freedom for the enslaved captives of communism.

A HISTORY OF COMMUNIST AGGRESSION

(By Dr. Lev E. Dobriansky, Georgetown University, to the anticommunism strategy seminar held at the U.S. Army Command and General Staff College, Fort Leavenworth, Kans.)

"History is bunk"—so observed one of America's foremost industrialists and a prominent maker of history. Instinctively, of course, we would brush this statement aside, as, indeed, many in the past have. But actually this extreme observation cannot be written off entirely because, in fact, there is much bunk in the written histories of Eastern Europe and central Asia which constitute primary and basic parts of the composite history of Communist aggression. In our schools and in the public forum much of this bunk is being uncritically transmitted, and the results become clearly and appallingly evident in the bleak record of our struggle with communism.

For some quite intellectually vulnerable critics of these indispensable seminars this may be the introduction to an extremist speech. However, it cannot be too strongly emphasized that the contents of this lecture are open to any honest criticism by popular deliberation rather than by secret memoranda. Many scholars, writers, and leaders with a keen sense of history have pointed to

this grave defect in the fundamental history of Communist aggression. Among them, even President Truman has said: "I have several histories of Russia—not one of which has been satisfactory. Most of them are based on ideas that were formed before the man started his book and are not based on facts."[1] In short, if our historical accounts of Russia, the base of the world Communist conspiracy, are inaccurate and even fictitious, then what can be expected of our higher formulations of thought, concept, policy, and operation regarding this global menace?

LESSONS FROM THE HISTORY OF COMMUNIST AGGRESSION

"Human history," said H.G. Wells, "is in essence a history of ideas." The history of Communist aggression is undoubtedly a major episode of human history and in basic essence sharpens the contrast between the ideas of national and personal freedom and those of imperialist domination and totalitarian control. History, one can say, is philosophy teaching by examples, and the examples we shall consider here are not, as Khrushchev would have it, evidence of any spurious contest between communism and capitalism but, instead, growing examples of Soviet Russian imperialism and colonialism versus national self-determination and personal liberty. Needless to say, those who do not know or remember the history of Communist aggression are condemned to repeat it.

What, then, can we learn from this history? What are the general lessons to be gained from the history of Communist aggression? For one, this history provides an indispensable background for our understanding of the motives, aims, and actions of the last formidable imperialist power on earth. It, more than anything else, empirically and concretely answers the essential question, "How did this menace come to be what it is?" In effect, it answers the further crucial question, "What is the nature of the threat?" Second, the history of Communist aggression portrays a genetic development of conquest, predation, and exploitation without which pure analysis remains sterile. In this respect, our short understanding of this history explains in largest measure our persistent misconception of the Soviet Union, our gullibility for skillful Russian propaganda, and our constant reactionism to the cold war ventures of the adversary.

The third important product of a complete history of Communist aggression is a vivid appreciation of what the aggressed, the conquered think and feel about the nature of the disease rather than what we, at a remote distance in time, place, or experience, think it to be or what the conqueror pretends it to be. For example, in 1956 the Hungarian patriot shouted, "Russkie, go home" instead of wasting his breath on the myth of communism, and earlier in the same year the Georgian patriot scrawled on the public buildings of Tiflis the positive slogan "Long live an independent Georgia" instead of the negative one "Down with communism!" These and endless more teachings by example lead to the fourth benefit derived from the history of Communist aggression; namely, the insights obtained for opportunities of action, of the positive offensive, against the calculating and increasingly confident enemy.

Thus a complete and factually grounded history of Communist aggression is indispensable to our thoughts and actions in the permanent cold war staged by Moscow. It is no more necessary for our behavior and operations in any hot global war. The history of Communist aggression is the very basis of justification and confirmation of the sound warning given by the renowned Russian philosopher, Nicholas Berdyaev: "It is particularly important for Western minds to understand the national roots of Russian communism and the fact that it was Russian history which determined its limits and shaped its character. A knowledge of Marxism will not help in this."[2] As one views the history of Communist aggression over the years—including even the form of spiritual aggression against certain non-Russian nations prior to 1917—this sober warning sounded by one of Russia's greats in this century cannot be repeated too often.

THE BACKGROUND OF THE WHITE RUSSIAN EMPIRE

It is an open secret that we Americans are not exactly conspicuous in the areas of historical research, interpretation, and analysis. In fact, until recently, in our schools and in our daily existence we have even shown a disdain for historical inquiry and historical understanding. With regard to the reality of Communist aggression some of us woke up only when colonial Moscow took to overt means of threat and bluff against the interests of the United States following World War II. Of little concern was it to most of us that we, by private or official agency, helped substantially to build up this monster from 1917 to the present, either by commission or omission of various deeds and works. Without the indispensable aid of history we were content to form our illusions, some of which thrive this very day, such as the illusion that the cold war began in 1947, or the illusion that Communist aggression commenced with the Russian invasion of Poland in September 1939, or the illusion that if Marx hadn't existed, we would not be threatened from the Russian source today. These and other illusions can only be permanently dissolved by grasping the major forces and patterns in the history of Communist aggression.

As Berdyaev, Struve, and others solidly teach, it is impossible to arrive at such a grasp without an intensive analysis of the real, empirical background to the series of Communist aggressions in our time. The roots of these aggressions by Soviet Russia rest deep in the background presented by the White Russian empire of the czars.

Every conceivable Communist technique today has an able institutional precedent in the empire-building enterprise started by Ivan the Terrible in the 16th century: divide and conquer, conspiratorial networks, genocide, Russification, two steps forward and one backward, broken treaties, a self-assuring mystical messianism, smokescreens of totalistic ideologies, political partitionism, the police state, inventions and distortions of history, incitement of class struggles, slave labor, anti-Semitic pogroms, Potemkin village tactics, peaceful coexistence—in brief, the fashioned implements of cold war gaming aimed at eventual conquest.

Lest we deceive ourselves, we are bucking up against 500 years of cumulative empire-building experience from which Lenin primarily drew on and Von Clausewitz distilled his classic cold war formulations. It is an experience based on the institutional nexus of internal totalitarian rule and external imperialism and colonialism. It is an experience masked by a succession of deceptive ideologies: the third Rome doctrine of orthodox supremacy, racist pan-Slavism, and materialistic communism.[3] Where it serves Moscow's purposes, each of these is put into use today. For example, the Morros testimony which led to the Soble spy case in New York brought out the fact that, as Morros put it, the "Russian plot * * * goes beyond communism. They are for pan-Slavism on a scale more ambitious than Hitler's fanatical dreams of world conquest."[4] And Morros operated with functionaries on the highest levels of the Kremlin conspiratorial setup.

But more immediate to the first phase in the history of Communist aggression is the period from the end of the 19th century to the downfall of the White Russian empire. We cannot intelligibly comprehend the first wave of Soviet Russian aggression unless we come to know and appreciate the powerful force of nationalism which manifested and expressed itself in the empire during this period. Regrettably our studies of this subject are virtually nil, and as a consequence we are ill prepared today to exploit in behalf of world freedom this same force operating within the Soviet Union.

The White Russian empire suffered from the same rebellious upsurge of patriotic nationalism that the Austro-Hungarian and Ottoman Empires did. We know of the Polish resistance and fight for national freedom in the spirit of Mickiewicz, Kosciusko, and Pulaski, but do you know of the freedom fighters and the resistance against Russian domination elsewhere within the empire: the White Ruthenians, Kalinovsky and Hryniavetski, who assassinated Alexander II in 1881; the Ukrainian Shevchenko and the pervasive spirit of Mazepa in subjugated Ukraine; the jealous independence of the Don and Kuban Cossacks in the spirit of Razin and Pugachov; Chamyl, the freedom star of the Caucasus and the innumerable revolts of the North Caucasian peoples throughout the 19th century; the Muslim Congresses of 1905–06 through which Turkestani and Azerbaijani formed a religious common front against Russian colonialism?

This is only a small fraction of the history for freedom in eastern Europe and central Asia—a history that assumes increasing meaning, value, and significance in the light of current developments in Turkestan, Georgia, Idel-Ural, Ukraine, and other non-Russian nations in the U.S.S.R. In marked measure the Russian defeat in the Russo-Japanese War was attributable to the rumblings and dissension of the subjugated non-Russian peoples, and the revolution of 1905 was in part the explosion of this force of nationalism. A decade later, in World War I, mass desertions of these non-Russian nationals crippled the so-called military steamroller of the Russian Empire; and over two decades later—after a long period of ostensible Communist indoctrination—millions of these non-Russians deserted again, practically placing the platter of victory before the Germans. Even the socialist movement in the White Russian Empire was split along national lines, such as the Armenian Socialist Party, the Tartarian Socialist Revolutionary Party, the Ukrainian Socialist Democratic Party and others.

Although we still have to uncover and make use of these facts, in the field of experience the Bolsheviks led by Lenin knew them well and used them well for their own ends. Today, this account would be condemned by Moscow as "the provocations of bourgeois nationalism"; before the collapse of the White Russian Empire it was accepted by the forthcoming heirs of the empire in the name of national self-determination. "If Finland, if Poland, if the Ukraine break away from Russia," wrote Lenin, "there is nothing bad about it. * * * Anyone who says there is, is a chauvinist. No nation can be free if it oppresses other nations."[5] As today in Africa and Asia, this record on national self-determination was played over and over again until the overwhelming force of non-Russian nationalism contributed

[1] Hillman, William, "Mr. President," New York, 1952, p. 232.

[2] Berdyaev, Nicholas, "The Origin of Russian Communism," London, 1948, p. 7.

[3] Radzinski, John M., "Masks of Moscow," Illinois, 1960, p. 268.

[4] The New York Times, Aug. 13, 1957.

[5] Lenin, V.I., "The Right of Nations to Self-Determination," New York, 1951, p. 123.

heavily to the breakup of the White Russian Empire in 1917. But it wasn't too long before Lenin and the heirs of the empire proved themselves as outright chauvinists. By the established techniques of lies and deception they committed a spiritual aggression even before 1917.

You and I know of the two Russian revolutions in 1917, but how many of us are aware of the widespread non-Russian revolutions for national freedom and independence at that time? Yet the significance of these non-Russian wars of independence cannot but have profound meaning for us today. Independent national republics were established in area after area: Idel-Ural, November 12, 1917; Finland, December 6, 1917; Ukraine, January 22, 1918; Kuban Cossackia, February 16, 1918; Lithuania, February 16, 1918, followed in that year by Estonia, White Ruthenia, Don Cossackia, North Caucasia, Georgia, Azerbaijan, Armenia, Poland, and Latvia. In Siberia, on April 4, 1920, the Democratic Republic of the Far East was founded, and in central Asia a republic was proclaimed by Turkestan on April 15, 1922. With some of these, such as Georgia, Poland, and Ukraine, formal recognition was tendered by Soviet Russia by treaty or official declaration. Yet, in short time, only a few of these independent nations and states survived the first wave of Soviet Russian imperialism.

THE FIRST WAVE OF COMMUNIST AGGRESSION

As shown in part by the former Select House Committee on Communist Aggression, the history of Communist aggression commenced with the onslaught by Trotzky's Red Russian Army against most of these non-Russian republics.[6] States like Ukraine and Georgia were subverted, conquered, and made to appear as independent Soviet Republics by the end of 1920. Familiar techniques of "intensive revolution," infiltration, propaganda distortion, espionage, conspiracy, and planted governments were in full use before the military blow struck. One republic was picked off after another on the traditional basis of divide-and-conquer. By 1922 the first wars between non-Russian nations and Soviet Russia were over, and on January 31, 1924, the forcible incorporation of these many nations into the new prison house of nations was formally declared with the establishment of the Union of Soviet Socialist Republics. A new Red Russian empire was now in being.

This eventful period gives us much cause for serious and sober reflection, and the fruits of this reflection may have considerable bearing on our own future and destiny. The "ifs" of history are just as much parts of reality as the "whens." If the leaders of the victorious West had understood the nationalist forces at work throughout the Russian empire and fully supported them on the principle of national self-determination, it is reasonable to assume that communism would have only been a short echo in the arena of human history. If the Russians desired to apply its philosophy on the legitimate terrain of Russia, then, as in the similar case of Germany, nazism and non-Germans, non-Russians wouldn't go to war over it. If these newly independent non-Russian republics had formed a common front against Soviet Russian imperialism, the outcome of world developments would surely have been different. Little is it appreciated that the first smashing defeat of the imperialist forces of Soviet Russia was registered in 1920 by the Polish-Ukrainian alliance between Pilsudsky and Petlura. If their combined forces had crosssed the proper borders of Russia and completely wiped out the Red Russian Army, Europe and the rest of the world would certainly have benefited from far more than a 20-year breathing period. As reflections of historical reality many of these "ifs" have pointed meaning for us today.

Foolish, indeed, is the notion that Soviet Russian aggression starts and finishes with a military war. After the conquest of any non-Russian country the aggression continues—in fact is intensified—against the institutions, the historical past, and the future hopes and aspirations of the conquered people. Finland, Poland, Lithuania, Latvia, and Estonia escaped the ravages of this aggression in the 1920's and 1930's. The other non-Russian nations, now parts of the Red Russian empire under the guise of the Soviet Union, were not this fortunate. The two decades are historically replete with deportations, slave labor, a horrible man-made famine in 1931–32, severe Russification, the Vinnitsa genocide, and extensive economic colonialism. It is in this period that Khruschev first soaked his hands in the blood of these early and first captive peoples.[7] It is also in this period that so-called Soviet history is punctuated with recurring uprisings, passive resistance, and the mortal danger of "bourgeois nationalism," as witness the uprisings of 1929–30 and the purges of 1935 and 1937 in Georgia, the revolt of the young Turkestani in the Basmachi underground during 1935–41, the armed revolts of the Azerbaijani in 1925, 1929–30, and 1933, and the persistent opposition of the Ukrainians which caused a Russian satrap, Kossior, to blurt out in 1933 that "Ukrainian nationalism is our chief danger." Aside from revisionism, the greatest and most enduring of crimes in the Soviet Union today is so-called bourgeois nationalism, which for us is plain national patriotism.

Most important in this first stage of Soviet Russian aggression is the dominant fact that the imperio-colonial foundation was laid for the subsequent waves of Moscow's aggressions, whether direct or indirect. History was indeed repeating itself. The cycle of Russian conquests in the 18th and 19th centuries was again in motion. Without these conquered non-Russian areas, Russia and its 100 million people in itself could only be a second- or third-rate power. Ukraine by itself stands as the largest non-Russian nation both in the Soviet Union and behind the Iron Curtain. It should be noted, too, that the major economic resources in the U.S.S.R. are largely concentrated in the non-Russian nations. Turkestan, which Moscow deliberately partitioned into five artificial central Asiatic republics and exploits severely, literally abounds in diverse natural resources. Over 110 million non-Russian captives under the alien yoke of Moscow live in the Soviet Union today. About 24 million were added in the second wave of Soviet Russian aggression in World War II.

THE SECOND WAVE OF SOVIET RUSSIAN AGGRESSION

This second wave of Soviet Russian aggression was really triggered off by Moscow signing a 10-year nonaggression treaty with Berlin on August 24, 1939. The treaty paved the way to the Nazi invasion of Poland, the outbreak of World War II followed, and the opportunity for Russian colonial expansion presented itself in Poland, Finland, and the Baltic States. The paramount feature of this massive aggression was, of course, the forced incorporation of Estonia, Latvia, and Lithuania into Moscow's prison house of nations. The fate met by other non-Russian nations in 1924 now, inevitably, befell these. Dependent on the fortunes of World War II, it was only a matter of time before others would meet a similar fate.

The struggle for national freedom in eastern Europe and central Asia in the very course of World War II is a saga of invincible will and heroism still to be written for the benefit of the free world. While the war gave Soviet Russia the opportunity to extend its colonialism, it also gave the non-Russian captives an equal opportunity to strike for national freedom. Even some freedom-loving Russians saw their opportunity, too. As in World War I, mass desertions from the polyglot multinational armed forces of the U.S.S.R. were the order of the time. White Ruthenians, Cossacks, Bashkiri, Georgians, Tartars, Chechens, Ukrainians, and others who were supposed to be hopelessly indoctrinated by communism deserted in the millions in the hope of fighting for the freedom of their lands. For example, let's listen to the words of a German journalist on the eastern front: "The steady flow of Ukrainian volunteers for the German forces we ignored. The millions of Ukrainians, who by themselves could have turned the scales in the east, were not only being left unused, but were actually being repulsed and disillusioned."[8]

Here, in a nutshell, is the explanation of the unsurpassed political blunder in this century. The German Nazis attempted to foist their type of imperialist totalitarianism upon these non-Russian nations and in reality, fortunately for us, it cost them the war and victory. Throughout this period and, as a matter of fact, up to 1950 the national underground systems of Lithuania, Ukraine, White Ruthenia, Turkestan, and others engaged in guerrilla warfare against both the Russian and German totalitarians and later against the Russians and their colonial puppets. Our interest in guerrilla warfare today can be well satisfied by a study of the warfare waged by the Ukrainian insurgent army in that period.[9] To project this further, there is abundant evidence to show that throughout the last decade this resistance and opposition of so-called bourgeois nationalism has by no means diminished in the Soviet Union. Arrests for this crime of crimes continue under Khrushchev.

As we now turn to the third wave of Soviet Russian aggression, the tragedy of having won the war but lost the peace should awaken us to some grave defects and failures of our thinking and policymaking regarding aggressive Soviet Russia. Imagine, twice in this century we have suffered this tragedy. The colossal naivete of our leaders was displayed in the Yalta agreements and other unnecessary concessions made to the greatest imperialist power on earth. Up to that time hundreds of agreements, treaties, and promises had been callously broken by colonial Moscow but, for a variety of reasons, our leaders felt it could not happen to us. The roots of today's Berlin crisis go back to this period, and so does the captivity of many additional non-Russian nations. The causal reasons of ignorance and even degrees of Russophilism, then, are still at work today.[10]

THE THIRD WAVE OF SOVIET RUSSIAN AGGRESSION

In short, by these reasons, we, the victors of World War II and the advocates of national independence and personal freedom, literally accommodated the third wave of Soviet Russian aggression. The list of victims is as long as that of the first wave in 1920–23: In 1945, Poland, Moldavia, East Germany, multinational Yugoslavia, Outer Mongolia; 1946, Albania, Bulgaria; 1947, Hungary; 1948 Czechoslovakia, North Korea, Rumania; 1949, mainland China, where, we

[6] Investigation of Communist Takeover and Occupation of the Non-Russian Nations of the U.S.S.R., House of Representatives, 1954.

[7] "The Crimes of Khrushchev," pt. 2, Committee on Un-American Activities, House of Representatives, Washington, 1959.

[8] Kern, Erich, "The Dance of Death," New York, 1951, pp. 103–104.

[9] Codo, Enrique M., "Guerrilla Warfare in the Ukraine," Military Review, Fort Leavenworth, Kans., November 1960.

[10] Crocker, George N., "Roosevelt's Road to Russia," Chicago, 1959, p. 248.

were told, an "agrarian revolution" was under way.

Whether by military occupation or by indirect means of the traditional Russian borderlands policy or "intensive revolution," the process of aggression and the end result of conquest and domination of a people are the same. Satraps in most of these areas are Moscow-bred, and although differences have arisen, as in the cases of captive Poland, satellite Yugoslavia, the junior partner, Red China, or rascal Albania, who logically can deny that the permanence of the unrepresentative regimes in any of these areas is inseparably bound up with the strength and future of their originator, Soviet Russia? Aggression by indirection was shown in Korea in 1950.

With the inner colonial ring in the Soviet Union and now the outer colonial ring in central Europe and Asia, Moscow had placed itself in position to penetrate, directly or indirectly—through its captives, junior partner, satellite, or quisling Communist groups in the world at large—any area of the free world, including ours. The world's masters in empire building continued to reap successes of indirect aggression despite the alliances, the United Nations, the horrendous presence of nuclear weapons, the Maginot wall of containment. By the use of Moscow's traditional argument of no interference in internal affairs, by skillful propaganda inducing fears of war, and by gaining sanctuary from us in the consolidation of their vast empire, they have a free field for subversion, infiltration, and indirect aggression in the nontotalitarian free world.

FREE AGGRESSIVE PLAY IN THE FREE WORLD

By our basic policy of containment we accommodate colonial Moscow in a free aggressive play in the nontotalitarian free world. Tibet in 1951, North Vietnam in 1954, and Cuba in 1959 are further results of this play. What new nations will be listed into captivity in this decade: Laos, Cambodia, Iran, Iraq? These and others are real possibilities for which economic aid, military assistance, the United Nations, singly or in combination, are not the adequate answer.

To approach the adequate answer, it is necessary to keep firmly in mind this outline of the history of Communist aggression. Within the framework of this outline many other detailed acts of aggression can be included, as, for example, in Spain, Greece, Iran, Guatemala, and elsewhere. But whatever additional facts are assembled, it should be clear that as the permament instigator of the cold war, Moscow is a constant aggressor. In less speedy times and with less advanced technology the princes of Muscovy were also on the permanent aggressive, and with patience, skill, fraud and deception, built an enormous and unique empire. The inheritors of that empire may use different specious arguments but employ substantially the same techniques and, above all, have the same patience and propaganda skills. As before, so now, what falls under the Iron Curtain becomes an "internal affair," and what lies outside the curtain of the empire is the field for free aggressive play. What, then, can we do? Or, in other words, what profits us to know the history of Communist aggression?

THE LESSONS AND GUIDELINES OF THIS HISTORY

The "ifs" of history, as I said, are parts of our reality, for they continually haunt us into wiser and more intelligent action in the present and for the future. If, for example, our Western leaders had a vivid appreciation of the first wave of Soviet Russian aggression and the already long record of Moscow's broken agreements, with proper action in 1945 we would not today be confronted by any Berlin crisis. These "ifs" sharpen the lessons of history and contribute to its guidelines of our action in the present.

These lessons and guidelines of the history of Soviet Russian aggression are as follows:

1. The nature of the threat, or the disease, or the cancer—characterized however you will—is the imperio-colonial system of Soviet Russia. This system has historical roots in 500 years of empire building. By virtue of its materialistic basis and character, the ideology of communism—in essence a millenarian ideology of economic myth—is only a weapon of deception but more powerful than the preceding ideological weapons of orthodox supremacy and pan-Slavism. It is hardly encouraging to know that we are fighting against an ideological myth. In posing the spurious conflict between communism and capitalism Khrushchev would want us to fight the myth rather than the blood-and-flesh reality of totalitarian Russian domination. Philosophically and economically, Marxism bears as much relationship to the Red totalitarian empire as mercantilism does to our society. As one writer aptly puts it, "Like a bull in the arena, we have been concentrating on the red cloth rather than the matador behind it." [11]

2. The paramount challenge is not in the area of comparative military power and buildup but in the determining area of propoganda, political psychology, and psychological warfare. It is in this latter area that images are built up, minds are moved, and loyalties shifted. Bred on Pushkin, Dostoyevsky, Tolstoy, and 500 years of empire building, the present Russian totalitarians are masters of the art and experts in Potemkin village tactics, stretching from space to athletics. On the basis of all available evidence, the Gagarin story may well turn out to be the gangrene story of history, and I am convinced that Moscow cannot possibly, with any hope of victory, commit its multinational armed forces in any serious military engagement. We saw what happened in Hungary; we saw what happened in the two World Wars and the Russo-Japanese War. In comparison with these political psychological experts, we've been but puny amateurs, despite the ace cards available to us. It requires little imagination to call men to arms; it requires much in imagination and vision to exploit the weaknesses of the enemy to eventually strangulate him without the horrible costs of a hot war.

3. The policy of liberation, accurately construed, is inescapable for our country if we are determined to survive as an independent nation.[12] In addition to the given quantity of armed protection, the greatest weapon we have is the captive nations of Europe and Asia. The case of Hungary proved our failure to implement this policy, not the inefficacy of the policy itself. With good reason there is nothing more frightening to Moscow than a developing concentration by us on the numerous captive non-Russian nations within the U.S.S.R. itself.[13] In the U.N. debate on colonialism and imperialism last year the Canadian Prime Minister had the courage to bring up the colonialism and imperialism rampant in the Soviet Union, and Moscow went into convulsions.[14] The image of Russian power could be changed overnight with this concentration on Russian colonialism and imperialism within the U.S.S.R., and with enormous impact on Asia, Africa, and Latin America.[15] Many of us still haven't pondered over the question, "Why was it that Khrushchev, sitting on a pile of missiles and nuclear bombs and boasting about economic progress and victory of communism, almost suffered apoplexy when Congress passed the Captive Nations Week Resolution in 1959?" [16] The answer was the call for this concentration. Today a proposal is before the House Rules Committee to establish a Special Committee on Captive Nations for the purpose of achieving this concentration. But there is no question that Russophilic and other elements in our Department of State resist and oppose endeavors in this area.

(4) Based on the salient features of the history of Communist aggression and also the unique development of our Nation, our course of policy and action must be in the explicit and frank terms of a universalized declaration of independence. A declaration aimed primarily at all the captive non-Russian nations in the Red totalitarian empire and also at the freedom-loving rather than just the peace-loving masses of the Russian nation.

Paradoxically enough, Marx recognized a century ago the same problem that faces us today: "They will have learned before that the idea of Russian diplomatic supremacy owes its efficiency to the imbecility and the timidity of the Western nations, and that the belief in Russia's superior military power is hardly less a delusion. There is only one way to deal with a power like Russia, and that is the fearless way."

[From the Miami Herald, July 17, 1961]

K.'s FREEDOM TALK A CRUEL JOKE—THE CAPTIVES REMEMBERED

Two holes in the Iron Curtain are leaking people by the thousands.

The closest is Cuba. Fugitives from short rations and militarization there are streaming across the Florida Straits any way they can. Immigration officials expect the torrent of refugees to crest during the next 8 days. Cubans fear the Red dictator Fidel Castro's blatantly advertised speech on July 26 will seal the island tight, forbidding the departure of anyone but the aged.

But the biggest leak remains in West Berlin, an enclave of freedom more than 100 miles inside Communist East Germany. Since 1949, about 2.6 million East Germans have fled to the West. The flow increased sharply when Nikita Khrushchev began whipping up a new Berlin crisis. Now it is nearly 5,000 a week.

On the other side of the globe, Hong Kong is jampacked with fugitives from starvation in Red China. Tibetans are trudging over high mountain passes into India to avoid extermination at the hands of Chinese Communists.

All these refugees are the lucky ones: they got away.

What of the 840 million other men, women, and children held in bondage by communism, the only expanding colonial empire on earth today? They have not been forgotten, in the United States, at least.

Captive Nations Week, which started yesterday, is designed to remind the world of the victims of Sino-Soviet imperialism. Its sponsors are men who made their way to this country from once-free nations conquered by Communist force or guile.

The list is long and melancholy. It begins with nations or land areas incorporated, willy-nilly, into the Soviet Union. Their names are familiar in some cases—Ukraine, Georgia, Armenia, Azerbaijan, Lithuania,

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[11] Radzinski, John M., "Masks of Moscow," p. xiii.

[12] Dobriansky, Lev E., "A Policy of Emancipation and Liberation of Khrushchev's Captives," CONGRESSIONAL RECORD, July 20, 1961, pp. 12174–12176.

[13] Smal-Stocki, Roman, "The Captive Nations," New York, 1960, pp. 98–101.

[14] "Colonialism in the Soviet Empire," Neve Zuercher Zeitung, Switzerland, Nov. 20, 1960.

[15] Barton, Paul, "Imperialism in the Soviet Union," NATO letter, June 1961 (CONGRESSIONAL RECORD, July 24, pp.1225–1227).

[16] Dobrianski, Lev E., "The Captive Nations Week Resolution," CONGRESSIONAL RECORD, Jan. 21, 1960, pp. 918–923.

Latvia, Estonia, East Prussia. Others have exotic titles which mean little to most Americans—Bessarabia, Bukovina, Sub-Carpathian Ruthenia, Karelia, Sakhalin, Tannu Tuva, the Kurile Islands.

The new colonialists maintain the myth of independence for many of their captive nations, but they are truly colonies of the Sino-Soviet Communist empire. Next-door Cuba is the latest.

"You know that on the national question the Soviet Union is invariably guided by the principle of the right of nations to self-determination," Khrushchev blandly told an African assembly.

Then he bellowed like a bull under the branding iron when the National Captive Nations Committee suggested free elections behind the Iron Curtain.

A counteroffensive for freedom has been proposed by Dr. Charles Malik, the Lebanese diplomat who was President of the United Nations General Assembly in 1958. He is now professor or philosophy at the American University in Washington.

Dr. Malik urges the United States to take the offensive in debates with Communists in the United Nations and elsewhere.

"Those who believe in the dignity of man and his freedom, who know truth and trust in God * * * must pass to the offensive, not only of thought and conviction, but of that real, decisive, historical action which shall cause the Communists to take to their heels," says the philosopher-statesman.

This week is as good a time as any to commence.

[From the Miami Herald]

COMMUNISM: WHAT IT MEANS TO YOU

THEIR WORK WILL GO ON—LEGAL? ILLEGAL? REDS DON'T CARE

(By Jeanne Bellamy)

New rulings by the U.S. Supreme Court should handicap the efforts of Communists to conquer this country. But the Reds will keep trying. They have orders to work illegally even if outlawed.

The Court upheld the right of Congress to find that the Communist movement is controlled by the Soviet Union. Therefore, it and its members must register as agents of a foreign power and tell where the party's money comes from.

Citizens are free to join the Communist Party, but they are guilty of a crime if the Government can prove they know its purpose is to establish Communist totalitarian dictatorship by whatever means necessary.

This applies to outright members of the party. They are a small part of the Communist network. They work through fellow-travelers, fronts, sympathizers, and dupes. The party members are the trained, dedicated conflict managers—the self-starters for the whole apparatus serving as communism's transmission belt.

What they are trying to foist on this Nation and every other is an idea more than a century old which history's march has made obsolete. Karl Marx, founder of communism, based his theory on conditions which existed in the infancy of the industrial age. He lived at a time when laborers in factories and on farms worked long hours for low pay. He decided, erroneously, that the cure was for these workers to seize all real estate by violence, throw out the owners and run everything themselves.

Marx claimed infallibility for his doctrine. However, he has been proved wrong on at least two counts. He failed to foresee that employees would become capitalists, as in the United States today. He thought his revolution would occur first in the most industrialized countries, but only the least developed have fallen into its clutches.

Nothing much was done about Marx's proposal until Russians rebelled against their czar in 1917. Nikolai Lenin, who had studied Marx's writings, added some thoughts of his own and put the combination into practice. With a few henchmen, Lenin overthrew the real revolutionists in Russia, and took over.

Lenin's contribution to Marxism was absolute regimentation. He said political, economic, and intellectual life must be ruled by the Communist Party—an elite group unbound by any law or ethical consideration. Individual rights should be disregarded, according to Lenin, and terrorism used at will to enforce conformity.

The methods of Lenin and his successors date back nearly a thousand years. Then the hordes of Genghis Kahn, a Mongol warlord, overran Asia and Eastern Europe, including Russia and Poland, to the gates of Vienna. Like those ancient barbarians, modern Communists get control of a country any way they can, by force or guile. Then they kill or imprison every leader who opposes them, and proceed to rule through handpicked stooges.

From their base in Russia, Communists quickly enlarged their empire. First, they conquered nearby nations, forcing them to join the Soviet Union. Today they control over one-third of the earth's surface and one-fourth of the human race, including China.

A recent conquest is the island of Cuba, only 90 miles from the United States. Their announced purpose is to use Cuba as a springboard for taking over the rest of the Western Hemisphere.

They never have made a secret of their aim. It is simply to conquer the whole world by fair means or foul; by subversion, if possible; by shooting, if necessary.

To that end, they have set up Communist Parties in 83 countries. The 33 million members are mostly in the Soviet Union and Communist China. The rest, whether in large groups or small, work day and night, openly or secretly, to extend communism's domain.

Present membership in the Communist Party of the United States is estimated at fewer than 22,000. But that number cannot be dismissed as insignificant. Party members are an organized, disciplined force, shrewd and determined to reach their goal. They are backed by the immense resources of their international army. Their power can be measured by the fact that when Lenin captured Russia, his followers numbered only 240,000 out of a population greater than the present 183 million in the United States.

Why would any American, or any thinking person, join this worldwide plot against freedom? Because Marxism-Leninism has been turned into a religion, a devilish faith which demands blind obedience. Its appeal is not, as its propagandists claim, to the poor. Communism fishes for and hooks intelligent men and women who can be trained to manipulate ignorant mobs to do their bidding.

The basic teachings of Marxism-Leninism are four:

1. Everything that exists is due to the interaction of material things struggling against each other and adapting their forms to the nature of the conflict.

2. Man is solely a product of his environment, and has developed to his present form through natural selection. The main influence on mankind's destiny is economic conditions.

3. The moral code of any era is determined by the necessities of the time. It is not wrong to kill, lie, cheat, steal or commit any crime if it advances communism. The end justifies the means.

4. Belief in a deity is a trick invented by the leaders of society to control the other classes. Marx called religion "the opium of the people." Atheism is required for membership in the Communist Party.

These contemporary heathens tell one another their beliefs are "scientific." However, they rewrite history and twist proved principles of science to fit their materialistic dogmas.

The main power of communism is that it proclaims itself sure to win. Its adherents are taught that they are worthless except insofar as they serve the Communist cause. They are drilled to believe that by living or dying for communism, they attain the highest virtue of working for the final victory of communism everywhere.

Communists call themselves the only "progressives" but their theory and practice resemble those of the assassins in the Dark Ages. The original assassins were fanatics who believed that murder of their sect's enemies was a sacred duty. They were drugged and sent out to slay, assured that if killed they would go straight to a paradise full of material rewards—beautiful women, food, drink, and high living.

Communism is the 20th century version of thousand-year-old practices.

AND THEIR RULES DON'T CALL FOR A FAIR FIGHT—

WE'RE NO. 1 ON RED HATE LIST

To Communists the No. 1 enemy is the United States of America.

They hate everything this Nation holds dear. They fear U.S. military and productive power. Most of all, they dread the American ideal of individual freedom and responsibility under God. That is what communism is bent on stamping out.

So the Reds are waging all-out war against the United States. They are using weapons never before wielded on a worldwide scale. They are attacking from two directions.

Globally, they are trying to annex every free nation to their slave empire. They shoot whenever they think they can get away with it. They stop short of acts which would send atomic warheads crashing onto Soviet soil. They like guerrilla warfare and sabotage—hard to pin on them. Their pet trick is to turn other people against the United States: "Let's you and him fight." That way, they don't appear in it themselves.

Communists also bore from within. Their chief tool is a poisonous emotion: hate. They know that hate can enflame men to action as love cannot. Their aim is to widen every line of division, however tiny, among Americans.

Their agents and dupes also try to sap the will to resist communism. To that end, they sow uncertainty and doubt. They strive to undermine the morale of the Armed Forces. They sneer at patriotism, spreading distrust of representative government, justice, and the free-enterprise system.

Bribery, blackmail, and character assassination are other devices for Communist subversion.

The blueprint for Communist conquest of the world was drawn nearly 40 years ago by Nikolai Lenin, cofounder of Marxism-Leninism.

That declaration of war was repeated and amplified last December 5 in a 15,000-word manifesto from Moscow. It calls the United States "an enemy of the whole world," meaning the Communist world, of course.

The manifesto gives the marching orders for Communists everywhere. For example:

"It is the supreme internationalist duty of every Marxist-Leninist party to work continuously for greater unity in the world Communist movement," directed from the Kremlin.

Like all Communist talk, the December 5 manifesto is written in a "doublespeak" jargon to deceive non-Communists. Instead of calling themselves Communists, the Reds use the less-despised term, "Socialists." "Democracy" on their tongue spells Communist rule. "Peace" to them means no resistance to communism.

Their current line is "peaceful coexistence." But they are bold enough to say:

"Peaceful coexistence of countries with different social systems does not mean conciliation of the Socialist and bourgeois

ideologies. On the contrary, it implies intensification of the struggle of the working class, of all the Communist Parties, for the triumph of Socialist ideas."

If anyone tries to oppose them, "the possibility of nonpeaceful transition to socialism should be borne in mind."

The manifesto gives the "comrades" specific instructions.

They are to push for total disarmament, the end of free world defense treaties and the closing of military bases maintained by the United States and its allies. They must insist on noninterference in the internal affairs of countries which the Communists are trying to take over.

They are ordered to form "united fronts" with political parties in free nations as the first step toward seizing control.

They must infiltrate labor unions. They must stir up strife and riots by playing on racial tensions, nationalism, resentment, and discontent of every kind. They must denounce anticommunism as "a witch hunt."

A clear line is drawn between nuclear war and local wars for extending the Communist domain. Every new or emerging nation is to be a battleground for the Reds. There, and in other free lands, they will try to squeeze out and bar the door to American economic aid and private investment—"monopoly" is their word for it.

Latin America, France, Italy, Spain, and Portugal are among the countries pinpointed for Communist agitation.

Their object is simple: to isolate the central fortress of freedom, the United States. That way, they believe, this country will fall into their hand like an overripe plum. Shooting would come afterward, merely to liquidate their opponents.

Of course, the Communist Party line is subject to change without notice. It reversed direction three times to match shifts in Soviet relations with Nazi Germany. When Adolf Hitler was rising to power, the Soviets were afraid of him, so Communists were hot against nazism. They did an about-face the day Josef Stalin signed an alliance with the Nazis and was given part of Poland in 1939. They flip-flopped again when Hitler invaded Russia in 1941.

Communist policy anywhere, any time, is whatever will help communism enslave more people.

CHECK YOUR PERSONAL ARMOR—WHO'S TO FIGHT REDS?—ONLY YOU

America's chance of beating communism depends on you.

"Why me?" you may ask.

Because the strength of any free nation springs from the stamina and patriotism of its people.

There are about 183 million men, women, and children in the United States. Each is like one link in the chain-mail armor of national defense against outside attack and subversion within. Each is like a molecule of steel in a sword, our country's power to overcome its enemies.

National character, like an object, is only as strong as its weakest point.

It's useless to wag our heads and complain that "So-and-so isn't doing his share to combat communism." That way lies the Red trap of suspicion and division among ourselves.

The Communists—if they believe what they say—consider us soft, weak, and corrupt. They think we have lost the spirit which moved Patrick Henry to shout: "Give me liberty or give me death."

Nor do they respect our belief in individual responsibility. They look on 183 million Americans as on their 700-million Chinese slaves—as faceless masses to be manipulated by clever Communist bosses.

So the finger points to each of us. What are we doing about it? What are you doing?

Each of us must rise to new heights if our country is to stand united and unconquerable.

Here is a little checklist to help you rate the strength of your link in America's defense against today's barbarians:

Are you strong and healthy? Do you eat right, sleep well and get enough exercise to keep a sound mind in a sound body?

Do you give a full day's work for a full day's pay?

Are you honorable in your dealings? Do you shun shady practices in work, business or personal affairs?

Do you keep informed on what's happening in your community, State, Nation, and the rest of the world? Do you commend your elected representatives for good decisions and scold them when you think they have erred?

Do you obey the law?

Have you read the U.S. Constitution lately? Do you know your liberties under the Bill of Rights, and the duties that go with them?

Do you vote in all elections for which you are eligible? Do you serve on juries when called?

Are you loyal to the United States and proud of it? Do you show respect for the flag and the national anthem, and encourage others to do likewise?

Do you really do unto others as you would have them do unto you, in traffic, at home, wherever you are?

Do you use your right to worship God as you choose?

If your answer to all these questions is "yes," you are doing your part to make America strong.

This is not to say that every American must be superhuman. We can hate, too. Hating evil as as much a mainspring for right action as fighting for something good. We can do both.

The Communists use hatred to destroy us, cynically fabricating it out of lies and false insinuations. Their wicked doctrine deserves to be hated. All we have to do is tell the truth about communism.

The Reds cannot prevail against 183 million Americans who are incorruptible and live by our national motto: "In God We Trust." That is their undoing—a faith and dedication better than theirs.

You can be sure that communism isn't going to vanish overnight like a bad dream. It is real, entrenched, and vicious. Turning the tide against it will be a long, hard job. Are you ready to start?

SPECIAL REPORT—WHAT'D LIFE BE LIKE IF REDS TOOK UNITED STATES?

If Communists should ever take over the United States, here's what would happen to you:

You would do exactly as you were told. If you objected, you would be killed or put in jail.

You would be assigned to a job, and you couldn't quit.

Your home or business and any other property you own would be subject to confiscation.

Your children and neighbors would be taught to spy on you and report anything you said against your Communist bosses.

If you went to church or said prayers at home, you would lose any chance of getting ahead in the world.

You could never tell when a man in uniform might knock on your door in the middle of the night and haul you off to prison for any reason or no reason.

This is the kind of living death the Communists are trying to spread all over the world.

SPECIAL REPORT—YOU COULD BE HELPING REDS PENETRATE THE UNITED STATES

Without knowing it, you may be the weak spot through which communism can penetrate America.

Are you lazy and flabby?

Do you loaf on the job?

Are you proud when you've "pulled a fast one?"

Do you ignore news of public significance?

Do you think it's smart to break the law?

Do you harp on "what's wrong" with the United States?

Are you a snob?

Have you forgotten how to pray?

If so, chances are that Communists are rubbing their hands in glee over you. They're counting on apathy and corruption to let them snatch control of America.

Our national character is made up of 183 million men, women, and children.

SPECIAL REPORT—ARE YOU PLAYING INTO REDS' HANDS? THEY HOPE SO

Do you look upon any group of your fellow Americans with dislike or suspicion? If so, watch out. Communists are working to widen every tiny split among citizens of the United States.

"Divide and conquer" is their aim.

They will use any trick to turn us against one another. They are busy day and night to get us fighting among ourselves.

They use words as dumdum bullets. You may never know what hit you until you're boiling with hate, ready for violence. That's what the Communists want. Then, they figure, they can move in and enslave us all without firing a shot.

Stiff-arm Communist booby-traps. They can't hurt you when you know what they're doing. Learn about their tireless efforts to conquer the United States.

[From the New Orleans (La.) Times Picayune, July 20, 1961]

HONOR FOR RED CAPTIVES URGED—ACTIVE MAYOR PROCLAIMS WEEK'S OBSERVANCE

A proclamation designating the week of July 16 through 22 "Captive Nations Week" was issued Wednesday by Acting Mayor Victor H. Schiro.

The proclamation urged "all our citizens to appreciate and recognize the fact that the captive nations in the aggregate constitute not only a primary deterrent against a hot global war and further overt aggression by Moscow's totalitarian imperialism, but also a positive means to the cause of freedom for captive peoples everywhere."

The proclamation stated that "the fundamental conviction that the central issue of our times is imperialist totalitarian slavery versus democratic national freedom dictates we commence to win the cold war by assembling and forthrightfully utilizing all the truths and facts pertaining to the enslaved condition of the peoples of Poland, Hungary, Lithuania, Ukraine, Czechoslavakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, North Vietnam, North Korea, Cuba, and all the rest.

Schiro presented the proclamation on the second floor balcony of city hall to a committee composed of Festus Brown, chairman of the Un-American Activities Committee of the Louisiana Department of the American Legion; Anthony Naquin, commander of the Legion's first district in Louisiana; and George Soule. The ceremony was attended also by a group of women including various members of the American Legion Auxiliary, the Daughters of the American Revolution, and other patriotic organizations.

Schiro, in a brief address traced the evolution of the United States from its beginnings to its status as the greatest nation in

the world, but warned against the sort of complacency which he said had caused the fall of Rome.

Brown in an address asserted that: "While we stand as the greatest republic in the history of mankind, we have retreated from our historic policy of courage and forthrightness that once held the respect of all nations of the world."

He expressed the belief that "the people of America must call an immediate halt to the strange policy of our Government of fraternizing with, or honoring in a manner reserved for respectable leaders, the heads of the Red conspiracy—of sending tanks, guns, ammunition, fighter planes, food, money, and supplies to strengthen the very same bloody butchers whose atheistic conspiracy not only holds in bondage these nations and these people we honor today, but who are this very minute plotting, scheming, and driving to destroy America itself both economically and militarily."

At the request of some of those present, a city hall aid hauled down the United Nations flag from the staff where it was flying while the ceremony was going on. In its place was transferred from another flagstaff, the flag of Louisiana in a position next to the flag of the United States which the U.N. flag had occupied.

[From the Denver (Colo.) Register, June 18, 1961]

CAPTIVE NATIONS WEEK

The third week of July provides for the public pronouncement of a foreign policy that has proved its worth.

Public Law 86-90 authorizes and requests the President of the United States to proclaim Captive Nations Week, as President Eisenhower did in 1959, to the great consternation of Khrushchev.

President Kennedy is not bound by law to issue such a proclamation; he is simply authorized and requested by Congress to do so. We believe, judging from the irate reaction of Khrushchev, that it would be good policy; for it hits him where it hurts.

Writing in the Ukrainian Quarterly, Edward M. O'Connor, former U.S. Commissioner of Displaced Persons, declares that the slogan "Africa for the Africans" would have real meaning if translated into a policy of "Russia for the Russians."

The Russians number only 55 percent of the population of the many-nationed U.S.S.R. So powerful have been the stirrings of the submerged nations in what is carelessly called Russia, that many think that the collapse of the czars in 1917-18 was brought about by the national independence movements in the non-Russian nations of the empire.

Since the Soviets have been so successful in exploiting the legitimate yearnings of the peoples of Africa for national independence, why could we not make the same appeal to the submerged nations of Eastern Europe and the U.S.S.R., some of whom, like Poland, have proudly enjoyed a thousand years of Christian heritage and a nationhood such as Russia never knew?

OMAHA CAPTIVE NATIONS WEEK OBSERVANCE PROGRAM, SATURDAY, JULY 22, 1961, AT 7 P.M. AT THE OMAHA PLAYHOUSE, OMAHA, NEBR.

Placing a wreath at the World War II Memorial Saturday, July 22, 1961, at 12 a.m. from the captive nations of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, East Germany, White Ruthenia, Rumania, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others.

II

1. Presentation of colors.
2. National anthem (soloist Mrs. John Gunig).
3. Invocation (Msgr. Floid Fisher).
4. Welcome by the chairman of Omaha Captive Nations Week Committee (Mr. Ben C. Sulskis).
5. Greetings.
6. Address (Albert C. Walsh, attorney).
7. Adoption of resolution.

(Ten-minute intermission.)

III

Performance of national groups:
Czechoslovaks, East Germans, Latvians.
Lithuanians, Poles, and Ukrainians.
Master of ceremonies: Joe Martin, radio WOW.

PROCLAMATION OF THE STATE OF NEBRASKA

Whereas many nations throughout the world have been made captive by the imperialistic and aggressive policies of Soviet communism, and

Whereas the people of the Soviet-dominated nations have been deprived of their national independence and their individual liberties, and

Whereas the citizens of the United States are linked by bonds of family and principle to those who love freedom and justice on every continent, and

Whereas, it is appropriate and proper to manifest to the peoples of the captive nations the support of the Government and the people of the United States of America for their just aspirations for freedom and national independence:

Now, therefore, I, Frank B. Morrison, Governor of the State of Nebraska, do hereby proclaim the week of July 16 through 22, 1961, as "Captive Nations Week."

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Nebraska to be affixed.

Done at Lincoln this 17th day of July in the year of our Lord 1961.

FRANK B. MORRISON,
Governor.

FRANK MARSH,
Secretary of State.

SENATE JOINT RESOLUTION 111

Joint resolution providing for the designation of the third week of July as "Captive Nations Week"

Whereas the greatness of the United States is in large part attributable to its having been able, through the democratic process, to achieve a harmonious national unity of its people, even though they stem from the most diverse of racial, religious, and ethnic backgrounds; and

Whereas this harmonious unification of the diverse elements of our free society has led the people of the United States to possess a warm understanding and sympathy for the aspirations of peoples everywhere and to recognize the natural interdependency of the peoples and nations of the world; and

Whereas the enslavement of a substantial part of the world's population by Communist imperialism makes a mockery of the idea of peaceful coexistence between nations and constitutes a detriment to the natural bonds of understanding between the people of the United States and other peoples; and

Whereas since 1918 the imperialistic and aggressive policies of Russian communism have resulted in the creation of a vast empire which poses a dire threat to the security of the United States and of all the free peoples of the world; and

Whereas the imperialistic policies of Communist Russia have led, through direct and indirect aggression, to the subjugation of the national independence of Poland, Hungary, Lithuania, Ukraine, Czechoslovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Vietnam, and others; and

Whereas these submerged nations look to the United States, as the citadel of human freedom, for leadership in bringing about their liberation and independence and in restoring to them the enjoyment of their Christian, Jewish, Moslem, Buddhist, or other religious freedoms, and of their individual liberties; and

Whereas it is vital to the national security of the United States that the desire for liberty and independence on the part of the peoples of these conquered nations should be steadfastly kept alive; and

Whereas the desire for liberty and independence by the overwhelming majority of the people of these submerged nations constitutes a powerful deterrent to war and one of the best hopes for a just and lasting peace; and

Whereas it is fitting that we clearly manifest to such peoples through an appropriate and official means the historic fact that the people of the United States share with them their aspirations for the recovery of their freedom and independence: 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 is authorized and requested to issue a proclamation designating the third week in July 1959 as "Captive Nations Week" and inviting the people of the United States to observe such week with appropriate ceremonies and activities. The President is further authorized and requested to issue a similar proclamation each year until such time as freedom and independence shall have been achieved for all the captive nations of the world.

[From the Philadelphia (Pa.) America, July 27, 1961]

THE REDS—WHAT NOW?

(By Louis Francis Budenz)

GIVE HOPE TO CAPTIVE NATIONS

By a happy coincidence, Our Captive Nations Week was prefaced by the publication of Pope John's Encyclical on Social Justice.

This papal document is marked by the same sense of balance as distinguishes all Vatican utterances on the social question—voicing opposition to the tyranny of communism but insisting upon the need for many and deep reforms among ourselves. We can observe at once two major points in the encyclical which expose the falsity of allegations distributed by the Communists in their present worldwide war on the church. In recommending large-scale aid to underdeveloped countries, that message emphasized that such assistance should not be given in such a way as to be merely "a new form of colonialism."

AIM OF THE CHURCH

Of that caution, much can and will be said in the future, but for the present, we can note that this explodes the Communist lies that Catholic missionaries are "neocolonialists in cassocks." It demonstrates the fallacious character of the Communist statement that "the aim of the church" is to turn "from a faithful servitor of the old colonialism into an instrument of neocolonialism."

Both of these fantastic declarations appear in a lengthy directive in the May World Marxist Review, which is being widely distributed here as well as elsewhere.

The same thing happens with the fantasies disseminated by the Kremlin regarding the church's stand on private property. The encyclical brings out that defense of the right of private property is for the purpose of assuring its wider distribution among the working people. It is not, as the Kremlin's "philosophers" have contended in the March, 1960, World Marxist Review and thereafter, that the stand for private property "expresses the interests of the bourgeoise—today it would be more except to say the interests of monopoly capital."

Refuting such an accusation, the encyclical goes on to give the real basic reason for the right of private property, as "the guarantee of the essential freedom of the individual."

That such is the case—that where private property is abolished complete freedom does not exist—is silently testified to by the long line of refugees fleeing East Germany. This flight has become so marked that Chancellor Konrad Adenauer has described it as a "panic."

The Soviet rulers are very sensitive to the desire for freedom on the part of the enslaved peoples. Congressman DANIEL FLOOD of Pennsylvania, who has introduced a resolution in the House of Representatives to create a special committee on the captive nations, has disclosed what fear spread recently among those rulers in the Ukraine alone. The more speech by Premier John Diefenbaker of Canada in the United Nations, denouncing Soviet colonialism, caused a panic of enforced letter writing and mass meetings throughout the Ukraine, called by the official party hacks.

EATON STATEMENTS

In their endeavor to shut off all real examination of the slavery in the captive nations, Moscow has also sent around the world during the last few weeks a series of statements by Cyrus Eaton, American industrialist and winner of the Lenin Peace Prize.

After a tour through Czechoslovakia, Hungary, and Bulgaria—and Eaton's tour reminds us again that the United Nations has never been allowed inside Red Hungary—he writes:

"These countries have competent and intelligent men heading their governments, and the U.S. obsession that there is any substantial opposition to the political leadership of these nations is erroneous and should be abandoned in the interest of a practical U.S. policy."

To which he adds:

"It is abundantly clear to an objective observer that Czechoslovakia, Hungary, and Bulgaria are completely committed to their present forms of government and to their political and economic systems, and that their relations with the Soviet Union are cordial."

So well does the Kremlin think of this declaration that it plays it up in the June 26, 1961, New Times, coming here from Moscow. But Congressman FLOOD has the proper answer to such drivel, and we can support him in his attempt to get a permanent congressional committee on these "socialist countries." In describing Khrushchev's cynicism in saying on December 27 last that "the subjugated colonial peoples" can depend for their freedom on Soviet Russia, Congressman FLOOD goes on to ask:

"But aside from the underlying objectives, can we truthfully say that our demonstrated and sincere interest in all of the captive nations, particularly those in the U.S.S.R. itself, exceeds the cynical interests displayed by Moscow in the peoples of Africa and Asia? I think not."

[From the Brooklyn (N.Y.) Tablet, July 8, 1961]

CAPTIVE NATIONS WEEK WILL BE OBSERVED

WASHINGTON, D.C.—Captive Nations Week, sponsored by the National Captive Nations Committee in implementation of Public Law 86-90, will be observed this year from Sunday, July 16, through Saturday, July 22. In announcing plans this week for the second anniversary observance of the week, Dr. Lev E. Dobriansky, chairman of the committee and professor of economics at Georgetown University, stated that major themes this year would be "a firm policy on Berlin and determined opposition to the admission of Red China into the United Nations."

In coordination with National Captive Nations Committee, the Assembly of Captive Nations, American Friends of the Captive Nations, and other groups, cities throughout the country will join in ceremonies reaffirming the belief that "our freedom will be secure only when all men everywhere are free." Mayor Daley in Chicago and Mayor Wagner in New York City, among many others, are sponsoring huge citywide ceremonies.

Dr. Dobriansky, who originated and authored the Captive Nations Week resolution, said: "The 1960 observance was so successful that the vehemence and vituperation of Moscow and its puppets exceeded that of Khrushchev's explosion the year before. We intend to surpass last year's successes.

"The committee is now looking forward to an early proclamation of the week by President Kennedy. President Eisenhower proclaimed the week twice, in 1959 and 1960, and on the basis of President Kennedy's expressed feelings in the past, we expect him to issue the proclamation soon."

National Captive Nations Committee, which depends on contributions to carry out its year-round program of informing the public on developments behind the Iron Curtain countries, has a growing membership of university presidents, labor leaders, church officials, industry executives, newspaper editors, publishers, and civic, patriotic, and ethnic groups. It is headed by a newly elected board of directors. In addition to chairman Dobriansky, the board consists of: Col. Charles H. Kraus, vice chairman; Col. Daniel F. Boone, executive director; Mrs. Colby Bowden, secretary-treasurer; and John T. Doolittle, assistant secretary. Seventeen Senators and sixty-five Congressmen comprise the honorary committee membership. The headquarters of the National Captive Nations Committee is at 1000 16th Street NW., Washington, D.C.

[From the Ukrainian Weekly, July 22, 1961]

GREATER NEW YORK OBSERVES CAPTIVE NATIONS WEEK

NEW YORK.—Captive Nations Week observances in New York City were held under the official chairmanship of the Hon. Robert F. Wagner, mayor of New York, and received wide publicity in the New York metropolitan press, including pictures of Ukrainians, some in Ukrainian costumes. Mayor Wagner accepted the chairmanship of the week in response to a request by five American organizations concerned with the plight of the captive nations.

On July 12, 1961, a delegation from these organizations, including several Ukrainian members, received the proclamation from Mayor Wagner at city hall.

New York observers of Captive Nations Week began on Sunday, July 16, with a solemn high mass at St. Patrick's Cathedral, which was celebrated by Rt. Rev. Msgr. John Balkunas. A special sermon on the suffering and plight of the captive nations was delivered by Bishop James H. Griffiths, auxiliary bishop of the archdiocese of New York, and Francis Cardinal Spellman presided. Similar religious services were held in Protestant churches and Jewish synagogues in the city. At St. Patrick's Cathedral the Ukrainian national flag was among the flags of other captive nations and representatives of the Ukrainian Congress Committee of America were present.

ATTORNEY GENERAL LEFKOWITZ READS GOVERNOR ROCKEFELLER'S PROCLAMATION

On the same day two separate ceremonies were held in New York City. The Assembly of the Captive European Nations, held a flag-raising ceremony at United Nations Plaza, where Representative EMANUEL CELLER, of Brooklyn, was the principal speaker.

Late in the evening the American Friends of the Anti-Bolshevik Bloc of Nations held a special observance of Captive Nations Week at the Hotel New Yorker, at which Attorney General Louis J. Lefkowitz read the proclamation of Governor Rockefeller and urged that the captive nations be supported morally and materially by the American people and the U.S. Government. Justin McCarthy, New York radio commentator, was master of ceremonies, and among the speakers were Mrs. Catherine Dorney, secretary of the American Educational Association, and Ignatius M. Billinsky and Charles Andreanszky, chairman and secretary general of the American Friends of the Anti-Bolshevik Bloc of Nations, respectively.

IMPRESSIVE CEREMONY AT CITY HALL

The culminating and final ceremony dedicated to the observance of Captive Nations Week was held at noon, on Monday, July 17, 1961, on the steps of city hall, during which Mayor Wagner read his official proclamation of Captive Nations Week.

Among the participants were the representatives of organizations supporting the captive nations, many in national costumes, city officials, and American veterans.

The master of ceremonies was City Councilman Thomas J. Cuite of Brooklyn, representing the National Captive Nations Committee in Washington, D.C. The program included the rendition of the American national anthem by Neil Carlin of the Oriel Society, the invocation by Rabbi Leo Storozum, prayer by Msgr. Bela Varga, and, benediction by Rev. Imre Kovacs, and short addresses by the following speakers: Christopher Emmet (American Friends of the Captive Nations); Dr. Vaclovas Sidzikauskas (Assembly of Captive European Nations); Stephen J. Jarema (American Conference for the Liberation of the non-Russian Nations in the U.S.S.R.); and Rt. Rev. John Balkunas (Conference of Americans of Central and Eastern European Descent).

There were over 300 participants and several flags of the captive nations. The Ukrainian group, organized by the United Ukrainian American Organizations of Greater New York, a branch of the Ukrainian Congress Committee of America, was the largest ethnic group at city hall.

In his short address Mayor Wagner said that New York City was always a haven for European refugees and escapees from tyranny. He promised that the city will always assist those freedom fighters who struggle for the liberation of their native countries.

Neil Carlin concluded the ceremony by singing the "Battle Hymn of the Republic." There were many cameramen and reporters, and the entire observance was broadcast over New York City municipal radio station WNYC.

[From the Brooklyn (N.Y.) Tablet, July 22, 1961]

SEEK ECONOMIC BOYCOTT OF REDS—NASSAU CONSERVATIVES SEE IT AS HELP TO CAPTIVE NATIONS

"An economic boycott against the Communist world" is called for by the Nassau

Conservatives in a resolution adopted for Captive Nations Week, July 16–22.

Such a boycott "would breed discontent and increase the chance of revolution and eventually freedom and peace behind the Iron Curtain," the conservatives declare "and, by multiplying the problems of the Communists at home, would increase the chance of peace in the free world."

Following is the text of the resolution:

"Whereas loyal Americans, whether conservative or liberal, admit that world communism is a continuing threat to peace,

"Whereas our national policy of diplomatic recognition, foreign trade, and cultural exchange has done nothing to lessen the threat,

"Whereas a new policy is needed to put the Communist tyrants on notice that we will actively oppose their further advances and that we will not rest until the captive nations have been freed,

"Whereas the international conspiracy is dependent upon the free world for the machinery, tools, food, foreign aid, etc., necessary to continue its subjugation of the captive nations,

"Whereas an economic boycott would be cheaper than war, in money and material as well as in the most precious commodity of human lives,

"Whereas an economic boycott would breed discontent and increase the chance of revolution and eventually freedom and peace behind the Iron Curtain, and, by multiplying the problems of the Communits at home, would increase the chance of peace in the free world: Therefore be it

"*Resolved*, That the Nassau Conservatives do hereby beseech our national leaders in the legislative and executive branches to give immediate and full consideration to the implementation of an economic boycott against the Communist world."

"Мир и Дружба"—
("Peace and Friendship")

Under this banner, Kremlin Boss Khrushchev is coming to the United States.

To Khrushchev, "peace and friendship" means the total enslavement of all nations, of all peoples, of all things, under the God-denying Communist conspiracy of which he is the current czar.

In exploiting his hypocritical theme, he promises profitable trade to the businessman and heaven on earth to the workingman.

No one, however, has better translated his real meaning and purpose than has Khrushchev, himself, in his ugly boast: "We will bury you."

This invitation to visit the United States will give Khrushchev the additional standing he needs among the Russian people and among the peoples of those countries teetering on the Communist edge. It will also create despair among the peoples of his Communist-enslaved nations.

If our statesmen or business leaders overlook that Khrushchev is reputed to be one of history's most brutal murderers and most vicious liars they will tend to rob the Khrushchev captive peoples of their belief that their best hope for liberation is through the United States.

It is imperative for our national survival that our people realize the vast difference between what Khrushchev says and what Khrushchev does.

The terrible brutality of burial into Communist enslavement is known to the people of the 22 captive nations listed below.

Let there be no concessions, no appeasement, no deals with Khrushchev. Let us not be negotiated into that position which Khrushchev plans for us—the position of becoming his greatest captive nation.

Meanwhile, let us remember those thousands who died trying to defend their freedom in these Khrushchev controlled captive nations: Poland, Hungary, Latvia, Estonia, Lithuania, Tibet, North Korea, North Vietnam, mainland China, Czechoslovakia, East Germany, Albania, Idel-Ural, Cossackia, Turkestan, Azerbaijan, White Ruthenia, Georgia, Ukraine, Armenia, Bulgaria, and Rumania.

The Allen-Bradley Co., Milwaukee, Wis., urges you to hold fast to your American freedoms. These include your freedom to live, your freedom to worship God, and your freedom to work and to vote as you choose. These freedoms are still with us in the United States of America. But these freedoms have been destroyed by the Communists in those large portions of the world where the Communists have seized control. Don't let it happen here.

The Allen-Bradley Co. manufactures quality motor controls and quality electronic components. With this public service advertisement, the Allen-Bradley Co. is trying to sell you nothing except the importance of recognizing and understanding the horrible threat posed by Kremlin-directed international communism against our country, our people, and our incomparable American free enterprise way of life.

APPEAL OF BISHOP SENYSHYN ON CAPTIVE NATIONS—RECOMMENDED SPECIAL PRAYERS ON SUNDAY, JULY 23, IN THE STAMFORD DIOCESE

(EDITOR'S NOTE.—Following is the appeal of the Most Reverend Ambrose Senyshyn, exarch of the Ukrainian Catholic Diocese of Stamford, which was issued on the occasion of Captive Nations Week and read on Sunday, July 23, 1961, in all the Ukrainian Catholic churches in the diocese of Stamford.)

"O God, hear our prayer. Woe has befallen our land."—(From a prayer for the Ukrainian people.)

Very reverend and reverend fathers, dearly beloved in Christ, no one would have suspected that after World War II we would be faced with the appalling fact of the suppression of people behind the Iron Curtain. Did the American soldiers—many of them of Ukrainian descent—lay down their lives in distant lands so that godless invaders could put many nations—among them the Ukrainian nation—into heavy bondage? No. They gave their lives so that all could enjoy freedom. Unfortunately, the lack of foresight evidenced by certain powerful nations pushed all the Ukrainian people and many others into slavery. One day history will make known these gravediggers of freedom, but until then a multitude of innocent people suffers a violence of body and soul in the prison of the nation.

On the 100th anniversary of the death of Taras Shevchenko, the entire Ukrainian nation, in spite of all its efforts to gain freedom, finds itself in so mournful a state as that described so vividly by the greatest bard of suffering Ukraine. Today millions in Ukraine and on the limitless wastelands of Siberia still sing sorrowfully Shevchenko's words: "I count in prison days and nights, and I lose the count; O Lord, how slowly these days pass by." Today the best sons of Ukraine along with Metropolitan Joseph Slipy suffer in Siberian labor camps because they love their church and nation and wish these to be free.

The concept of freedom which Taras Shevchenko preached with the fiery word and for which the choicest sons of the Ukrainian people suffer, became the foundation of the universal concept of freedom and found its expression in the law of Congress by which the Captive Nations Week was declared in 1959.

In celebrating Captive Nations Week I call upon all of you, in the words of the great Pope Pius XII to unite in prayer: "Therefore in this very difficult moment, when human strength seems to fail, nothing else is left for us, venerable brethern, than to implore the most merciful God, who renders justice to the afflicted, judgment to the poor (Psalms 139, 13), that He Himself would deign to still this violent storm and bring it to this end." (Encyclical letter "Ad omnes Ecclesias Orientales," Rome, 1946). Let us beseech the Almighty God, that He might send us a Washington with his just laws. Always remember the prayerful address of Taras Shrevchenko to the Mother of God:

"Just and Holy Mother,
Blessed among women,
Mother of the Son of God on earth,
Don't let us perish in slavery."

Millions of our enslaved brothers and sisters await our help, but most of all our prayers for their perseverance in holy faith, for constancy and fidelity in religious and national ideals.

Let us bring to the freedom-loving peoples with whom we live the truth about our suffering church and our oppressed nation. And may these words of Taras Shevchenko find a sympathetic echo in our hearts:

"Give strength to the weakened soul,
That it might speak with fiery words,
That it might spread fire,
That it might melt the hearts of people,
That it might go to Ukraine
And that there it might be hallowed,
This word—incense of God,
The incense of truth. Amen."

In celebrating Captive Nations Week let us celebrate it with humble and sincere prayers to the Almighty for a better fortune for our people behind the Iron Curtain. To this purpose I enjoin upon all the clergy to celebrate after each divine liturgy on Sunday, July 23, an impetratory moleben to the Almighty for our suffering church and our people behind the Iron Curtain that God may take mercy and free our church and people from chains of cruel bondage.

THE WEEK IN SOVIET PROPAGANDA—JULY 19–26, 1961

CAPTIVE NATIONS WEEK

The Soviet Government newspaper Izvestia charged President Kennedy with aping former President Eisenhower in the observance of Captive Nations Week. While "the oversea provocateurs" call for "liberation" of these nations, there is also Portuguese oppression in Angola, Izvestia proclaimed.

Besides angry outbursts of this type, Soviet media borrowed a device from Western correspondents—the personal interview by phone. Raising, by long-distance connection, Mississippi Gov. Ross R. Barnett, a staffer from radio Moscow cornered him with questions on the legal basis for the arrest of freedom riders, on their danger to the security of the State's population, on their number in prison, and their treatment there. When the last question was sidestepped, the voice of a freedom rider was inserted describing various indecencies allegedly inflicted on the Negro freedom riders. "Thus," concluded radio Moscow, "one need not go far in the United States to find enslaved people."

(Prepared by the Central Research Department of Radio Liberty in Munich for use by the programing staff. Distributed in the United States and Canada by the Press and Publications Division, American Committee for Liberation, 1657 Broadway, New York 19, N.Y.)

VENTRILOQUIST

The Czechoslovak Minister of Foreign Affairs, Vaclav David, has condemned the French "aggression" in Tunisia, declaring

that the Czechoslovak Government "resolutely supports the demand to liquidate the shameful colonial system in all its forms and manifestations, and is doing everything possible to help make this demand a reality."

Minister David is evidently something of a ventriloquist, appearing here as a cat speaking with the voice of the canary inside. Since 1948, when the Communists ousted President Benes, the Czechoslovak Government has been firmly under the thumb of the Soviet Union, with the Politburo of the Communist Party charting its policies.

We have here another example of the curious Communist mentality which considers a "colony" to be a subject territory which is reached by crossing water. When it lies just across a boundary line, the captive state is assumed to obey and contribute out of love and admiration for the master nation.

It reminds us of some trained animal acts we have seen. One can, if he wishes, applaud the lions and the elephants which dance and jump through hoops even when the whip is out of sight. We think of the beatings it took to inculcate such docility, and find it profoundly pathetic.

MUTUAL SECURITY PROGRAM

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. HALEY] is recognized for 60 minutes.

Mr. HALEY. Mr. Speaker, in the near future, we are going to receive from our Committee on Foreign Affairs its recommendations on another extension of what is loosely called the mutual security program, which more accurately should be called the foreign handout program. Regardless of what is said about the program, we know that testimony after testimony, statement after statement, has been presented to the Congress and to the American people to show that this program has actually been losing friends for the United States and that it has disrupted governments it was intended to help and it has corrupted officials in those governments.

Of course, I do not know what will be the full content of the report of the Foreign Affairs Committee. But from what I can learn in advance, I must say that I will be forced to oppose the new foreign aid authorization bills on the grounds that it is unconstitutional and that, even if it were a legal exercise of our powers under the Constitution, it is unwise and unsound, wasteful and destructive of this country's very economy.

I am a Democrat and have always been a Democrat. However, I had hoped, when I assisted last fall in the election of a Democratic administration, there would be some change in this program. In short, I had truly hoped that there would be a New Frontier in our foreign policy.

I am disappointed by the knowledge that there is no New Frontier in foreign policy. The administration has asked us to continue the old policy of the open checkbook.

It is indeed true that the New Frontier has offered a new name for the foreign aid program. That is an old trick to disguise the real nature of an increasingly unpopular program. Foreign aid has at one time or another been called emergency redevelopment or international cooperation or mutual security, and now we are asked to approve something called AID—all in capital letters and meaning Agency for International Development.

It has been said and known for centuries that a rose by any other name would smell as sweet. I say that foreign aid by whatever name it may be called must smell as rank as we all know it has smelled in the past. Our administration, I am sorry to say, has not come up with a new program. It has merely come up with a new, Madison Avenue advertising agency type tag—the attractive gimmick name "AID"—as a device for extension of a program which in its useless and wasteful expenditure of the moneys of the American taxpayers, its destruction of American jobs and industries, smells to high heaven.

I am sorry that this is so. I am distressed that within the next few days, at a time when our Nation is at what may be the crossroads between life and death, we in the Congress are being told by the administration we must support, or run the risk of being labeled as unpatriotic, this foreign aid program. Indeed, we are not only being told this by the administration—we are being told it by foreign emissaries who have little hesitation in bluntly demanding that we open our checkbooks for their benefit, or run the risk that they will abandon the free world in favor of a higher bid by the Communist aggressor.

I refer, of course, to the recent appearance before us of the President of Pakistan. This, incidentally, is the same gentleman who only a few days later in a nationwide television broadcast said he was in favor of admitting Red China into the United Nations.

That worthy gentleman, the President of Pakistan, in his appearance in the U.S. House of Representatives, told us quite plainly and bluntly that his country wanted U.S. dollars for its development. Equally plainly and bluntly he told us if his nation did not get our dollars, it would look elsewhere—meaning, of course, to Russia—for aid in its development.

I do not blame the President of Pakistan for this. He was looking out for his own interests, for the interests of his own country. Under his oath of office, he should have been doing just that.

But I would suggest to my colleagues in the House that we, too, take an oath of office, to look out for our own country. And in the light of that oath, Mr. Speaker, I must say that I was surprised to realize that all around me, on that occasion, were colleagues who were applauding what they later called the frankness and the candor of the President of Pakistan. I recognize just what his frankness and candor was—it was a threat, a crude one at that, to blackmail the Congress of the United States into giving him aid. He made no bones at all about what he was up to when he made his "or else" proposition to the Congress. He plainly said to us that "you give us the money we want or you will wish you had—because if you do not, we will get it from your mortal enemy."

That the President of Pakistan would do this does not surprise me—he had his duty to his own country. What does surprise me is that Members of the Congress of the United States would be so taken in by this sort of tactic that they would sit up and applaud this frankness and candor.

What surprises me even more is the fact that this man, and others who have preceded him and followed him, have come before us with similar, if less bluntly expressed, demands for aid—and have come before us because they were invited to this country by the administration, which knew full well, once the invited guests were here, they would be invited as a courtesy to address the Congress or its two Houses separately.

Over a period of years it has been observed that whenever the Navy's appropriations bill was about to come before the Congress, there would be reports of a rash of mysterious and unexplained visits to the coastal waters of the United States of one or more mysterious and unidentified submarines. It has been alleged that once the Navy's supply bill was passed, the mysterious submarines would disappear without a trace—until the following year's naval appropriations bill came up, at which time the mystery submarines would reappear.

It seems to me, as I look at the record, that our President, himself a former naval officer, may have been deluded by this naval tactic. It seems to me that at a time when the decision on extension of foreign aid is coming up, we are being subjected to an invasion of foreign potentates who arrive in this country—by invitation of the administration—just in time to tell the Congress just how important foreign aid extension is to the country's future. To tell us, in short, that if we do not have the dollars to buy friendship, the enemy may very well have the equivalent of those dollars.

I do not go for blackmail. But even if I did, I do not and cannot believe it would be in the interests of this country's welfare—to extend—and extend apparently without realistic limitation—a program which has a demonstrated record of costly failure over the years.

Moreover, many Americans feel that the administration, the Congress, and our entire bureaucratic Federal Government, for too long a time have been too concerned about what other nations thought of our actions. I think it is high time that all Americans begin to think about what is going on in our own country and do the things which are necessary for the good of the United States.

I will not go into great detail over the failures of the foreign-aid program. I know that every Member who sits in this House today is fully aware of what the foreign-aid program has not accomplished in such critical areas as Laos, Cuba, and Korea. The foreign-aid program has been in effect since 1947. Since then, communism has spread to an appalling extent. We have lost friends every year. Our prestige abroad has dropped alarmingly and at an accelerated rate. We have been powerless to promote stable democratic government even where our aid and intervention have been the greatest.

The bitter truth is that since the end of World War II, our foreign-aid programs, totaling $90 billion, have been responsible for our net budget deficit and our entire increase in national debt, without accomplishing anything for us. The program has been known to cost $90 billion; but no one knows how much more than this has been spent in aid, but has not been shown in the record. Foreign aid has been the chief cause of our inflation, our unfavorable balance payments, and our loss of gold.

Despite all of this, we sit here today facing the fact that the administration wants us not only to increase outlays for foreign-aid handouts substantially. It also wants us to surrender our power, as the Congress, to deny or grant our approval of borrowing—over the next 5 years—of $7.3 billion to finance a long-range handout program.

To the whole program, I say "No," but say so realizing that it is likely I will be overridden. But to the proposition that the Congress surrender its year-to-year power of review, I utter an explosive "No," with the hope that a number of my colleagues will join in the defeat of this abortive proposal that the Congress of the United States abdicate not only this power—but its sworn constitutional duty to supervise the spending of the taxpayers' dollars.

If the Congress continues to abdicate its powers—particularly the power to control the public purse—by approving the backdoor spending of tax money without congressional review—we might as well resign—go home—and tell our constituents that not only have we failed to uphold the Constitution, but that we have turned over the functions of the Congress to our bureaucratic executive department.

I have said in this and in other speeches I have made here in opposition to this program that, leaving aside the question of its ultimate usefulness, it has been wastefully and at times dishonestly administered. I am sorry to say that the outlook for it under the New Frontier program seems to be no better than has been in the past.

Those of us who supported the installation of the new administration had, I think, the right to expect a little better than we have gotten. We had, I think, the right to expect at least honesty in foreign aid administration, and a determination to expel from it the proven rascals of other years.

But have we realized that right? I do not think so. In fact, I think the testimony of our new foreign aid Director, Mr. Henry Labouisse, before the House Foreign Affairs Committee, shows conclusively that he not only condones misfeasance and malfeasance in the foreign aid setup in the past, but has no intention to make any changes to correct the situation.

I think the citation of two instances is sufficient to prove my point.

All of you know, I think, of the scandal with regard to the construction of the highway in Cambodia with this country's money. The foreign aid Director, as a matter of fact, admits that it is—and I quote him—"a sorry page in the history of this operation."

But what has happened to the International Cooperation Administration official responsible for this sorry mess? Why, he is now engaged in building, under Mr. Labouisse, a highway in Burma.

And what has happened to the ICA contractor whom Mr. Labouisse admits botched the Cambodia job? Why, he has been awarded another ICA contract in Afghanistan.

That is not all.

There is the case of Mr. Carter de Paul. Mr. de Paul is an ICA agent who bought an automobile for $800 and then sold it to an ICA contractor for a $3,000 fat profit. Thereafter, records of hearings before a committee of this Congress show, Mr. de Paul gave false testimony under oath about this shady deal.

And where is Mr. de Paul now? He is not in prison, where many perjurers go. No, indeed. Mr. de Paul is still working for the ICA, under Mr. Labouisse. Fittingly enough, in view of his successful automobile deal, Mr. de Paul is in the division of private enterprise in the ICA.

The important thing in this is not Mr. de Paul. The important thing is Mr. Labouisse's attitude. Mr. Labouisse told our Foreign Affairs Committee he did not want blanket authority to fire men like Mr. de Paul—he might, he said, find reasons why they should be kept on the payroll.

The case of the Cambodian contractor and the grade 15 used-car dealer are not, in themselves, particularly important. They are but samples of the chicanery which exists in any multimillion-dollar program.

But I say to you, that when such cases of dishonesty and wasteful inefficiency occur in one administration and are condoned by the new administration, they become important. They become important because they are indicative of the fact that, beyond a change in name, the new administration's foreign aid program is not basically different from that of any other administration.

If any one wants further illustration of the dishonesty and wasteful inefficiency in the foreign aid program, he has only to look at the House Government Operations Committee's, Hardy subcommittee's recent report on "U.S. Aid Operations in Peru." This report, House Report No. 795, was transmitted to the Speaker of the House on July 26, 1961.

I sincerely believe that the people of the United States never would have accepted this foreign aid program in any form had not the program had the support of powerful organizations such as the Chamber of Commerce of the United States and the National Association of Manufacturers. I can understand why they support the program because I realize the companies of their members make huge profits out of the program.

But I cannot understand why—or how—the leadership of our powerful labor unions would—or could—support the foreign aid program. Through our loans for the development of industries in other countries, we are actually strangling our own economic progress by exporting employment which is so badly needed here at home.

Earlier this year, the Development Loan Fund boasted of a $129.6 million loan to build a Turkish steel mill in the shadow of the Communist border. What will the mill do? It will make steel. It, also, will throw some 4,000 American steelworkers, and some 12,000 other Americans in related industry, out of jobs. American dollars thus will finance increased unemployment in a basic American industry.

This is no isolated case. Development Fund loans recently have been made in the amounts $2.1 million to manufacture nitroglycerin and other explosives in Manila; $6 million for an Israel telephone system; $3.2 million for a nylon plant, and $3.3 million for a chemical plant in Korea; $7.2 million for the manufacture of automobile parts in India; and $31 million for airports and aircraft development in Ethiopia, Ceylon, and Tunisia.

Development Loan Fund officials have smugly said that much of the money will be used to purchase U.S. materials; but these officials have been careful to avoid pointing out that each job created abroad by American dollar advances will be a job taken away from an American labor force already stricken by massive unemployment. Look at our steel industry—our textile industry—at other industries and see what is happening to us at home.

We seem to have forgotten that we made the path very easy for Japan prior to World War II. Now, we are in another war—a cold war, perhaps—but a deadly war in which the stakes are high. Yet, we allow the leaders of our Nation to give away the technical know-how of the United States to many nations—many of whom are known to be hostile to us.

The old story continues. When the American people begin to find out just what is going on in this foreign aid program, an immediate effort is made to change its name—and to bring in the beneficiaries of the program to threaten, or blackmail, us into continuing this program—a program of monstrous waste and gross inefficiency, which will bankrupt the United States if it is not brought to an end.

We are about to be asked to write "House of Representatives" into the signature line of a blank check for foreign aid appropriations which may well run into 11 figures—$10 billion and up. I personally would not put my name on any blank check, and I doubt that anyone listening to me would. I urge all of you not to put the signature of this House on a blank check for foreign aid.

MUST WE HAVE VOICELESS, FACELESS MILITARY PERSONNEL?

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 15 minutes.

Mr. SIKES. Mr. Speaker, I am amazed and shocked at what appears to be a definite program of activity

within some levels of Government to shut off military participation in information programs. If the military personnel are to be only voiceless and faceless numbers who dare not express their patriotism or their belief in America or their desire to uphold democracy, then we are in a worse position than the Communists who at least direct their military leaders to speak out for Communist way of life. I cannot possibly comprehend the attitude of any person who seeks to defend and preserve this country but who wants to deny to military personnel the constitutional right of freedom of speech which is a basic part of Americanism.

Strangely, it appears that all the criticism has been directed at those members of the military services who have spoken out in behalf of patriotic organizations and who have defended Americanism or who have denounced communism. What then I pray should our military personnel uphold? What principles should they defend? What side should they be on? Are they to serve as cannon fodder only; to be denied a place in normal American life?

Zeal for this Nation and its survival are something that should be shared by all of us. Those who are critical of military personnel who speak out for America will do well, Mr. Speaker, to remember this.

I find that Project Alert is one of the activities which has been singled out for criticism in connection with its work in Pensacola, Fla., in my district, by Senator FULBRIGHT who appears to be one of the principal objectors to freedom of expression by military personnel. I know something about Project Alert. I have spoken at its meetings. I am proud to have done so. It is a patriotic organization which upholds this country and its beliefs. It is an organization which stoutly resists communism. It has done very fine work.

Undoubtedly, Senator FULBRIGHT is badly misinformed. I am afraid that Mr. FULBRIGHT has been misinformed on other matters as well. I note that he is quoted as objecting to strong action on Cuba; that he is quoted as believing that more talk is the proper approach to the Berlin problem. I remind the distinguished Senator that already we have talked too long. For a decade we have done but little other than talk, and nearly every conference has lost ground for the democracies. I say that it is time for an end to talk and time for action.

I am proud of the patriotic Americans who wear our country's uniform; proud they have the courage to stand and be counted; proud they are willing to express themselves for our country. I defend them and their right to do so. I deplore efforts from any level of government to muzzle them. I trust that the personal expression by Senator FULBRIGHT does not become the policy of our Nation. And I call upon the Congress to insure that no such policy will ever become official.

NATIONAL LABOR RELATIONS BOARD

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, I would like to bring to the attention of the House of Representatives what to me is a good example of why many citizens, experiencing endless delays, and postponed decisions in their dealings with the Federal Government, can lose faith in Federal bureaucracy.

The matter to which I am referring is a case pending before the National Labor Relations Board which at present involves claims for backpay for some 70 discharged employees. Several of the claimants are residents of the congressional district I represent. No mention is made to the name of the case, for that is irrelevant to my purpose.

This matter has now strung along an unbelievable 10 years. As a matter of fact it has now extended over the course of approximately 10 years and 1 month, having begun when a number of striking employees were discharged in July 1951.

It is understood of course that cases involving a large number of backpay claims such as this involve many complicated questions of fact and law. But certainly when the matter of salaries is involved—the very means of livelihood of many people concerned—every reasonable attempt should be made to bring such a case to a speedy conclusion.

The record in the case, however, shows a series of one discouraging delay after another toward reaching settlement.

Following are a few of the highlights of this long, involved matter.

In 1953, about 2 years after the employees were discharged, the National Labor Relations Board issued a decision and order. In the words of the Board, it found "that the company had committed numerous violations of the Labor Management Relations Act. Among other provisions the order required the company to offer reinstatement to a large number of employees and make them whole for losses of pay and losses of medical and hospitalization benefits which they suffered by reason of the company's illegal discrimination against them."

Upon noncompliance with the Board's order, in 1955 the Board obtained a court decree enforcing the Board's order. When the company offered reinstatement to the employees, computations were made of the amount of backpay to which each of about 150 employees was entitled.

The backpay calculations were challenged and a formal hearing resulted. The backpay hearings were held from November 18, 1957, to January 29, 1958, producing a record of over 4,000 pages.

In June 1958 the National Labor Relations Board trial examiner issued a supplemental intermediate report, making backpay determinations for 79 employees, but by that time as a result of a court decision in another case, the instant case had to be reopened to allow certain cross-examinations.

About a year later, in july 1959, the trial examiner issued a second supplemental intermediate report. Shortly after that the matter was referred to the Board.

Now, 2 years later, there still has been no decision.

I, on various occasions, wrote to the National Labor Relations Board and at other times the Board has been contacted by telephone to determine the progress being made on the case. The answers always were in essence that it was a long, involved case and there was no way of knowing when it would be resolved.

Finally, on June 29, 1960, I wrote to the Chairman of the Board in part, as follows:

> The purpose of this letter is to inquire whether there is any possible way that this matter may be expedited to a final decision. I, of course, make no comment as to the merits of the claims of any of the various parties involved or urge any particular result, but merely wish to see that justice is done through a timely decision so that the rights of the individuals involved may be resolved.

This was followed in my letter with the statement that in view of the exceedingly long time the case had dragged along it seemed to me reasonable to expect that every possible effort would be made to bring it to a final determination.

The reply, dated July 8, 1960, was, in part, as follows:

> Unfortunately, I must advise you that the case it still under review, and the indications are that the Board's decision will not be forthcoming until about October of this year. We regret that this case has taken so long, but in the process of handling thousands of cases, it is inevitable that a small percentage of these cases takes what appears to be an interminable length of time to conclude.

It seemed encouraging at this point that an October 1960 date had been established for the Board's decision.

October came and went, as did November and December, and no decision.

On January 10, 1961, I again inquired as to the status of this case. The reply, dated January 17, 1961, stated in part, as follows:

> This case is still under consideration by the Board and it appears that further discussion will be necessary before any decision can be reached. As you know, the record is extremely long and the issues are considerably involved, so that this has prevented any immediate decision by the Board.

In April 1961, the National Labor Relations Board advised the House Appropriations Committee that it was "happy to advise that the analysis and review of this abnormal matter is now complete and a proposed decision is in the last stage of preparation for submission to

the Board. We trust that the Board's decision may be expected within a matter of a few weeks."

Those few weeks are long since past.

Subsequent informal inquiries I have made concerning the case produced assurances that it was hoped a decision might be forthcoming in a week or two, or in a week or 10 days.

There is still no decision in this matter and I have received no further word as to when such decision might be forthcoming.

It appears to me that the taxpayers have every right to expect conscientious, expeditious service from their Government. This is admittedly a difficult case but I sincerely believe that the matter could have been handled in a far more satisfactory manner than it has been.

Again, I wish to emphasize that I am not commenting on the merits of the claims involved in this case or urge any particular result. I do however wish to see justice done through having cases as the instant one resolved through timely decisions. The cause of justice is sorely tried when the parties involved are required to wait over 10 years in a matter such as this.

I have no way of knowing with accuracy as to what this 10-year case has cost the taxpayers thus far. However, it would seem that the costs of salaries, transportation expenses, printing, and the various other costs involved certainly must have run into many, many thousands of dollars.

Many other Members of the House, I believe, will be concerned over the near incredible length of time it is taking to settle this matter, which has resulted in an over 10-year delay in considering these claims and a large bill to the taxpayers who are paying for the seemingly endless delays and deliberations.

In my view it is time for a complete reappraisal of the procedures under which backpay cases such as this are handled both in the interest of assuring timely decisions and in the interest of avoiding needless expenditures of the taxpayers' money.

NO DEFENSE WITHOUT TRANSPORTATION

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, it is inconceivable that an American defense endeavor would have any prospect of desired success in the absence of an adequate and strong transportation industry. Unfortunately, we do not have such a transportation industry now.

Recent developments suggest a prospect of endless bureaucratic study without the implementation of Government policies revitalizing our transportation industry. There now seems little hope for decisive legislative action in this session of Congress that would provide realistic and meaningful solutions to the problems besetting the industry. The Government has regulated and studied without action and seems inclined to follow a course of more of the same.

Last June during consideration of tax rate legislation, the Republican members of the Committee on Ways and Means joined in separate views in the committee report accompanying H.R. 7446. In these views we cited our reasons for urging the repeal of the 10 percent Federal tax on transportation of persons. At that time we said in part as follows:

VIEWS OF THE MINORITY MEMBERS ON H.R. 7446

* * * * *

We are convinced that the retention of the tax on transportation of persons is not in the national interest. It is a tax that was imposed during World War II for the purpose of deterring travel and providing revenue. From the standpoint of commerce and defense considerations there is no longer a place for a deterrent to travel as a matter of national policy. From the fiscal standpoint the tax is a poor revenue raiser in that it discriminates among modes of travel and against domestic travel as compared with foreign travel. It has a consequence that tends to necessitate Government subsidization of segments of the transportation industry to offset the tax impact on the carriers.

* * * * *

During the committee consideration of our efforts to obtain repeal of the 10 percent transportation tax, those members who opposed the repeal argued that the tax should not be repealed because of the need for imposing a user charge with respect to Government costs incurred in connection with civil airway operations. They advocated that the repeal of the tax be deferred until the user tax problem is solved. We agree with the user charge concept but we point out that the problem is not likely to lend itself to prompt solution * * *. The plight of our transportation industry demands action now and the repeal of the transportation tax is widely and generally recognized as being action in the right direction. Its repeal would contribute significantly to the strengthening of our Nation's transportation system in the interest of economic progress and national security.

In urging the repeal of this tax, it is appropriate that we should comment on the fiscal implications that attend this recommendation. In the face of a budget deficit we would tend ordinarily to oppose a tax rate reduction of this type. However, we offer the following reasons why the transportation tax should be repealed now even in the face of a budgetary deficit. The Congress has in the past acted under similar circumstances to provide a necessary excise tax adjustment in the case of an industry that is experiencing economic hardship in part attributable to the existence of the excise tax. Also, it has been estimated that a substantial portion of the excise tax revenue loss from repeal of the transportation tax will be offset by revenue gain from the elimination of a deductible expense and that the revenue offset would be further enhanced by the likelihood of a more profitable transportation industry. In addition, we are influenced in our position of advocating repeal of this tax by the fact that the present administration seems determined to spend far in excess of any willingness to tax or to be taxed.

* * * * *

The apparent compulsion of the administration to spend ever-mounting sums for programs of relatively less priority than the urgent requirements for a sound transportation system causes us to support the repeal of the 10 percent transportation tax even under conditions of a budgetary deficit.

Mr. Speaker, in those views we also cited the unanimous positions of the Interstate Commerce Commission and the Civil Aeronautics Board—the agencies of Government best informed on the needs of the rail, bus, and air travel industry—in support of the prompt repeal of the transportation tax on travel. We quoted from the testimony before the Committee on Ways and Means by the Chairman of the Interstate Commerce Commission as follows:

We believe that the loss of revenue resulting from the repeal of this tax would be offset to a considerable extent by additional income tax receipts resulting from increased public use of common carriers and the public interest in strengthening and preserving a transportation system capable of meeting adequately our country's need for service both in peacetime and during emergencies in conformity with the national transportation policy, as declared by the Congress. * * * The Commission strongly urges that your committee give favorable consideration to the repeal in its entirety of the 10-percent excise tax on the transportation of passengers.

In addition, we quoted testimony by the Chairman of the Civil Aeronautics Board as follows:

In view of the substantial financial problems facing the airline industry today, it is clear that the industry is not capable of absorbing a tax increase at this time. * * * It is the Board's view that the continuation of the 10-percent excise tax on passenger transportation will aggravate the critical financial situation facing the airline industry today.

Mr. Speaker, during the floor debate on H.R. 7446 the Republican-sponsored motion to recommit included instructions to repeal the transportation tax on persons. This motion was defeated largely as a consequence of the vote of the Members of the majority party. At that time I observed that if we had presented to the House a bill calling for billions of dollars of spending to subsidize the transportation industry instead of a bill providing only millions in tax relief to help an industry achieve solvency through self-help, the majority would undoubtedly be in the forefront of those supporting the proposal. It was argued by spokesmen for the majority that we should not act at that time because the committee had directed a study by "the interested executive departments and agencies relative to the consequence of these taxing proposals" on the transportation industry. The committee also stated in the majority report that "it is expected that every effort will be made to expedite this study and that a report will be made to your committee at the earliest possible date."

Mr. Speaker, I have in my possession a letter signed by the Honorable Robert C. Turner, Assistant Director of the Bureau of the Budget, which was written after the tax rate extension bill had received Executive approval. One paragraph of that letter states the administration's considered decision not to transmit to the Congress the report requested by the Ways and Means Committee in spite of the agreement to do so by administration spokesmen during our executive consideration of the tax rate extension bill. That paragraph of the letter reads in full as follows:

The administration has initiated a thorough review of the resources and needs of the transportation industry. It is our feeling that it would be premature to separate any one phase or any one part of that industry and express an opinion prior to the completion of this review. For this reason, it has been decided not to transmit a report to the Ways and Means Committee at this time.

Mr. Speaker, has the plight of our transportation industry improved during the time that the executive has been studying the problem? A look at the facts would emphatically answer that question in the negative and would indicate further deterioration in the economic well-being of that industry. In the first 6 months of 1961 the trunk airlines lost $20 million and sustained a 2-percent drop in passenger traffic volume. With respect to the railroads, there are so many figures revealing hardship that it is difficult to select the ones that are the most significant. However, the rate of return for the 12-month period ending May 31, 1961, for the railroad industry was only 1.45 percent—the lowest since the depression days of the 1930's. The latest figures for 1961 show that rail passenger miles have dropped 12 percent for first-class traffic and almost 6 percent for coach travel. With respect to the bus industry, exactly one-half of the class I intercity motor passenger carriers finished in the first quarter of 1961 in the red. The position of the class II and III carriers is substantially worse.

Mr. Speaker, I do not represent that repeal of the transportation tax would solve all of the problems of our transportation industry. I do assert that the repeal of the tax when urged by the Republican members of the Ways and Means Committee would have been a step in the direction of proper positive action to ameliorate many of these problems. The repeal would have benefited the carriers as well as our American traveling public and would have been an insignificant revenue loss factor for the Treasury when we consider the billions of dollars in increased spending that Treasury and other administration spokesmen have supported since the Treasury opposed the repeal of the transportation tax. I have said that it is unlikely that decisive action will now occur in this session of Congress because of the attitude of delay on the part of the administration. If delay is to be the main component of our national policy on this urgent subject, I think it is important that we recognize that we are restricting the potential effectiveness of our current defense endeavors by refusing to recognize the important role that our Nation's transportation system must perform in that defense endeavor.

Mr. Speaker, the Washington Post for July 29, 1961, contained an article captioned "As Industry Grows Sicker U.S. Transport Action Put Off to 1962." I will include as a part of my remarks excerpts from that article.

AS INDUSTRY GROWS SICKER: U.S. TRANSPORT ACTION PUT OFF TO 1962

(By Julius Duscha)

The Nation's long-ailing and much investigated transportation industry will have to wheeze along until at least 1962, when the administration says it will take up the matter.

This means that railroad service will continue to decline, that airlines will go on losing money, and that bus companies will cut back their schedules still further.

It also means that regulated trucking firms and other common carriers will lose more business to unregulated trucks and barges.

Even drastic action next year may be too late to prevent the nationalization of railroads within 10 to 15 years, a substantial reduction in the number of airlines, and the tight regulation of what would become an essentially noncompetitive transportation system.

Administration officials concerned with the transportation crisis have decided to put off action because more study is needed before plans can be formulated and given a clear track.

But transportation executives say that there already are too many studies and that quick action is desperately needed.

Transportation experts—inside as well as outside the administration—suspect that the real reason for delay is a reluctance to face up to problems that are as difficult to solve as they are numerous.

FACTS AND FIGURES CITED

The critics of the administration's failure to move boldly in dealing with transportation policies cite facts and figures such as these:

Railroads are earning only 1.45 percent (6 percent is considered a fair return) on their investment, carloadings are 13 percent under a year ago and expenditures for new equipment are off one third.

Airlines lost almost $20 million in the first 5 months of 1961 and made less than $2 million last year, despite total revenues of nearly $2 billion, because of the high cost of new jet planes, ferocious competition for business on the lucrative routes and flights that have been running 40 percent empty.

Intercity buses are carrying only 18 or 19 passengers on an average trip, the same number as 10 years ago, while the capacity of the larger buses now in service is 39 passengers compared with 35 in the early 1950's.

Trucks and barges that do not now come under effective Federal regulation haul one-third of the intercity freight, compared with 21 percent in 1946, and are expected to handle 61 percent of the business 10 years from now.

Pointing to these trends, transportation experts say that the crisis is building up with jet-like speed.

A Senate staff study estimated earlier this year that at least $50 billion will be needed in the next decade to keep the transportation industry abreast of the Nation's needs.

Yet, said the report, prepared by retired Gen. John P. Doyle for the Senate Commerce Committee, the industry can be expected to generate only 10 to 20 percent—or $5 to $10 billion—of the $50 billion needed for investment funds.

Massive Government aid which means stepped-up subsidies, nationalization or carefully regulated competition, rather than merely tax relief or relaxed ratemaking rules, will be needed.

This explains much of the administration's reluctance to plunge into the transportation crisis and its preference to put off decisions in the name of additional study.

COORDINATOR URGED

James M. Landis, President Kennedy's adviser on regulatory agencies as well as on transportation problems, has opposed suggestions that a Department of Transportation and a Federal Transportation Commission be set up to coordinate transportation policies and regulations.

Rather, Landis has suggested that a White House coordinator be appointed to see that agencies concerned with transportation are not working at cross-purposes. To a very limited extent, Landis has exercised some of these functions.

A Department and a consolidated regulatory agency for transportation were among the key recommendations of a massive 732-page report to end all transportation reports prepared by Doyle for the Commerce Committee.

In his final budget message last January former President Eisenhower called for the establishment of a Transportation Department.

Except for the functions of the Federal Aviation Agency, most transportation administrative functions are centered in the Commerce Department. Regulatory activities are parceled out among the Interstate Commerce Commission, Civil Aeronautics Board, and Federal Maritime Board.

A rough draft of a suggested Presidential message on transportation was prepared recently by a group made up of two assistants to Landis, Commerce Department advisers, and staff members of the Senate Commerce Committee.

The draft was abandoned, however, partly because of a feeling on the part of Mr. Kennedy that there had already been too many Presidential messages this year, but largely because administration thinking on the transportation questions had not yet crystallized.

The proposed message offered such palliatives as greater control over private trucks and barges, an easing of railroad depreciation and ratemaking regulations, reducing the tax obligations of railroads, and a survey of international aviation problems.

Najeeb Halaby, the new FAA Administrator, has two study groups at work on the problems of the air industry.

One, Project Horizon, is looking at economic problems that will face the aviation industry during the next 10 to 20 years. Its report is expected within 2 weeks.

The other study group is primarily concerned with air safety problems and will report later this year.

But Halaby, who is by far the administration's ablest appointee in the transportation area, frankly admits that he is concerned solely with promoting aviation even though such activities may be to the detriment of railroads or buses on short-haul routes that could be just as well or better served by surface transportation.

A study primarily concerned with urban transportation is under way in the Commerce Department. It is being directed by Wilfred Owen, a Brookings Institution transportation expert.

Alan S. Boyd, the new Chairman of the CAB, has indicated that he believes more consolidations such as the recent Capital-United Airlines merger are needed to strengthen the industry.

Both the ICC, where the chairmanship still rotates and cannot be controlled by the administration as it can be in the other agen-

cies, and the White House itself have been concerned with the shaky structures of many railroads and the proposals for mergers.

MERGERS BEFORE ICC

Landis and Myer Feldman, a White House aid, have spent a great deal of time trying to put the New Haven railroad, which recently went into receivership, back on a solid mainline.

The proposal to combine the Baltimore & Ohio and the Chesapeake & Ohio Railroads is now before the ICC, but it will take months for this slow freight of an agency to resolve the issue.

A plan to reorganize the Maritime Board has been supported by the House but its approval by the Senate is not at all certain.

The plan would drastically revise the procedures of this sluggish board and would relieve the agency of its responsibilities as a promoter of the shipping industry.

All of these stirrings, useful as each is in its limited area, do not add up to a comprehensive transportation policy.

The CAB and FAA still do not talk to the ICC or the Maritime Board. The railroad industry is pressing for relief for its own problems while the airlines are pushing for their own pet schemes without one knowing much about what the other is doing.

The classic example of the lack of cooperation in an area crying for coordinated policies is the expansion of air traffic and the decline of railroads over such short routes as Washington to New York or Boston to New York.

Here are routes where railroad or even bus transportation could be as convenient as air travel from the crowded skies over Washington or Boston to the even more congested New York approach patterns.

ROOFTOP TO ROOFTOP

But the only imaginative work being done on short-haul transportation is in the air industry. There no-reservation, buslike plane service is proving profitable. Furthermore, research engineers are developing small planes combining the features of the straight-up lift of a helicopter with the forward thrust of a conventional plane. The engineers are looking toward the day of rooftop-to-rooftop service between, say, Washington and New York.

In the meantime, the railroads are trying to get out of the now unprofitable passenger business and buses are not expanding their services to any substantial degree.

Transportation experts readily acknowledge the enormity of the Nation's billion dollar air, rail, bus, truck, and automobile problems.

There is no easily available right-of-way to the solution of these problems. Entrenched vested interests, which include unions as well as management, oppose any basic changes in transportation, and they have many supporters on Capitol Hill.

Even the $4 billion highway program has moved slowly, despite its political popularity and the persuasive lobbying activities of the automotive and trucking industries.

Highway construction is hardly keeping pace with the ever-widening ring of traffic congestion in and around big cities. Within the cities traffic problems, of course, remain hopelessly snarled.

But the experts are still hopeful that the administration will come to grips next year with the transportation problem as an entity before the last train leaves Washington and traffic jams aloft become as bad as those on the ground.

PERSONAL EXPLANATION

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. ALGER] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALGER. Mr. Speaker, yesterday at 2:30 I missed rollcall No. 127 on the bill authorizing additional appropriations for aircraft, missiles, and naval vessels for the Armed Forces, because my Committee on Ways and Means was in session and I was questioning an important witness before the committee. Drs. Leonard Larson, Edward R. Annis, and Ernest B. Howard, and Mr. C. Joseph Stetler, representatives of the American Medical Association were giving important testimony and I felt it necessary to complete my questioning and to wait for their final statement on the medical care to the aged proposal.

If I had been present and voting, I would have voted in favor of the bill because I wholeheartedly support the development to the fullest extent of our most powerful weapons and military potential.

FEDERAL HOME LOAN BANK

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DERWINSKI] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DERWINSKI. Mr. Speaker, having been actively associated in the savings and loan business prior to coming to the House, I have followed matters relating to the Federal Home Loan Bank Board and the savings and loan business quite closely. I would be a vigorous opponent of any plan detrimental to the operations of the Federal Home Loan Bank Board and its member institutions. But I can read into this no more than a mere housekeeping change. It does not affect the power of the three Board members on policy or substantive matters, it just gives the Chairman a type of internal administration that he should have and did have prior to 1956. From all reports the new Board Chairman, Joe McMurray, is working hard to meet the problems he faces, and has the support of both Government and business leaders.

The Board is trying to tune up the Federal Home Loan Bank Board operation to keep pace with the tremendous growth of the savings and loan business it supervises. The President and the Federal Home Loan Bank Board think this reorganization plan is essential to that objective. I believe the House should support them in this objective and should allow Reorganization Plan No. 6 to become effective.

CONTINENTAL AIR LINES 707 JET TRANSPORT HIJACKED

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. LINDSAY] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LINDSAY. Mr. Speaker, I am shocked to learn today that an American transport plane was abortively hijacked by gunmen in an attempt to fly the plane to Cuba. A Continental Airlines 707 jet transport was held on the ground at International Airport in El Paso with hostages held at bay by two or more unknown gunmen. This is the third such hijacking incident in recent months.

In May a National Airlines plane was forced to land in Cuba by a gunman. On July 24, another gunman forced an Eastern Air Lines pilot to fly to Cuba. This second plane, worth $3½ million, is presently held in that country.

I think that we have reached the limit of our endurance.

These hijackings by fanatic Castro sympathizers and crazed gunmen have endangered the lives of many Americans. Once again the United States is humiliated, for this is only one in a series of unhappy events which flow from an absence of clear policy with respect to Cuba.

First, we had the abortive and totally disastrous administration-sponsored invasion of Cuba. Then we had the spectacle of the U.S. Government's acquiescence in, and indeed sponsorship, of the foredoomed tractors-for-prisoners exchange. In the absence of policy this apparently was the best that the administration could muster as a substitution for policy. Now, in a short span of time, three American planes have been hijacked.

These events mirror a state of confused thinking on the part of the administration—foreign policy on a crisis-to-crisis basis; little or no planning; too many cooks.

The very least that we in the Congress can do at this juncture is to enact legislation which will prevent further hijacking of American aircraft and further mistreatment of American citizens. Today's incident in El Paso should not be allowed to occur again. Present sanctions are woefully inadequate. For this reason I am introducing, in support of my able colleague, the gentleman from Colorado [Mr. DOMINICK], a bill to provide that forceful interference with any flight crew member in the performance of his duties by anyone while such aircraft is in flight will be a criminal offense subject to a fine of $10,000 or imprisonment up to 20 years or both. If in the commission of such acts, a dangerous or deadly weapon is used, the penalty shall be life imprisonment.

Unauthorized carrying of arms on an aircraft in flight shall be punishable by a fine of not more than $1,000 or imprisonment of not more than 1 year or both.

This proposal should receive the immediate attention of the Congress.

INFLATION AND FISCAL POLICY

Mr. HOFFMAN of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks at this point in the RECORD, and to include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, last Monday during remarks on the floor of the House, I included as a part of my comments a table showing principal fiscal totals in Federal budgets for fiscal years 1961 and 1962. That table can be found on page 13093 of the RECORD of July 31, 1961.

These totals show a Kennedy administration increase of $15 billion in new obligational authority over the Eisenhower budget proposals. This $15 billion total is allocated for the most part—63 percent—to programs of other than a military character and only 37 percent to military programs. It has taken the Kennedy administration just 6 months to recommend this shocking increase. Another total included in this table shows that the Eisenhower cash budget surpluses for the 2 fiscal years, totaling $2.4 billion, have been transformed into cash budget deficits totaling $8.6 billion for a net shift from surplus to deficit of $11 billion. This alarming shift has also been accomplished in 6 months' time. Last week the public debt reached a record high of $293.2 billion. In short, Mr. Speaker, the Kennedy administration is piling a record debt to be imposed on our children in record time largely for nondefense programs that the administration has decided should not be paid for at the present time. It is a policy of what has been ably described as "soaking the kids."

The President of the United States in a recent address to the Nation stated that our economy was going through a period of economic resurgence. The buoyancy in a period of economic upswing tends itself to be somewhat inflationary. To impose as an additional inflationary pressure deliberate deficits of the magnitude recommended by the Kennedy administration is to flirt dangerously with price-wage instability and to court unrestrained inflation. A deliberate fiscal policy that seeks inflation is a course of Government that is dishonest as it affects our people at home and is perilous in its impact on our Nation's foreign policy.

Some time ago the perceptive political writer, Dr. Raymond Moley, described inflation as being:

> The prescription for bureaucratic tyranny which thwarts the individual's means of self-help and personal security by withering his savings and the value of his income * * * transforms the normal transactions of business into speculative gambles, especially for small businesses * * * spawns demagogs to make the processes of politics and government a compound of false promises, deceptions, hidden taxes, and worthless benefits * * * rots the fabric of constitutional government. * * * The Nation's credit is the final, ultimate sacrifice. This means economic disaster * * * eagerly awaited by communism.

The seeds of inflation are now being sown in present policies and pose a dangerous threat to our immediate solvency and in the long run to the very survival of our freedom and liberty. If inflation is allowed to dilute the purchasing power of the dollar, we can inevitably anticipate that foreign governments and nationals of other countries will be less willing to hold obligations against the dollar; they will seek to convert their dollar holdings to demands against our gold. As I indicated in my floor remarks last Monday, the United States has approximately $17.5 billion in gold stock. We require $11.3 billion of this gold stock as legal reserve requirements for our currency. But foreign central banks and foreign nationals now hold approximately $17 billion in dollar obligations that can quickly become a demand for gold if any reason arises for a withdrawal of confidence in our Government's determination to protect the value of the dollar. Mathematical genuis is not required to visualize the problems involved in attempting to make $17 billion in gold do the job of $28 billion in gold if there is an absence of confidence in the intent of the United States to pursue a course of fiscal responsibility.

Mr. Speaker, the deficit spending policies of the Kennedy administration do not encourage confidence on the part of world opinion with regard to the soundness of our fiscal operations. The Wall Street Journal for August 3, 1961, contains an editorial captioned "Disease of the Spirit," which deals with the effect of the Kennedy administration programs and policies on the prospects for inflation. I will, as a part of my remarks, include that editorial.

DISEASE OF THE SPIRIT

With understandable pleasure at the economic recovery so far, President Kennedy the other day said that the second quarter of 1961 "was the first in 8 years in which our production has increased without an increase in the overall price index."

His pleasure, of course, is rich in political overtones. Not only because good business is good politics for the party in power, but also because the situation he describes sounds like a stinging refutation of the argument that he has embarked the Nation on an inflationary course. If prices are relatively stable, how can here be inflation?

Actually, there's no paradox. The Nation has enjoyed relative price stability for several years, and nothing President Kennedy has done in 6 short months could reasonably be expected to significantly affect the price level so soon. But that does not mean he has not set the dial for inflation; he most certainly has, with his huge spending for anything and everything, his deficits, and his "cheap" money bias.

Just how and whom this will be reflected in a new wage-price spiral, we know no more than he. It is conceivable that it would not be so reflected for some time; inflation is not a definition of a wage-price spiral, but a cause of it, and in times past it has taken months and even years for an inflation to translate itself into a spiral. Meantime, it's true enough the inflationary spending the President has set in motion is likely to accelerate the boom he so devoutly desires.

If these are reasonable possibilities, then what's the fuss about inflation? An inflation both stimulating and painless begins to sound more like a good thing than a bad thing, and a number of people in Washington do view it that way.

The case against inflation in present circumstances, it seems to us, is not that it is sure to bring on a disastrous bust any time soon. It may do that, given the right combination of conditions. But the more certain case against inflation is less dramatic and more complex, which makes inflation all the more insidious.

To begin with, the inflation will soon or late, this year or next year, show up in a wage-price spiral. Even if it is a gradual one, it is painful for almost everyone, and especially for those whose income depends on a dollar of stable purchasing power.

Moreover, it is not true, whatever the Government's economic experts may think, that our economy needs the stimulation of inflation in order to grow. Some of the mose prosperous periods in our history have been noninflationary. The incredible prosperity of West Germany, with its soaring economic growth, is grounded in anti-inflationary policies.

Indeed, the kind of growth inflation spurs is almost bound to be harmful. An excess of money in the economic body opens the way to all kinds of diseases. Anything goes; marginal ventures are undertaken; factories are built that never should be built; unjustified expansions are carried out. Speculative excesses multiply in the stock and other markets. This is not theory; it has happened in the not so distant past, and some of it is already happening again.

When that distorted growth gets sufficiently out of hand, and speculative fever is consuming the populace, then you may in fact have the conditions for a thorough crash. Let us not be so naive as to think that the Government or anything else has outlawed the possibility of depression.

Short of that, there is still another vicious effect of inflation. A Government policy of inflation is basically a dishonest policy. It is a refusal by Government to meet its fundamental responsibility of providing sound money; and it rests on the dishonest assumption that one can have things one can't pay for.

Thus it generates a certain looseness among the people: Men work less than they are capable of; a so-what, get-rich-quick psychology grows. If war has been called a moratorium on morality, so in its own way, is inflation. It is a disease of the spirit before it is a disease of the economy.

For these reasons no Government has the right to adopt a policy of inflation. And we as a Nation must be getting a little morally calloused to even let it try.

CAPTIVE NATIONS WEEK

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. CONTE] is recognized for 20 minutes.

Mr. CONTE. Mr. Speaker, during the past weeks most of us from this body and many of our esteemed colleagues from the U.S. Senate joined with thousands of our fellow Americans in the observance of Captive Nations Week.

The purpose of the week was set forth in unmistakable terms in the proclamation by the President in which he urged all the people of our country to recommit themselves to the support of the just aspirations of all peoples for national independence and freedom. I think that the Congress can take jus-

tifiable pride in the observances which took place during Captive Nations Week and in the results it has obtained. It was the Congress which created the law establishing Captive Nations Week in 1959.

Our voices raised in support of freedom have been heard inside the captive nations. Those voices have produced a noticeable effect in the one-third of the world where the lights of liberty have been extinguished by Communist tyranny. While Captive Nations Week was still underway, the Soviet Government newspaper, Izvestia, charged that our peaceful observances were provocative and an interference in the internal affairs of Communist-controlled nations. Publications and propagandists throughout the Communist bloc have done the same. Why? Because the proclamation of freedom anywhere in the world is a threat to Communist tyranny. It is a self-evident right that touches an exposed nerve in Moscow. It reminds Communist rulers and the entire world that, if the captive peoples had a free vote, they would throw the Communists out.

This is a situation, Mr. Speaker, which deserves the rapt attention of the Congress. It warrants the attention of all free peoples because the truth expressed during Captive Nations Week is of such power that it can make men, filled with ambition for world rule, hesitate in their reckless course. In its essence, the truth is that man's deepest political yearning is for individual and national freedom and independence, and that these inalienable rights of man are being denied to millions of captive peoples by Communist tyranny.

Seldom does a day go by that we do not learn of the desperate actions people are taking to turn their yearning for freedom into reality. Right now, men, women, and children are streaming out of East Germany and into West Berlin. According to all reports, refugees explain that they simply could not hold out any longer. They say that there is nothing worth staying for in a land ruled and ruined by the Communists. Within the past few days reports have reached us that peasants inside Red China are being driven to the point of revolt by the oppressive and cruel measures of Communists in Peiping. Refugees are risking their lives to escape from Red China this very day.

We have seen this yearning for freedom explode spontaneously into flame in Hungary in 1956. We have heard reports of similar, although smaller, expressions of the will to be free from inside the Soviet Union itself.

The existence behind the Iron and Bamboo Curtains of millions of men, women, and children, many related by blood or by common heritage to millions of our citizens, must give rulers in the Kremlin a deep feeling of insecurity. They certainly ask themselves whether they can risk a final decision with the United States and the free world when vast numbers of their subjects stand ready to throw them out of power at the first opportunity.

Indeed, peoples in the captive nations know the scourge of Communist imperialism. Those countries now emerging from colonialism in Africa and Asia can learn much from the bitter experience of Hungary, Poland, Czechoslovakia, and Lithuania, to name only a few. There are hard facts to be learned if these new nations are to avoid the tragedy of rising from one colonialism, only to fall prey to another much worse one.

The ending of Captive Nations Week does not mean that the question of captive nations will be pushed aside for another year. The Congress in 1959 called upon the President to issue a proclamation "Each year until such time as freedom and independence shall have been achieved for all captive nations of the world." In a like manner, the question remains before us today. It will continue to remain before us every hour, every day, every week, until it is finally and victoriously answered. The President and the American people made a telling point with Captive Nations Week this year, but, in the words of Leonardo da Vinci:

> Iron rusts from disuse, stagnant water loses its purity even so does inaction sap the vigors of the mind.

In these critical days, particularly in these hours as we approach a serious testing with the Kremlin over Berlin, the Congress and the Nation need a continuing study of conditions in the captive nations. We need to know more about the workings of Communist colonialism, how a nation is infiltrated, the actual conditions inside the colonies of Communist domination, and how the captive peoples are being exploited to build Communist power. In my opinion, continuous study of these subjects is needed to enable Congress to better make its decisions in these crucial times. Had we possessed information in 1956, which such studies could have provided us, Hungary, and possibly Poland, might be free nations today. Undoubtedly, Cuba would be a free nation today.

Looking to the future, we face two major tasks which override the limitations of business-as-usual procedures. One is to prevent any free nation from becoming a captive of Communist tyranny. The other is to support all of the now captive nations in their just aspirations for self-determination and independence. To fulfill the confidence free peoples have in our leadership, and to assist us in approaching these two tasks with hope of success, we must have the steady flow of information about the captive nations which only can be provided by a continuing study conducted by a special committee of Congress dedicated to this specific area of study.

I therefore urge all of my colleagues in the House to support the resolution establishing a Special Committee on Captive Nations as a fitting end to a successful Captive Nations Week, and as a fitting beginning to new hope for all captive peoples.

MILITARY PREPAREDNESS

Mr. RHODES of Pennsylvania. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. ROOSEVELT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ROOSEVELT. Mr. Speaker, during the debate on Senate Joint Resolution 120, authorizing the President to order units and members of the Ready Reserve to active duty, the emphasis was directed toward that portion of the President's recent address to the Nation, with respect to the Berlin crisis, which stressed military preparedness. Similarly, in news reports, comments were oriented, almost exclusively, to the President's proposals to strengthen our military posture in order that we might better meet any challenge to our security. It is proper that this aspect of our program to cope with the Berlin problem be fully explicated and understood, for we must make it abundantly clear that we are prepared to defend our rights in Berlin. In fact, it is our moral duty to make well known our willingness to stand by our commitments to the people of Berlin in order to forestall a conflict resulting from a naive misunderstanding of our determination to take all necessary steps to meet these commitments. There should be no doubt anywhere that we are firm, resolved, and united in our desire to defend freedom. A miscalculation of our implacable dedication to honor our commitments would be the sheerest folly. We will not placidly stand by while fragments of the free world are subjected to the threat of totalitarian captivity.

Without depreciating the intensity of our willingness to sacrifice that which is necessary in a contest to maintain our rights, preserve freedom, and fulfill our commitments, it should be further emphasized that we are not bound by an inflexibility which rejects the possibility of reasonable negotiations among mature people. "As signers of the U.N. Charter," the President stated, "we shall always be prepared to discuss international problems with any and all nations that are willing to talk, and listen, with reason. If they have proposals, not demands, we shall hear them. If they seek genuine understanding, not concessions of our rights, we shall meet with them."

At this incomparably critical period in world history, when a limited military conflict could escalate into a vast and uncontrolled thermonuclear war, resulting in virtual annihilation of not only the major contestants, but of innocent nonparticipants as well, every possible alternative to armed conflict must be given serious consideration.

We are cognizant of the historic foolhardiness of seeking an acceptable solution to an international controversy from a position of relative weakness. A realistic appraisal of present conditions demonstrates the impossibility of reaching an acceptable settlement to this dispute should we negotiate from a position of inadequate strength. We are only secure when we are capable of standing firm in the face of threats of force, knowing that we need not concede because of weakness. We are in a contest with men who recognize the rights of others only

when those rights are protected by adequate defenses—men whose only respect for the rule of law derives from an awareness of the might of potential law enforcers. It is quite clear then, we cannot afford to submit to threats of force, but we can afford to discuss problems peacefully and rationally, secure in the knowledge that we are sufficiently strong to refuse to concede on matters of principle and security.

The President has expressed our willingness to talk where talk will help. However, he also spoke of our willingness to use force if we are called upon to use it. Either alone would be insufficient, but both together can serve the cause of freedom and peace.

Negotiations must, of necessity, be somewhat circumscribed. We cannot negotiate away the freedom of Berlin or the German people. We cannot honorably reject commitments. We cannot in any way diminish the security of our people. But, within these limits, we can seek to reach an agreement consistent with the preservation of peace and freedom and with the legitimate security interests of all nations.

Our position is both legally and morally secure. From such a position it could only be beneficial to submit this issue to the people of the world for their consideration. The United Nations could provide a forum for such a debate. The world population has a great stake in the peaceful settlement of this crisis, in fact, they have the greatest of all stakes—their lives. Would it not be proper and fitting that they be invited into the discussion designed to achieve an amicable and just settlement to this dispute which threatens their future as well as ours?

In the present titanic struggle to preserve existing free institutions, and, where possible, to secure similar rights for others, it seems that to present this issue to an international body would demonstrate our faith in democratic procedures and in the ability of mankind to consider important problems and develop fair and equitable remedies.

Moreover, consistent with our national goals and with an appreciation of our willingness to accept a peaceful, just, and equitable solution which will preserve the freedom of the people of Berlin, we have much to gain. First, if a settlement is devised, we have achieved our goals in a peaceful manner; second, if a settlement is frustrated due to Soviet intransigence, it will reinforce our declarations of true Soviet ambitions with a concrete example, and further, it will accomplish this feat before an international assembly which will subject it to the humiliation of widespread adverse publicity. And, third, we will have reasserted a fundamental and traditional predicate to U.S. action—a decent respect to the opinions of mankind.

In conclusion, I would like to reaffirm my support of the President's proposals to increase our military strength. This is absolutely necessary. I would also like to reassert my enthusiastic support of that portion of the President's speech to the Nation which expressed the great desire of this country to seek an amicable settlement through honest negotiation. Emphasizing the negotiations aspect of the President's address will once again demonstrate our continuing desire to maintain peace, but a peace based upon the recognition of our great esteem of freedom and democratic institutions and our constant willingness to honor our commitments to preserve such institutions.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. VINSON, for 5 days, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLIFIELD (at the request of Mr. DORN), for 30 minutes, on Monday next.

Mr. SIKES, for 15 minutes, today, to revise and extend his remarks and include extraneous matter.

Mr. HECHLER, for 10 minutes, on Monday, August 7.

Mr. MEADER, for 1 hour, on Wednesday, August 9.

Mr. CONTE (at the request of Mr. HOFFMAN of Illinois), for 20 minutes, today.

Mr. HOSMER (at the request of Mr. HOFFMAN of Illinois), for 1 hour, on Monday, August 7.

Mr. LAIRD (at the request of Mr. HOFFMAN of Illinois), for 1 hour, on August 8.

Mr. NELSEN (at the request of Mr. HOFFMAN of Illinois), for 1 hour, on August 10.

Mr. CURTIS of Missouri (at the request of Mr. HOFFMAN of Illinois), for 2 hours on August 14.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mr. VINSON and to include a tribute to Hon. PAUL J. KILDAY.

Mr. WHITTEN and to include a statement.

Mr. VAN ZANDT and to include extraneous matter.

Mr. LAIRD, the remarks he made in connection with sending the HEW appropriation bill to conference, and to include a letter to the President of the United States and the Secretary of Health, Education, and Welfare.

Mr. HALEY to revise and extend the remarks he made today in his special order and include extraneous matter.

Mr. HARRIS, to revise and extend the remarks he made in the Committee of the Whole today on the bill H.R. 7856 and include extraneous matter.

Mr. FEIGHAN.

(The following Members (at the request of Mr. HOFFMAN of Illinois) and to include extraneous matter:)

Mr. KEARNS.

Mr. ROUSSELOT.

Mr. FINO.

Mr. JOHANSEN.

Mr. HALPERN.

Mr. SCHENCK in two instances.

Mr. HOSMER.

(The following Members (at the request of Mr. RHODES of Pennsylvania) and to include extraneous matter:)

Mr. PETERSON.

Mr. GIAIMO.

Mr. ROUSH.

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. 77. An act to establish the Chesapeake and Ohio Canal National Historical Park in the State of Maryland, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 981. An act to extend certain authority to the Secretary of the Interior exercised through the Geological Survey of the Department of the Interior, to areas outside the national domain; to the Committee on Interior and Insular Affairs.

S. 1899. An act to increase the fees of jury commissioners in the U.S. district courts; to the Committee on the Judiciary.

S. 2245. An act to amend the act granting the consent of Congress to the negotiation of certain compacts by the States of Nebraska, Wyoming, and South Dakota in order to extend the time for such negotiation; to the Committee on Interior and Insular Affairs.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 857. An act to provide for the establishment of Cape Cod National Seashore.

ADJOURNMENT

Mr. RHODES of Pennsylvania. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 37 minutes p.m.), under its previous order, the House adjourned until Monday, August 7, 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:

1193. A letter from the Comptroller General of the United States, transmitting a report on review of private shipbuilders' rent-free use of Department of the Navy facilities in the construction of commercial ships; to the Committee on Government Operations.

1194. A letter from the Director, Central Intelligence Agency, relative to three grants having been made under the authority of Public Law 85-934, during fiscal year 1961 by the Central Intelligence Agency, pursuant to Public Law 85-934; to the Committee on Science and Astronautics.

1195. A letter from the Secretary of State, transmitting a draft of a proposed bill entitled "A bill to implement the agreement on the importation of educational, scientific, and cultural materials, opened for signature at Lake Success on November 22, 1950"; to the Committee on Ways and Means.

1196. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of the order granting the application for

permanent residence filed by Feiga Altmann Rock, A7116387, pursuant to the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

1197. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a copy of an order entered under the authority contained in section 13(b) of the act as well as a list of the persons involved, pursuant to the act of September 11, 1957; to the Committee on the Judiciary.

1198. 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 Chan Chew Kwan, A12261123, pursuant to the Immigration and Nationality Act of 1952; to the Committee on the Judiciary.

1199. A letter from the Secretary of Health, Education, and Welfare, transmitting a report covering personal property received by State surplus property agencies for distribution to public health and educational institutions and civil defense organizations for the calendar quarter April 1 through June 30, 1961, pursuant to the Federal Property and Administrative Services Act of 1949, as amended; to the Committee on Government Operations.

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. BONNER: Committee on Merchant Marine and Fisheries. S. 1222. An act relating to documentation and inspection of vessels of the United States; without amendment (Rept. No. 840). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 685. An act to amend the Coast and Geodetic Survey Commissioned Officers Act of 1948, as amended, and for other purposes; with amendment (Rept. No. 841). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 2292. A bill to authorize the Secretary of the Treasury to issue certificates of honorable discharge in lieu of certificates of disenrollment to certain persons who served as temporary members of the U.S. Coast Guard Reserve during World War II; without amendment (Rept. No. 842). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 3156. A bill to make the Panama Canal Company immune from attachment or garnishment of salaries owed to its employees; without amendment (Rept. No. 843). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOLLING: Committee on Rules. House Resolution 404. Resolution providing for sending the bill, H.R. 7576, a bill 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 to conference; without amendment (Rept. No. 844). Referred to the House Calendar.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H.R. 206. A bill to facilitate administration of the fishery loan fund established by section 4 of the Fish and Wildlife Act of 1956, and for other purposes; without amendment (Rept. No. 845). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 606. An act to provide for the construction of a shellfisheries research center at Milford, Conn.; without amendment (Rept. No. 846). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. S. 1289. An act to amend sections 337 and 4200 of the Revised Statutes of the United States so as to eliminate the oath requirement with respect to certain export manifests; without amendment (Rept. No. 847). Referred to the House Calendar.

Mr. O'NEILL: Committee on Rules. House Resolution 405. Resolution for the consideration of H.R. 6302, a bill to establish a teaching hospital for Howard University, to transfer Freedmen's Hospital to the university, and for other purposes; without amendment (Rept. No. 848). Referred to the House Calendar.

Mr. MADDEN: Committee on Rules. House Resolution 406. Resolution for consideration of H.R. 6882, a bill to provide for one additional Assistant Secretary of Labor in the Department of Labor; without amendment (Rept. No. 849). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RUTHERFORD:

H.R. 8484. A bill to authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. ASPINALL:

H.R. 8485. A bill to authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SAYLOR:

H.R. 8486: A bill to authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CHENOWETH:

H.R. 8487. A bill to authorize establishment of the Theodore Roosevelt Birthplace and Sagamore Hill National Historic Sites, New York, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. BLATNIK:

H.R. 8488. A bill to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BATTIN:

H.R. 8489. A bill to grant minerals, including oil, gas, and other natural deposits, on certain lands in the Northern Cheyenne Indian Reservation, Mont., to certain Indians, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. CELLER:

H.R. 8490. A bill to amend the act of September 2, 1958, establishing a Commission and Advisory Committee on International Rules of Judicial Procedure, as amended; to the Committee on the Judiciary.

By Mr. DOMINICK:

H.R. 8491. A bill to confirm rights to the use of water acquired under State law, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. DORN:

H.R. 8492. A bill to amend title IV of the Social Security Act to permit Federal grants for aid to dependent children to be made thereunder even though the parents or other relatives with whom such children are living are required to perform services in a work relief program as a condition of such aid; to the Committee on Ways and Means.

By Mr. EDMONDSON:

H.R. 8493. A bill to amend the provisions of title 18, United States Code, relating to kidnaping so as to specifically provide that the penalties provided for kidnaping shall apply to confining or transporting in an aircraft in interstate or foreign commerce any person held against his will; to the Committee on the Judiciary.

By Mr. FASCELL:

H.R. 8494. A bill to amend the provisions of title 18, United States Code, relating to kidnaping so as to specifically provide that the penalties provided for kidnaping shall apply to confining or transporting an aircraft in interstate or foreign commerce any person held against his will; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 8495. A bill to amend section 1201 of title 18 of the United States Code relating to kidnaping; to the Committee on the Judiciary.

By Mr. HALPERN:

H.R. 8496. A bill to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHANSEN:

H.R. 8497. A bill to amend chapter 2 of title 18 of the United States Code to prohibit the taking of certain aircraft, and for other purposes; to the Committee on the Judiciary.

By Mr. LESINSKI:

H.R. 8498. A bill to provide for redistricting of any of the several States by the Director of the Bureau of the Census for the election of Representatives in Congress in certain cases in which the State fails to redistrict in the manner provided by the law thereof, and for other purposes; to the Committee on the Judiciary.

By Mr. MACK:

H.R. 8499. A bill to amend the Davis-Bacon Act to make it applicable to certain contracts under which a building is to be constructed or altered and leased to the United States; to the Committee on Education and Labor.

By Mr. MATTHEWS:

H.R. 8500. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947, as amended, to provide that under certain conditions officers of the executive branch of the Federal Government appointed by the President shall be exempt from such act; to the Committee on the District of Columbia.

By Mr. O'HARA of Illinois (by request):

H.R. 8501. A bill to authorize the Director of the Office of Civil and Defense Mobilization to donate family fallout shelters to public museums; to the Committee on Armed Services.

By Mr. ST. GERMAIN:

H.R. 8502. A bill to require the expenditure of 75 percent of the funds expended for the conversion, alteration, and repair of naval vessels to be expended with private ship repair yards; to the Committee on Armed Services.

By Mr. CASEY:

H.R. 8503. A bill to prohibit the shipment in interstate or foreign commerce of articles imported into the United States from Cuba, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY:

H.R. 8504. A bill to amend the Federal Aviation Act of 1958 to provide for the application of Federal criminal law to certain events occurring on board aircraft in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. WHARTON:

H.R. 8505. A bill to amend the Internal Revenue Code of 1954 so as to terminate the special tax treatment now accorded certain employee stock options; to the Committee on Ways and Means.

By Mr. BENNETT of Michigan:

H.R. 8506. A bill to grant a pension of $100 per month to all honorably discharged veterans of World War I who are 60 years of age; to the Committee on Veterans' Affairs.

By Mr. LANE:

H.R. 8507. A bill to extend the time limitation for filing claims under the provisions of the War Claims Act Amendment of 1954; to the Committee on Interstate and Foreign Commerce.

By Mr. HALPERN:

H.R. 8508. A bill to amend section 1201 of title 18, United States Code, so as to extend the provisions of such section to the detention of persons aboard certain aircraft; to the Committee on the Judiciary.

By Mr. LANE:

H.R. 8509. A bill to amend section 2732 of title 10, and section 490 of title 14, United States Code; to the Committee on the Judiciary.

By Mr. REUSS:

H.R. 8510. A bill to amend the Soil Conservation and Domestic Allotment Act to prohibit assistance for the drainage of wet lands when such drainage will harm wildlife preservation; to the Committee on Agriculture.

By Mr. SAYLOR:

H.R. 8511. A bill to amend the Soil Conservation and Domestic Allotment Act to prohibit assistance for the drainage of wet lands when such drainage will harm wildlife preservation; to the Committee on Agriculture.

By Mr. DINGELL:

H.R. 8512. A bill to amend the Soil Conservation and Domestic Allotment Act to prohibit assistance for the drainage of wet lands when such drainage will harm wildlife preservation; to the Committee on Agriculture.

By Mr. UTT:

H.J. Res. 515. Joint resolution expressing a declaration of war against the 98 Communist Parties constituting the international Communist conspiracy; to the Committee on Foreign Affairs.

By Mr. FRIEDEL:

H. Res. 402. Resolution providing for an additional clerk in the House stationery room; to the Committee on House Administration.

By Mr. KITCHIN:

H. Res. 403. Resolution creating a select committee to conduct an investigation and study of the administration, operation, and enforcement of the Export Control Act of 1949, and related acts; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H.R. 8513. A bill to provide for a cash award in recognition of the scientific contributions in the field of electronic guidance and gyroscopic stabilization made by Garnett J. Dye and offered to the U.S. Government; to the Committee on the Judiciary.

By Mr. FRIEDEL:

H.R. 8514. A bill for the relief of Nui Sheung Chiu; to the Committee on the Judiciary.

By Mr. KASTENMEIER:

H.R. 8515. A bill for the relief of James R. Banks; to the Committee on the Judiciary.

By Mr. THOMPSON of New Jersey:

H.R. 8516. A bill for the relief of Dr. Leonide Goldstein and his wife and minor children; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

201. By Mrs. ST. GEORGE: Petition of the Kiwanis Club of Minisink Valley, Inc. in support of the Freedom Academy bill; to the Committee on Un-American Activities.

202. By the SPEAKER: Petition of Mrs. Regina Paruszewski, vice president, Delaware Division of the Polish American Congress, Wilmington, Del., petitioning consideration of their resolution with reference to appealing to the Members of Congress to keep the faith and give every support necessary to keep the House Committee on Un-American Activities at full strength so it may continue to do an all-American job; to the Committee on Rules.

EXTENSIONS OF REMARKS

Spain Thwarts Communism

EXTENSION OF REMARKS

OF

HON. M. BLAINE PETERSON

OF UTAH

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. PETERSON. Mr. Speaker, in our omnipresent struggle against oppressive communism, significant hope and incentive may be derived from the people of Spain who are celebrating their 25th year free from communism.

Most assuredly this victory will serve as an example of hope to the captive people of the Iron Curtain and motivate the free world to redouble its efforts toward the emancipation of all nations which have succumbed to the snare of the Reds.

This was no easy victory for the Spanish people—certainly they were courted by the Reds with a velvet lure and then odiously threatened. To snub such overtures represents the ultimate in courage, sacrifice, and self-control.

Undeniably religion has been the uniting factor with these Spanish people—their belief in God and faith in His wisdom guided them in overcoming the temptations for temporal gain that are so effectively used by the Communists in winning over peoples struggling for a livelihood.

Spain and her wonderful people are to be commended for the outstanding example they have given the world in resisting communism. The United States is also grateful to Spain for her permission to base defense installations in her country, without which our military prototype would most assuredly be weakened.

My words of admiration for the Spanish people on the occasion of their 25th anniversary come from heartfelt admiration for their courage and tenacity, respect for their steadfast faith and perseverance and confidence that their sacrifices have not been in vain.

India's Prize Bond Program

EXTENSION OF REMARKS

OF

HON. PAUL A. FINO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. FINO. Mr. Speaker, I would like to tell the Members of this House about the gambling operation of the Government of India. India does not conduct a national lottery, but rather operates a prize bond scheme.

India's prize bond program, patterned after the British premium bond scheme, revolves around the issuance of government bonds which, instead of bearing interest, offer the opportunity to win prizes. An amount equal to 3½ percent per annum of the total value of the bonds in each series is made available for prizes drawn quarterly.

In 1960, gross receipts from the sale of prize bonds came to $25 million. Prizes amounted to $1.3 million. The remainder of the receipts did not constitute a profit inasmuch as it represented a debt outstanding. The benefit of the prize bond scheme was that government bonds were made more appealing through the presentation of an opportunity to win large prizes. India realizes that a recognition of the gambling urge can be a great help in handling the nation's finances.

DeMolay Honored in Middletown, Ohio

EXTENSION OF REMARKS

OF

HON. PAUL F. SCHENCK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. SCHENCK. Mr. Speaker, the future of America will depend upon the good citizenship resulting from the training of our young people. Today there are many opportunities and also many disappointments facing our country's youth.

In times like these it is encouraging to recognize the fine principles of such an organization for young men as the International Order of DeMolay. A number of the Members of this House and of

the Senate have been members of this organization.

Our Third District of Ohio is glad to note that this year the DeMolay chapter in Middletown will celebrate its fifth anniversary. On October 14, 1961, the regular fall installation of officers will be held. It will be unusual in that two brothers will play the leading parts as Terry E. Lawrence, a Representative DeMolay and blue honor keyholder, the younger of the two, will be installed as master councilor of the chapter by U. Ronald Lawrence, a charter member of the chapter, Representative DeMolay, chevalier, past master councilor and blue honor keyholder. In addition the chapter will be presented three schoolbooks with a message from former Presidents of the United States personally inserted in each urging the youth to study their country's history, government, and literature. The presentation will be made by a former President's son.

Ohio will have its part in the ceremony, too, as a State senator presents an Ohio flag to the chapter. The City Commission of Middletown will proclaim DeMolay Week for the city and during this time the DeMolay boys will work for the city without remuneration.

Such organizations as DeMolay exemplify the very best kind of training for tomorrow's leaders.

The code of a DeMolay follows so that all may know of the aims of these young men:

A DeMolay serves God.
A DeMolay honors all womanhood.
A DeMolay loves and honors his parents.
A DeMolay is honest.
A DeMolay practices honest toil.
A DeMolay is loyal to ideals and friends.
A DeMolay's word is as good as his bond.
A DeMolay is courteous.
A DeMolay is at all times a gentleman.
A DeMolay is a patriot in peace as well as war.
A DeMolay is clean in mind and body.
A DeMolay stands unswervingly for the public school.
A DeMolay always bears the reputation of a good and law-abiding citizen.
A DeMolay by precept and example must preserve the high standards to which he has pledged himself.

Foreign Aid Blackmail

EXTENSION OF REMARKS

OF

HON. AUGUST E. JOHANSEN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. JOHANSEN. Mr. Speaker, one of the numerous foreign aid lobbying outfits, the so-called Citizens Committee for International Development, has sent me a copy of a press release disclosing the total amount spent in the State of Michigan and in the various cities of Michigan for foreign aid programs during the period from January 1954 through June 1960.

The timing of this release on the eve of consideration of the foreign aid authorization bill underscores the obvious hope that pressures will be generated back home to bring Members of Congress in line in support of this bill.

I can assure the House that the strategy will not work so far as I am concerned, and I suspect will not work so far as the overwhelming majority of my constituents is concerned.

The report shows that for the 6½-year period, foreign aid expenditures in the State of Michigan totaled $20,044,067.

The expenditures during this period in cities in the Third Congressional District of Michigan are listed as follows: Battle Creek, $444,906; Coldwater, $408,089; and Kalamazoo, $278,532, or a total of $1,131,527 for the Third District.

In my judgment the attempt to sell foreign aid on this basis is a phony. Whatever the immediate and transitory economic benefits to my State, district, or communities, it is the type of economic benefit and gain which would result in a far more solid fashion from normal trade relations or transactions abroad. It is a charge against the taxpayers of the Nation, including the taxpayers of Michigan and the Third Congressional District. I would venture the guess that taxpayers of my district would be ahead in terms of financial benefit through tax savings if the foreign aid expenditures were sharply reduced or eliminated, and I am positive they would welcome the tax relief which this would involve.

The simple truth is that if and insofar as there is any justification for foreign aid in terms of the national interest and security of the United States, that is the sole justification for such expenditures of tax funds.

The effort to justify this program and its expansion on the basis of dollar returns in my district strikes me as lacking economic validity. The attempt to promulgate this type of information as part of the lobbying campaign for the foreign aid bill strikes me as political blackmail.

Foreign Service Academy

EXTENSION OF REMARKS

OF

HON. JOHN H. ROUSSELOT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. ROUSSELOT. Mr. Speaker, I have introduced in the current session of Congress a bill, H.R. 7291, providing for the establishment of a U.S. Foreign Service Academy. The bill reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "United States Foreign Service Academy Act".

SEC. 2. (a) The Secretary of State is authorized and directed to establish and maintain a United States Foreign Service Academy (hereinafter referred to as the "Academy") for the instruction and training of Foreign representatives of the United States Government.

(b) In carrying out his functions under this Act, the Secretary of State shall act in cooperation with the Secretary of Defense; however, primary responsibility for the day-to-day administration of the Academy shall be in the Secretary of State. In the event of disagreement betwen the Secretary of State and the Secretary of Defense with respect to any matter arising under this Act, such disagreement shall be resolved by the President.

SEC. 3. (a) The Secretary of State shall determine the location of the Academy within the United States in the following manner:

(1) The Secretary of State shall establish immediately a Commission, and appoint five members thereof, to advise him in connection with the selection of a permanent location for the Academy. The Commission shall make its report to the Secretary as soon as practicable.

(2) The Secretary shall accept the unanimous decision for a permanent location by such Commission. In the event such recommendation is not unanimous, the Commission by a majority vote shall submit to the Secretary three sites from which the Secretary shall select one as the permanent location.

(b) Following the selection of a location for the Academy, the Secretary of State is authorized—

(1) to acquire land from other Government agencies without reimbursement, with the consent of such agencies,

(2) to acquire lands and rights pertaining thereto, or other interests therein, including the temporary use thereof, by donation, purchase, exchange of Government-owned lands, or otherwise;

(3) to prepare plans, specifications, and designs, to make surveys and to do all other preparatory work, by contract or otherwise, as he deems necessary or advisable in connection with the construction, equipping, and organization of the Academy at such location; and

(4) to construct and equip temporary or permanent public works, including buildings, facilities, appurtenances, and utilities, at such location.

SEC. 4. For the purpose of providing temporary facilities and enabling early operation of the Academy, the Secretary of State is authorized to provide for the erection of the minimum additional number of temporary buildings and the modification of existing structures and facilities at an existing State Department installation and to provide for the proper functioning, equipping, maintaining, and repairing thereof; and to contract with civilian institutions for such operation or instruction as he may deem necessary.

SEC. 5. The Secretary of State may appoint or assign such officers and civilian instructors as the needs of the Academy require. The Secretary of State and the Secretaries of the Army, Navy, and Air Force, are authorized to enter into agreements whereby members of the faculties of the United States Military Academy, the United States Naval Academy, and the United States Air Force Academy may temporarily serve as members of the faculty of the United States Foreign Service Academy.

SEC. 6. The supervision and charge of the Academy shall be in the Department of State, under such officer or officers as the Secretary of State may appoint for or assign to that duty, and under such regulations as the Secretary of State may prescribe.

SEC. 7. In the operation of the Academy the Department of State shall work in conjunction with the Board of Trustees.

SEC. 8. (a) The Board of Trustees shall consist of—

(1) the Secretary of State;

(2) the Secretary of Defense;

(3) three educators of prominence appointed by the President;

(4) two Members of the United States Senate, of different political parties, one appointed by the President of the Senate, and

one appointed by the minority leader of the Senate; and

(5) two Members of the House of Representatives of different political parties, one appointed by the Speaker of the House of Representatives, and one appointed by the minority leader of the House of Representatives.

(b) Members of the Board of Trustees shall be appointed for four-year terms and shall be eligible for reappointment.

(c) In the event of a vacancy on the Board caused by death, resignation, or failure of reelection of a member appointed from the Senate or House of Representatives, the vacancy shall be filled in the same manner as in the case of the original appointment.

SEC. 9. (a) The authorized number of students to be appointed to the Academy each year shall be as follows:

(1) four students from each State, two nominated by each Senator from the State;

(2) two students from each congressional district, nominated by the Representative from the district;

(3) two students from Puerto Rico, nominated by its Resident Commissioner;

(4) three students from the District of Columbia, one nominated by each of the Commissioners of the District of Columbia;

(5) one student from each State, nominated by the Governor thereof; and

(6) fifty students from the United States at large—

(A) forty-eight nominated by the President; and

(B) two nominated by the Vice President.

(b) No person may be nominated under clauses (1) to (5), inclusive, of subsection (a), unless he is domiciled in the State, or in the congressional district from which he is nominated, or in the District of Columbia or Puerto Rico, if nominated from one of those places.

(c) If, as a result of redistricting a State, the domicile of a student, or a nominee, nominated by a Representative falls within a congressional district other than that from which he was nominated, he shall be charged to the district in which his domicile so falls. For this purpose, the number of students otherwise authorized for that district shall be increased to include him. However, the number as so increased shall be reduced by one if he fails to become a student at the Academy or when he is finally separated from the Academy.

SEC. 10. In order to permit an orderly increase in the number of students at the Academy during the period ending not more than four years after the entrance of the initial class at the Academy, the Board of Trustees may limit the number of students appointed each year during such period.

SEC. 11. The Academy shall operate as a coeducational institution. No person shall be appointed to the Academy unless he shall have passed such physical and mental examinations as the Secretary of State shall prescribe. Such examinations, which shall be designed to measure physical condition, scholastic aptitude, and leadership qualities, shall be given annually in each State, the District of Columbia, and the Commonwealth of Puerto Rico, at such time and in such manner as shall be prescribed by the Secretary of State.

SEC. 12. The students at the Academy shall receive the same pay and allowances as are received by cadets at West Point.

SEC. 13. The Secretary of State shall prescribe a five-year course of instruction and training for students at the Academy. The curriculum for the first four years shall be the equivalent of the curriculum prescribed by accredited colleges and universities as a prerequisite to the granting of the degree of bachelor of arts. The curriculum for the fifth year shall be the equivalent of the curriculum prescribed by accredited colleges and universities as a prerequisite to the granting of the degree of master of arts. In prescribing the course of instruction and training, the Secretary of State shall require instruction in three basic foreign languages, the history, culture, and customs of the nations in which students may serve, extensive United States history and governmental processes, psychological warfare, including Communist propaganda techniques, survival in jungle and remote areas, and military strategy in relation to diplomacy. Upon satisfactory completion of the first four years of the prescribed course of instruction and training, students shall be granted the degree of bachelor of arts, and upon satisfactory completion of the fifth year, students shall be granted the degree of master of arts.

SEC. 14. (a) The course of instruction and training at the Academy shall, during each year of its operation, be organized as follows:

(1) the months of September to May, inclusive, shall be devoted to classroom instruction of students at the Academy;

(2) the period from June 1 to June 30, inclusive, shall be devoted to annual leave for all students;

(3) the months of July to August, inclusive, shall be devoted to practical field training for students at the Academy.

(b) Such field training shall consist of service in positions under appropriate departments of the Government, whether within or outside the United States, by students assigned thereto by a faculty board on field training, with the approval of the Secretary of State.

SEC. 15. Each student selected for admission to the Academy shall sign an agreement that, unless sooner separated, he will—

(1) complete the course of instruction and training at the Academy; and

(2) accept an appointment and serve, as an officer or employee of the United States, in any position for which he qualified by reason of his special training at the Academy, for at least the five years immediately following his completion of the course of instruction and training at the Academy.

SEC. 16. (a) Each graduate of the Academy shall be available for appointment as an officer or employee of the United States, in any position for which he is qualified by reason of his special training at the Academy, in accordance with the following priorities:

(1) the Department of State;

(2) the Department of Defense;

(3) the Department of Commerce;

(4) the Department of Agriculture;

(5) the Department of the Treasury; and

(6) any other department, agency, or instrumentality of the United States.

(b) The Secretary of State may, notwithstanding any provision of the Foreign Service Act of 1946, appoint a graduate of the Academy as an officer in the Foreign Service of the United States.

SEC. 17. (a) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

(b) The United States Foreign Service Academy shall have power to acquire and hold real and personal property and may receive and accept gifts, donations, and trusts.

Mr. Speaker, at its national convention held last June in Atlanta, Ga., the U.S. Junior Chamber of Commerce adopted a resolution favoring the creation of a Foreign Service Academy. Under unanimous consent I include the resolution in the RECORD.

Whereas the ultimate future of the world, whether it is to be composed of democratic free societies or communistic slave states, will not be decided on battlefields but rather in the minds of men; and

Whereas dedicated, well-trained agents are working for the Communist cause all over the world; and

Whereas there is a definite need for qualified career diplomats and personnel who are proficient in language, customs, and history of the country to which they are assigned to represent the best interest of our country; and

Whereas this need can be resolved by establishing an educational program to prepare Americans for effective service to foreign lands: Now, therefore, be it

Resolved, That the U.S. Junior Chamber of Commerce, assembled this 21st day of June 1961, in Atlanta, Ga., urge the Congress of the United States to enact legislation encouraging the establishment of schools of foreign service in our colleges and universities and/or the establishment of a Foreign Service Academy.

Tribute by House Armed Services Committee to Hon. Paul J. Kilday

EXTENSION OF REMARKS

OF

HON. CARL VINSON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. VINSON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following proceedings before the House Committee on Armed Services on August 2, 1961, during which tribute was paid to Hon. PAUL J. KILDAY, of Texas:

HOUSE OF REPRESENTATIVES, COMMITTEE ON ARMED SERVICES, WASHINGTON, D.C., WEDNESDAY, AUGUST 2, 1961

The committee met at 10 a.m., Hon. CARL VINSON (chairman) presiding.

The CHAIRMAN. Let the committee come to order.

Mr. Vice President, distinguished guests, ladies and gentlemen, and members of the committee.

The purpose of our meeting today is to do honor to one of the most distinguished members of this committee and the Congress, who is leaving the task of a legislator to assume the task of a jurist on the Court of Military Appeals.

It is no secret that the Committee on Armed Services, the 20th Congressional District of Texas, and the Congress are losing the direct service of one of the greatest men ever to have served in the Congress of the United States.

But while our loss in the Congress is irretrievable, nevertheless the American people and especially the American serviceman's gain is inestimable, because we all know that PAUL KILDAY will make available his unequaled attributes of wisdom, clarity, integrity and sincerity in the highest military court of the country.

PAUL KILDAY first came to the Congress in the election of 1938. He immediately became a member of the Military Affairs Committee in 1939. His reputation grew in leaps and bounds. By the time the Committee on Armed Services was formed in 1947, he had acquired a reputation as one of the Nation's outstanding legislators in military matters.

And each succeeding year he has added a laurel to that crown of greatness, which he wears so modestly and so unassumingly. For among the other great attributes that he possesses, none is more endearing than his sense of modesty, his sense of humbleness, and his sense of humility.

For 22 years he has devoted a major portion of his working hours, not only to the legislative problems of the Congress and the

people, but more especially the problems of national security.

This is a sad occasion for me, because I am losing my right arm. But it is a happy day for PAUL KILDAY and his family, for he has achieved a recognition based upon his legal training which he so richly deserves.

Now he will be able to devote himself exclusively to the profession of his choice. He will be able to write in judicial terms those brilliant thoughts and conclusions which he has so often expressed as a Member of the Congress.

Hereafter they will carry judicial weight and that weight will be felt in years to come, for his opinions will most assuredly establish precedents that will be quoted by military lawyers yet unborn.

The members of the Committee on Armed Services have a token of affection and esteem for PAUL KILDAY, which I will present in a few moments. It is a token made of silver, because we wanted something that would demonstrate our imperishable feeling of friendship for this truly great man. On it is the signature of each member of this committee.

It is a fitting tribute to a man who has demonstrated time and time again his amazing grasp of military problems, his analytical ability in clarifying complex problems, and his gentle but nevertheless firm insistence upon writing into law proper conclusions upon which to base our military posture.

When PAUL KILDAY leaves this committee, the Armed Forces to a man will lose a legislative champion who has battled for 22 years for those rights and privileges to which service personnel are entitled.

And I think we can all recall occasions when his calmness and wise counsel has brought about the quick and successful passage of bills that might otherwise have passed into oblivion for lack of a clear explanation.

Just as the members of the uniformed services of the United States are losing a legislative champion, so do we as a committee lose a bright star, who has played a brilliant role in the development of our national defense and has brought nationwide prominence to this great committee.

And the Congress is losing a clear-minded, fair-minded, objective legislator, who, notwithstanding the time and devotion spent on military matters, has also had the ability to fully grasp the countless other problems that confront Members of Congress.

So, with a great deal of personal sadness because of your leaving, mixed with a sense of satisfaction that you are leaving us to accept an important position which recognizes your tremendous abilities in the judicial field, I present to you, PAUL KILDAY, in the name of the members of the Armed Services Committee, this silver tray, which symbolizes our very great respect and admiration and affection for you. [Standing applause.]

The CHAIRMAN. Mr. ARENDS.

Mr. ARENDS. Mr. Vice President, Mrs. Kilday and family and friends, Mr. Chairman, and members of the committee.

On this occasion I believe I should make a formal statement to protect myself and all my legal rights. I am not just certain what kind of a proceeding this is: legislative, judicial, or quasi-judicial. But all I know is that as a witness in this case, in re PAUL KILDAY, I shall tell the truth, the whole truth, and nothing but the truth, without imploring help from anyone.

I am not a lawyer. I am not a member of the bar. As a matter of fact I never really knew what you lawyers meant when you referred to the bar, until someone generously explained to me that it is not the same as the 19th hole.

You who are learned in the law classify me as a layman. That is the legal way to speak to a plain country boy. You have me correctly characterized and classified.

You lawyers, who packed the Congress but refused to pack the Court, have unwittingly taught me a thing or two. In the testimony I am about to give, let the record show that in this case of PAUL KILDAY, it is one of the few cases where the witness testifying sits on the bench with the judge himself. Maybe this has something to do with his personal ruling, that there should be a change of venue from the Congress to the Court of Military Appeals.

You see, while I am not a lawyer, I have been associated with you lawyers for so long I am beginning to talk your lingo. The lawyers on this side tell me, Mr. Chairman, that the lawyers on your side are outstanding, that their reasoning is always excellent, but their conclusions are invariably wrong.

I know this, and it applies to you lawyers on both sides. You are the fellows we go to and to whom we pay a handsome fee to have you get us out of trouble we wouldn't have gotten into if we hadn't gone to you for advice in the first place.

Now, quite seriously, Mr. Chairman, for this is to me a serious occasion, however much I might try, I can't with levity conceal, even if I would, that which all of us on this committee so deeply feel.

There are no words by which I can adequately express our mixed emotions with the loss of PAUL as a member of this great committee.

We are at the same time both glad and sad. We rejoice that this honor as a judge on the U.S. Court of Military Appeals should come to PAUL KILDAY.

No one is more deserving, nor is there anyone more richly endowed with the knowledge, the habits of mind and temperament than he to serve in this important judicial capacity.

We all know the painstaking thoroughness with which he studied the legislation which constantly has been before our committee. He many times demonstrated his mastery of detail, and many times guided us through a maze of detail to a sound conclusion.

With the possible exception of our distinguished chairman, Mr. VINSON, no one knows better than I the keen and penetrating manner in which he analyzed problems which were presented. It was my privilege, and truly a rewarding privilege, to serve with him on the Subcommittee on Military Personnel. His contribution to the work of that subcommittee is beyond measure.

Indeed, his contribution to the work of our entire committee is far beyond measure.

And so while we rejoice that this recognition of the talents and service of our colleague has been made by the President and promptly concurred in by the Senate, we are saddened with the realization that this committee and the Congress are suffering a real, a great loss.

To feel this way is doubtless selfish of us. Our loss is not solely PAUL KILDAY's knowledge and skill. That will be difficult to replace, if at all. Our loss goes even deeper.

Our loss is the presence of the man KILDAY, those attributes of character and personality that encourage and inspire. This cannot be replaced, not at all.

Texas and everything from it may be big, but they don't make them any bigger nor finer than PAUL KILDAY.

Mr. Chairman, we Republicans want PAUL KILDAY, the Democrat, to know that we consider him one of the ablest and one of the noblest of men to serve in the Congress. We consider it a richly rewarding privilege to have served with him on this committee. We are grateful for his friendship. And I am proud to call him my friend. And we shall never forget him.

We wish for him and his wonderful family the very best of everything. [Standing applause.]

Mr. KILDAY. Mr. Chairman. After the very generous remarks made by you and the gentleman from Illinois, I know you wouldn't expect me to be able to properly respond.

Right now I am wishing I was just about half as smart as you said I was, in the remarks you made here, because then I could probably think of the proper things to say at this moment.

But I actually don't know any way to embellish the words "Thank you," if they are spoken sincerely.

So I do thank you, Mr. Chairman, and you, Mr. ARENDS, for the very generous remarks you have made.

I thank all of you for the good will and the good wishes which are carried with this tray. Nothing that you could have given me would have pleased me more than to have the signature of each member of this committee.

Mr. Chairman, I have enjoyed my service here. In many respects I regret leaving, although I do look forward with a great deal of pleasure to serving on the bench.

The court is located at Fifth and E. That is not very far from this building. And we shall have the opportunity to be together as time goes on.

I appreciate the attendance of all of you here, and I particularly appreciate, of course, the attendance of the Vice President.

I am very glad my family got to hear what kind of a fellow I am. And I hope that they won't forget it when we get back home. And I trust that they can convince themselves that they are worthy to continue to live with me.

I do thank all of you. I appreciate the opportunity I have had to be associated with you. And I am glad to know that that opportunity will continue.

So I say it very sincerely, thank you. [Rising applause.]

Television Bill Extending Present Obscenity Penalties to Broadcasting of Crime, Violence, and Brutality Programs Hailed as Step in the Right Direction by Catholic Leader

EXTENSION OF REMARKS

OF

HON. CARROLL D. KEARNS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. KEARNS. Mr. Speaker, the principles contained in my bill, H.R. 8435, amending title 18 of the United States Code to provide that the present penalties for obscenity on radio and television programs shall extend to the broadcasting of crime, violence, and brutality programs have been hailed as "a step in the right direction" by one of our country's outstanding church leaders.

The Right Reverend Monsignor Joseph E. Schieder, director, youth department, National Catholic Welfare Conference, in testimony before the Senate Juvenile Delinquency Committee, pointed out that there was a 98-percent increase in crime in the period 1950 to 1960, and that the year 1960 in itself presented to the Nation a 14.2-percent increase over 1959. He called these figures "shocking in the

full sense of the word" and said they were "almost incredible statistics."

He declared that—

I cannot conscientiously dismiss the idea of a basic relationship between these gross percentages and the same decade in which television passed from the status of luxury to that of practical necessity, and proved to have an almost totalitarian grip on the minds of the people. Further, that decade saw the rise of the great program cycles which are recognized in the programing of the industry: the cops-and-robbers cycle, the cycle of the western, of the private eye, and so on. A minimum of recollection will remind us that the dominant characteristic of the cycles, however, has been crime and violence.

The Right Reverend Monsignor Joseph E. Schieder then said:

Those of us who are professional youth workers have come to have a very healthy respect for the power and influence of so-called audiovisual techniques. There is hardly an up-to-date school or leisure-time program in the United States which is not equipped, today, with the latest technical facilities in sound, cameras, and projectors. The monetary investment alone, to say nothing of the operational successes, testifies to the extreme impact which such techniques have. Following that line of thought, therefore, I suggest that the same power—blissfully controlled in classroom, community center, parish hall—is literally raging uncontrolled from our television sets. And far from hitting an environment-disciplined audience, it is hitting an audience comprised of young people and children who quite normally savor the sweet taste of rebellion—a well-documented temptation to youth.

He went on to say that in looking to solutions to the rise in crime, we can accept solace from such effective measures as those established in Canada in the recent past, where a rigid penalty structure exists in reference to a hard and realistically broad definition of obscenity.

My bill, H.R. 8435, the principles of which this distinguished churchman called "a step in the right direction," is based on a 1959 amendment to Canada's criminal code, which provides that:

Any publication, a dominant characteristic of which is the undue exploitation of sex, or of sex and any one or more of the following subjects; namely, crime, horror, cruelty, and violence, shall be deemed to be obscene.

Certainly we can learn from Canada, and, in this instance, it is high time we did learn if we are to successfully protect the very foundations of our society from criminal elements.

My bill will arm the Department of Justice with power to deal with the undue exploitation for profit of crime, horror, cruelty, brutality, sex, and violence by those who broadcast programs which appeal to our baser instincts, and which go far beyond the bounds of liberty to license.

Attorney General Robert Kennedy has several times declared that there is a definite relation between our rising crime rates and some of our TV programs.

Senator THOMAS J. DODD, chairman of the Senate Juvenile Delinquency Subcommittee, recently produced written evidence of orders calling for more stress on sex and violence on TV programs.

I include here, as part of my remarks, the statement of the Right Reverend Monsignor Joseph E. Schieder, and the text of my bill, H.R. 8435:

TESTIMONY BY THE RIGHT REVEREND MONSIGNOR JOSEPH E. SCHIEDER, DIRECTOR, YOUTH DEPARTMENT, NATIONAL CATHOLIC WELFARE CONFERENCE, REGARDING CRIME, VIOLENCE, AND BRUTALITY AS PORTRAYED ON TELEVISION

As director of the youth department of the National Catholic Welfare Conference, I am honored to add my voice and opinions to the record of your inquiry into the portrayal of crime, violence, and brutality in television.

That these disorders are portrayed needs no certification: not only can we simply flick a television dial to prove the point, but also we can consult printed guides and newspaper schedules—to find the succinct sentences which describe a fantastic variety of bloody or brutal offerings.

At the outset, I note that in the last few days press notice has been given to a report prepared by the Federal Bureau of Investigation, in which some almost incredible statistics are projected: that there has been in the United States a 98-percent increase in crime in the period 1950 to 1960, and that the year 1960 in itself presented to the Nation a 14.2-percent increase over 1959.

These figures are shocking in the full sense of the word. Indeed, I strongly hope that they are sufficiently shocking to force a truly responsible public inquiry into their meaning for a free and democratic society. And, while it may seem too pat an approach, I cannot conscientiously dismiss the idea of a basic relationship between these gross percentages and the same decade in which television passed from the status of luxury to that of practical necessity, and proved to have an almost totalitarian grip on the minds of the people. Further, that decade saw the rise of the great program cycles which are recognized in the programing of the industry: the cops-and-robbers cycle, the cycle of the western, of the private eye, and so on. A minimum of recollection will remind us that the dominant characteristic of the cycles, however, has been crime and violence.

Those of us who are professional youth workers have come to have a very healthy respect for the power and influence of so-called audiovisual techniques. There is hardly an up-to-date school or leisure-time program in the United States which is not equipped, today, with the latest technical facilities in sound, cameras, and projectors. The monetary investment alone, to say nothing of the operational successes, testifies to the extreme impact which such techniques have. Following that line of thought, therefore, I suggest that the same power—blissfully controlled in classroom, community center, parish hall—is literally raging uncontrolled from our television sets. And, far from hitting an environment-disciplined audience, it is hitting an audience comprised largely of young people and children who quite normally savor the sweet taste of rebellion—a well-documented temptation to youth.

I turn to another parallel. We have all heard it said that the United States is the most diet-conscious culture in the world. Millions of dollars are spent in the mere devising of biochemical and nutritional combinations which will effect this or that result: we put on, we take off weight; we build up muscle, we break down fat. But common to all these regimens is the notion of consistency: "Be consistent and you'll make it." Similarly, our social and industrial psychologists, and even our mail-order charm courses, emphasize the role of habit in attaining this or that desirable trait. Thus it would be ludicrous, gentlemen, to ignore or deride the influence of habit, and the product of habit, when it comes to the impact of television on our society.

In terms of the work of this body, then, two paramount aspects of television must be considered the basis of investigation: that is, the power of the medium in itself, and the multiplication of that power by habitual resort to the medium. Add to these factors the excess and glorification of crime.

I for one do not hesitate to echo the sentiments of the Attorney General of the United States, as reported recently,[1] that the portrayal of crime and violence is "a major factor" governing the appalling increase of juvenile delinquency.

What are some of the observable effects of the type of television programing we are discussing? For a moment, I would like to depart from comment on the clear-cut juvenile delinquency problem, and draw your attention to a more shadowy reality. In our regular dealings with great numbers of youth, the vast majority of whom would probably be labeled as "outstanding" or good, we find in the year 1961 young people possessed of an almost appalling sophistication. They are accustomed to the idea of vice, of violence, of the element of the brutal in human life, to a degree that stuns. Now, we are far from applauding the vague and naive young person; nevertheless, it is a serious matter when one encounters in fairly virtuous young people a tolerance of evil induced by nothing more nor less than the diet of terror fed them from the mass communications media—and more forcefully by television. I wonder if we intelligently and honestly can expect them not only to remain free of the taint, but to develop the public and private conscience upon which our society must rest. And I would say at this point that there is no dreamy indictment of the harsh realities of life in that last statement: yes—our young people must be aware of reality. However, I submit that the violence and brutality which we are discussing is not only excessive but also a distortion of reality which relegates the virtues, the law, and common civilization to a very poor last place.

Again, on the point that our youth should be made aware of reality, I submit that there is an astronomical distance between the portrayal of the universal idea of man's struggles and the portrayal in glowing and instructive detail of the techniques of sadism and brutality. Profoundly related to this aspect of the problem is the perversion of the awe-inspiring ability of the human being—particularly the young human being—to identify himself with an object or action outside of himself. To put it bluntly, we are in large part asking our youth to identify themselves with the cripples and scum of society.

The insidious character of the problem is highlighted in my opinion by the fact that we in the United States are not alone with the difficulty. As you may have seen in the press of a few days ago, England's Cardinal Godfrey and Dr. Ramsey both pointed the finger of guilt at graphic portrayal of vice as a central factor in the decline of British public morality. Considering this, I offer the opinion that the free and advanced nations of the West face a critical need to reinforce, or even rebuild, their internal, societal self-discipline—lest they abdicate their freedom and strength in favor of slow but certain moral decline. (And, in view of the FBI statistics, not too slow.)

What steps can be taken in the situation? A few suggest themselves immediately: industry self-policing, enforcement and where necessary expansion of existent legislative controls, and perhaps the most necessary, the relief of advertising and sponsorship

[1] Evening Star, July 12, 1961.

pressures on program directors—pressures related to the "giving the public, or the kids, what they want" school of thought. The latter often seems tantamount to offering courses in moral anarchy, and in terms of youth is often a degenerate appeal to buying power.

In looking to solutions, we can accept solace from such effective measures as those established in Canada in the recent past, where a rigid penalty structure exists in reference to a hard and realistically broad definition of obscenity. We can also see a step in the right direction in such legislation as that offered by Congressman McDowell, whose bill 8109 is presently in committee. Whatever courses are taken, however, must deal with tremendous forces and already massively entrenched results.

As a citizen responsibly and professionally committed to the field of youth work, I strongly urge that research be matched by action, that the common good in the spirit and letter of our Constitution be a guide, and that economic and artistic freedoms and interests be expressed in disciplined contexts worthy of a free nation.

The consciences of youth themselves are in the process of formation, as are their tastes and habits. Let us not give them a serpent instead of the bread they deserve.

H.R. 8435

A bill to amend title 18 of the United States Code to provide that the present penalties for obscenity on radio and television programs shall also include and extend to undue emphasis upon crime, violence, and brutality

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) title 18 of the United States Code is amended by inserting after chapter 97 thereof a new chapter as follows:

"CHAPTER 98—RADIO COMMUNICATIONS

"Sec.

"2001. Obscene language.

"2002. Exploitation of sex.

"2003. Exploitation of crime, etc.

"§ 2001. Obscene language

"Whoever utters any obscene, indecent, or profane language by means of radio communication shall be fined not more than $10,000 or imprisoned not more than two years, or both.

"§ 2002. Exploitation of sex

"Whoever broadcasts, by means of radio communication, any matter a predominant characteristic of which is the undue exploitation of sex shall be fined not more than $10,000 or imprisoned not more than two years, or both.

"§ 2003. Exploitation of crime, etc.

"Whoever broadcasts, by means of radio communication, any matter a predominant characteristic of which is the undue exploitation of crime, horror, or violence shall be fined not more than $10,000 or imprisoned not more than two years, or both."

(b) The table of chapters at the beginning of part I of such title 18 is amended by inserting after

"97. Railroads"

the following:

"98. Radio communication".

Sec. 2. The following provisions of such title 18 are repealed:

(1) section 1464 (which prohibits the utterance of obscene language by radio communication); and

(2) that part of the analysis of chapter 71 which reads as follows:

"1464. Broadcasting obscene language."

Sec. 3. (a) Chapter I of title 18 of the United States Code is amended by adding at the end thereof a new section as follows:

"§ 15. Radio communication and broadcast defined

"The terms 'radio communication' and 'broadcast', as used in this title, have the same meaning that such terms have when used in the Communications Act of 1934."

(b) The analysis of such chapter I is amended by adding at the end thereof the following:

"14. Radio communication and broadcast defined."

American Nazi Party

EXTENSION OF REMARKS

OF

HON. SEYMOUR HALPERN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. HALPERN. Mr. Speaker, yesterday I called on the Secretary of Defense to look into reports that a civilian employee of the Department, a strategic technician, has figured in the notoriety of the American Nazi Party of George Lincoln Rockwell. This employee is reported to have furnished the so-called hate bus used by the Nazis to stir up racial and religious strife exploited by Communist propaganda. The employee has been reportedly involved in previous links with Rockwell's agitation. Surely an investigation of these reports is essential and, in my letter, I call on the Secretary of Defense to initiate such action immediately.

Mr. Speaker, the letter I sent to Secretary McNamara follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., August 2, 1961.

Hon. ROBERT S. MCNAMARA,
The Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I am writing out of the deepest concern that, at a time when our Nation is seeking unity to face an unprecedented external peril, an employee of your Department is reportedly retained in a strategic job despite his association with George Lincoln Rockwell's so-called American Nazi Party to the extent that he purchased a hate bus for this group to send agitating storm troopers through the troubled Southern States.

Communist propaganda seeks to undermine NATO, with charges of "nazism" and "revanchism" while applying pressure on Berlin. This is hardly the time for Defense Department employees to associate themselves with Nazi groups and even provide a swastika-decorated hate bus. The Washington Post on July 30 reported violations of law by the Nazi group and the impounding of the notorious hate bus, a vehicle exploited by the Communist propaganda press and television in Moscow, East Germany, Red China, and even Havana, Cuba.

The Washington newspapers' report on July 30 said that "Arlington police said that tags for the bus are registered in the name of Schuyler Ferris, an Army Map Service employee." This was contained in news on Nazi depredations in nearby Arlington, Va. Mr. Ferris has previously been mentioned in connection with Nazi agitation and a Fascist front group for Rockwell called Fighting American Nationalists.

The Rockwell group officially claims affiliations in various foreign nations, among them Germany, Japan, Italy, Spain, Argentina, South Africa, and others. The enclosed official letterhead illustrates the international character of the movement with which your employee is apparently linked. If so, he should be required to register as a foreign agent under the United States Code 18 and certainly should have no access to classified data or even the right of employment in any capacity by the Department of Defense.

The Communists have cleverly exploited and exaggerated the continued existence and revival of vestiges of Nazism. I do not understand how the U.S. Government can justify continued employment of an individual so unstable politically that he facilitates totalitarian extremism and propaganda activities, whether Nazi, Fascist, or Communist. He is hardly the man to have access to our strategic maps at a time when the Nation is mobilizing in response to the President's call for a militant alert.

I would appreciate knowing whether Mr. Ferris is to be retained and what actions have been taken in the matter. I regard this as a matter of gravity and am perplexed that such an individual has classified access to our Army's secret maps. Please advise at your earliest convenience on your inquiry and be assured of my sincere appreciation.

Yours truly,

SEYMOUR HALPERN.

Higher Education and the 87th Congress

EXTENSION OF REMARKS

OF

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. GIAIMO. Mr. Speaker, this House cannot evade the problems facing our Nation's educational system. The American people, in this challenging time, are concerned lest their investment in education today prove inadequate to the demands of tomorrow. I am confident, therefore, that, regardless of their individual viewpoint on the question of Federal participation in education, the American people will not tolerate evasion of the issue on the part of their elected leaders and representatives. Questions affecting the education of our people are of vital interest to every American who places concern for the future of this Nation above personal desires and prejudices. I submit, gentlemen, that these good citizens will not allow this body to shirk its responsibility to air the matter in free, open debate, and that in the very near future, this House must come to grips with the problems of the American educational system.

In expectation of that discussion, I wish to call attention to comments penned some months ago by my good friend and respected colleague, Congressman JOHN BRADEMAS, of Indiana. In the April issue of the magazine Higher Education, Representative BRADEMAS discusses with admirable perception the responsibilities which rest

with this Congress regarding education legislation. I ask that the Congressman's article be reprinted at this point in the RECORD:

HIGHER EDUCATION AND THE 87TH CONGRESS

(By Hon. JOHN BRADEMAS, of Indiana) [1]

(The reader is asked to keep in mind that Congressman BRADEMAS completed this article early in March, for what was then hoped would be a late March or early April publication. The ensuing developments in the Congress have borne out the major conclusions reached by Mr. BRADEMAS, and attest his splendid grasp of the issues at stake.)

The Government has no inclusive and consistent public policy as to what it should or should not do in the field of education. Whatever particular policies it seems to be pursuing are often inconsistent with each other, sometimes in conflict. They suggest a haphazard development, wherein policies of far-reaching effect have been set up as mere incidents of some special attempt to induce an immediate and special efficiency.

Without a comprehensive, forward-looking, and coherent public policy in regard to education the present educational situation in the Federal Government cannot be greatly improved.

This wry assessment does not represent the findings of one of the task forces commissioned by President Kennedy last year. The conclusion appears in a report published in 1931 by the National Advisory Committee on Education appointed by President Herbert Hoover.

I would begin an appraisal of the prospects for action by the 87th Congress on higher education by predicting that no grand design will be achieved. Rather I expect that Congress will continue its pragmatic, piecemeal approach in considering proposals in this field.

I anticipate that Congress will follow its pattern in higher education of enacting legislation aimed at meeting specific and widely recognized needs rather than pass any broad programs of aid. We can also assume that any education legislation will carry precautions against Federal interference.

For a variety of reasons, the outlook for favorable action by the 87th Congress on education generally, including higher education, is better than it has been for many years. A fact of major importance is that the President and the majority in Congress are of the same political party. Democrats in Congress are naturally more likely to look with sympathy at the proposals of a Democratic than of a Republican President, the southern Democratic-Republican coalition notwithstanding. In addition, I think that a bloc of 20th-century Republicans is very likely to support a number of President Kennedy's recommendations on domestic policy, specifically including education.

I think it is also a matter of the first importance to recall that no candidate for the Presidency in history has given such attention in a campaign to the issue of education as John F. Kennedy.

THE PRESIDENT'S PROPOSALS

Because Mr. Kennedy gives every sign of being a Chief Executive who will exercise strong leadership, it would be wise to look to his special message to Congress on education of February 20, 1961, to see what he proposes in the field of higher education.

The President characterized his recommendations as "an essential though modest contribution which the Federal Government must make to American education."

In his message President Kennedy called for:

1. Extension of the present college housing loan program with a 5-year, $250 million annual program for residential housing.

2. Establishment of a new long-term, low-interest-rate loan program, also for 5 years, at $300 million a year, for academic facilities—classrooms, laboratories, and libraries.

3. Inauguration of a 5-year program with an initial authorization of $26,250,000 for scholarships for college students chosen on the basis of talent and financial need. Twenty-five thousand scholarships would be offered the first year averaging $700 each, 37,500 the second, and 50,000 for each succeeding year, the maximum stipend to be $1,000. An additional allowance of $350 for each scholarship student would be provided the college or university he attended.

That the President's proposals for higher education are in fact modest is immediately apparent when they are compared with other recent recommendations made in this field. For example, the Task Force Committee on Education to Mr. Kennedy, chaired by the president of Purdue University, Frederick L. Hovde, urged a combined program of loans and matching grants for academic facilities of at least $500 million for the first year, this figure to increase in succeeding years. The Hovde report of January 6, 1961, also called for an annual authorization under the college housing loan program of $350 million rather than the $250 million requested in the President's message.

The American Council on Education 1 month later, on February 11, 1961, proposed a comprehensive legislative program for higher education which included slightly less money for college housing loans than did the Hovde committee. The council also asked for a combined loan-grant program for academic facilities in the same ratio as the Hovde report (70 percent for matching grants and 30 percent for loans) but for twice as much money. The ACE asked for a 4-year loan-grant program averaging $1 billion a year: the Hovde committee urged $500 million the first year; the President asked only $300 million, and for loans only.

Another indication that President Kennedy's recommendation for a new program for academic facilities is far from radical was the action taken on January 11, 1961, by the Association of American Colleges, the new president for which is another distinguished Indiana eduactor, the Reverend Theodore M. Hesburgh, president of the University of Notre Dame.

The AAC asked not only for Federal loans for academic facilities but for the alternative of matching grants as well. Because the AAC represents 800 accredited liberal arts colleges, about 95 percent of all within this category in the country, and because some institutions had previously been opposed to Federal grants, the New York Times described this resolution as "significant."

I think it also significant that the 17th American Assembly of May 1960, held at Arden House, Harriman, N.Y., in which this writer was a participant, strongly recommended Federal matching grants for academic facilities. I say "significant" because the recommendations of the assembly were considerably more conservative than those of either the Hovde committee, the ACE, or the AAC.

In sum, as the columnist Roscoe Drummond, who describes himself as "a middle-of-the-road conservative," wrote last month, "President Kennedy has submitted to Congress a prudent and carefully conceived aid to education bill which should win maximum Democratic and Republican support."

But resolutions and reports are not enough. Nor is it prudent to conclude that, because a bill has been assigned a high priority by the President, has attracted support in Congress, and even been favorably reported by the responsible committee, it will win early and easy passage. Why not?

The legislative traffic is heavy. In one session of Congress, some 15,000 bills may be introduced. Still more important, the President has many other measures in which he is interested. Legislation on higher education must in this sense compete with bills on depressed areas, housing, health insurance for the aging, and the minimum wage, to cite just a few major issues on which the President has pledged action.

The economic recession and the widespread unemployment which it brings is already demanding much of the time and energy of the new administration. Foreign policy aside, it is the battle to reverse the economic slump that will require most of the President's troops and supplies, for a time at least.

Yet President Kennedy has expressed himself with such urgency on education during the campaign and since his election that there can be little doubt that he feels deeply about the subject.

The proponents of a wider role for the Federal Government in higher education can take heart at other signs in addition to the President's commitment to action in this field. Two significant changes have already occurred in the 87th Congress that should make more likely legislative support for higher education.

PROSPECTS FOR SUPPORT

Speaker RAYBURN'S January victory in the struggle for control of the House Rules Committee over the Republican-Dixiecrat coalition removes a formidable obstacle from the path of bills for higher education as well as many other proposals that President Kennedy will offer. The leading figure in the House of Representatives in higher education, the father of the National Defense Education Act, and one of the ablest and most distinguished Members of Congress, CARL ELLIOTT, of Alabama, has left the Education and Labor Committee to join the Rules Committee. Happily, Congressman ELLIOTT will be replaced as chairman of the subcommittee which deals with higher education (the Special Subcommittee on Education) by one of the most intelligent and effective Representatives in the House, Mrs. EDITH GREEN of Oregon. The other Democratic members of this subcommittee are all strong Kennedy supporters: ROBERT N. GIAIMO, of Connecticut, NEAL SMITH, of Iowa, and the writer of this article.

The Republican members of the subcommittee, JOHN M. ASHBROOK, CHARLES E. GOODELL, and ALBERT H. QUIE, are all young, able, and intelligent Congressmen and all likely to be somewhat more conservative with respect to education than the Democratic members but, I should think, open-minded.

In the Senate, the chief champion of higher education is Senator JOSEPH S. CLARK, of Pennsylvania. Because the conservative coalition is less effective in the Senate than in the House, I should think the President's proposals for education would have far less trouble there. And therefore, as is likely to be the case with nearly all the Kennedy do-

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[1] Member of the House Education and Labor Committee and its general and special Subcommittees on Education—87th Cong. On Nov. 4, 1958, Mr. BRADEMAS was elected as a Democrat to represent Indiana's 3d Congressional District in the U.S. House of Representatives. He received the B.A. degree from Harvard in 1949 and, as a Rhodes Scholar for Indiana, received the Ph. D. degree from Oxford University, Oxford, England, in 1954. He served as administrative assistant to U.S. Representative THOMAS LUDLOW ASHLEY, of Ohio, in 1955; legislative assistant to U.S. Senator PAT MCNAMARA of Michigan, also in 1955; executive assistant to Adlai E. Stevenson, 1955–56; and assistant professor of political science, St. Mary's College, Notre Dame, Ind., 1957–58.

Congressman BRADEMAS served in the U.S. Navy during World War II (1945–46).

mestic programs, the House will be the chief battleground.

The second significant factor in the improved outlook for congressional action on higher education is the new chairman of the House Education and Labor Committee, Congressman ADAM CLAYTON POWELL, of New York. Mr. Powell, who talked with a large number of university presidents during his 1960 campaign tour on behalf of the Kennedy-Johnson ticket, can be counted upon as a strong advocate of more Federal support for higher education.

It is also important to say that Mr. POWELL, author in past years of the controversial amendment to withhold Federal funds from educational institutions practicing segregation, has indicated he may not offer such an amendment to the Federal aid bill for elementary and secondary education this year. He hopes that Executive action will make such a rider unnecessary.

On the other hand, the Civil Rights Commission, on January 12, 1961, urged the Federal Government "by executive or, if necessary, by congressional action," to bar all aid from public colleges and universities that exclude or discriminate against Negroes.

At this writing, it is not possible to predict with any certainty the impact of the civil rights issue on legislation either for elementary and secondary or for higher education. I think the problem of aid to private and parochial institutions, on which I shall comment later, is likely to be a more dangerous reef for education bills than the issue of segregation.

TIME TO ACT

It is from beyond the commitee room and the floors of Congress, however, that public opinion acts with force to enhance or impair the prospects for passage of specific legislation. For this reason, I must make the perhaps paradoxical point that on legislation of benefit to higher education, those with most at stake and most prestige to lend frequently do least for their own cause. Few college and university teachers and administrators have fought through the heat of the midday when legislation on higher education has been pending in Congress. Many, however, are articulate in their criticism of the shortcomings of Congress in attempting to remedy the shortages in education.

I find it revealing that major Federal programs in higher education have seldom been passed for the sake of higher education. The Morrill Act was enacted in the name of the mechanical arts and agriculture. The buildings the PWA constructed on college campuses during the 1930's were the fruit of an antidepression program. The GI bill was recommended as veterans' legislation. It was more on the "defense" in the title of the National Defense Education Act of 1958 than on education that Members of Congress justified their votes for the bill.

I am aware that many university administrators feel that the needs of higher education are self-evident and that the national interest clearly requires Federal assistance. I have also detected a strong reluctance on their part to lobby for such assistance coupled with a considerable lack of knowledge of how to do it. That there is a price to be paid for such fastidiousness and ignorance I think the story of the (a) loyalty oath and (b) affidavit of disclaimer of disloyalty in the National Defense Education Act clearly illustrates. A similar oath and a disclaimer were included in the law which created the National Science Foundation a decade ago. I do not recall that these features aroused any strong protest from the university community. The oath and disclaimer were added to the National Defense Education Act in the Senate a matter of weeks before the bill was passed. Opposition, particularly to the affidavit, gathered force only after the bill was passed, and the regulations accompanying the law were published. Last year, while President Kennedy served in the Senate, he led an attempt to remove the disclaimer affidavit.

Although both former President Eisenhower and President Kennedy favor repeal of the affidavit and although certain organizations representing university teachers and administrators have passed resolutions for repeal, there has been astonishingly little mail to Members of Congress, even to those of us on the Education and Labor Committee from either professors or presidents asking repeal. Members of Congress are very busy and are subject to a great variety of pressures. I would, therefore, ask: If only a few of those most directly concerned trouble to make their views known on an issue such as repeal of the affidavit, why should Members of Congress become particularly excited? A Congressman who votes for repeal of the affidavit, even if supported by the views of Eisenhower and Kennedy, may face the charge of voting against loyalty. If the principle involved is cited as the reason a Congressman should be self-generating on this issue, I can only reply that there are more principles to champion than a Congressman has time for if he is to be an effective Representative.

There is, however, hopeful evidence that academic organizations and administrators are becoming more aware of the importance of organized support for Federal measures they regard with favor. I have referred to the January 1961 resolution of the Association of American Colleges for grants and loans for the construction of academic facilities for colleges and universities. I have cited the February action of the American Council on Education in proposing a massive program of nearly $6 billion of Federal aid to colleges over the next 4 years.

These are recent examples which indicate a change in attitude. But I must reiterate that resolutions are not enough. The land-grant colleges and the State universities, with their experience of dealing with State legislatures, are much more sophisticated and active in working in Washington for programs they favor than are the private colleges and universities. For example, it is now apparent that there is considerable organized support behind proposals to expand university extension programs backed by Federal funds. I expect that legislation to this end will be considered by the 87th Congress.

WHAT AID FOR HIGHER EDUCATION?

For some of the reasons I have suggested, it is hazardous to predict in March what proposals offered in the 87th Congress will be enacted into law. I think we can fairly assume that during the next 2 years, the Congress will move to extend and modify the National Defense Education Act and that there will be a strong effort to make Federal funds available to the universities and colleges to build academic facilities, in line with President Kennedy's proposal for long-term, low-interest rate loans, at least, and perhaps through grants as well.

Unlike dormitories and student union buildings, which now qualify for construction loans under the college housing loan program, classrooms and laboratories (for which, to repeat, President Kennedy has just proposed loans as well) produce no revenue and are therefore not "self-liquidating." If Congress should decide to provide institutional grants for academic facilities, as distinguished from loans, I believe Congress would wish to be certain that such grants would be used to meet genuine deficiencies in academic facilities and not be diverted to such purposes as gymnasiums, community service projects, or public relations programs.

The fact that the President recommended only loans and not grants for academic facilities unquestionably disappointed many colleges and universities. The Hovde task force has urged a larger amount a year for such construction, 70 percent of it in grants and the rest in loans. The grant proposal was especially significant to the many State universities and land-grant colleges which are financed by State funds and have no authority to borrow.

Some university educators were also dismayed that the President had not asked for more money for higher education.

I would point out, however, that Congress has not yet passed legislation for aid to elementary and secondary schools, a far more widely debated and widely recognized need. It seems to me unreasonable to expect Congress to act favorably on a broader program for higher education until (a) there has been action on an elementary and secondary school bill, and (b) there has been a more aggressive campaign than at present on behalf of legislation for higher education.

I expect that President Kennedy and the friends of higher education in the 87th Congress will move to extend and expand the National Defense Education Act during this session. The recent report of the consultants to the Secretary of Health, Education, and Welfare and the Commissioner of Education of January 4, 1961, offers a useful starting point for a discussion of possible changes in the NDEA. The President has said he will send Congress his own recommendations on the NDEA at a later date.

The panel of 21 consultants included a heavy representation of capable public school administrators together with presidents and deans of colleges and universities, both private and State supported. In the group were such prominent commentators on educational policy as Dr. James B. Conant and Prof. Arthur Bestor. This was primarily an educational administrators' panel and the members therefore brought to their task an intimate experience with the NDEA as it operates.

The present act will expire June 30, 1962. The consultants urged that the law be extended for 5 years with a substantial increase in funds to enable institutions to make longer range plans. I think it likely that Congress will agree during this term to an extension of the NDEA for a period of 5 years.

The consultants also recommended that the loan program for college students be continued and that the provision of the law which permits cancellation of up to 50 percent of a loan for students who enter public school teaching be extended to all school and college teachers. This proposal, of course, raises the sensitive issue of whether Federal funds can appropriately be used for private schools. In this connection, it is perhaps significant that both the Hovde report and the more conservative 17th American Assembly agreed that the forgiveness feature should be extended to all teachers.

AID TO PRIVATE SCHOOLS

I suppose this is as good a place as any to note that the general issue of public moneys going to private schools will be a major factor in the development of all legislation for education, whether for elementary and secondary schools or for higher education, and that tensions over the issue are likely to rise rather than to diminish.

There will be those who say that the Constitution is clear in specifying that Federal funds shall not be used for private purposes. Against this view, many will argue strongly that the national need for teachers is imperative and that Federal aid of this sort is being given an individual, not an institution.

President Kennedy certainly has made his position clear. He is opposed to any direct aid to private schools and believes such aid prohibited by the Constitution.

The President does not agree, however, that his proposal for scholarships that may be used by students attending private colleges is subject to the same prohibitions.

At his March 1 press conference, Mr. Kennedy said, "The aid that we have recommended to colleges is in a different form. We are aiding the student in the same way the GI bill of rights aided the student. The scholarships are given to the students who have particular talents and they can go to the college they want. In that case it is aid to the student, not to the school or college, and, therefore not to a particular religious group. That is the distinction between them."

INSTITUTES FOR TEACHERS

The consultants propose also a broadening of the summer institutes provided under title VI of the act, which now provide for summer training for elementary and secondary school teachers of foreign languages. They ask that the institutes also be operated for elementary and secondary teachers of English.

The letters that cross a Congressman's desk document the deplorable fact that our schools are producing too many semiliterates. Surveys such as the recent one of teacher preparation by the National Council of Teachers of English make it clear that we need more English teachers and better ones. It seems to me that the summer institutes in foreign languages operated under the NDEA and those in mathematics and science financed through the National Science Foundation have proved a most effective means of raising the competence of the teachers already in the schools by remedying their deficiences in subject matter and acquainting them with new materials and techniques.

I believe the case for adding institutes in English to the NDEA program is a strong one. With the inclusion of English, inservice training programs (which already embrace foreign languages, mathematics, and science) would cover most of the subjects essential for college preparation.

In this context, I think it also fair to observe that the institutes have restored to the liberal arts colleges and the universities a greater share of the responsibility for raising the level of competence of teachers in our schools. I have heard that the institutes are looked upon with disapproval in some universities as simply adding a further strain to overtaxed facilities and overburdened faculties. But the institutes and the idea of inservice training they represent are hopeful examples of a way in which higher education can directly and constructively influence the schools.

SCHOLARSHIPS FOR STUDENTS

For the most part, the consultants recommended including more programs within the National Defense Education Act and more money for them. Their major proposal for a new title in the law, the creation of a Federal scholarship program for undergraduates, was in broad outlines adopted by President Kennedy in his February message. The consultants called for some 25,000 4-year undergraduate scholarships annually with awards of up to $1,000 a year for each recipient and $500 to be paid to the institution in which the scholarship holder is enrolled.

In the late days of debate over the National Defense Education Act in 1958 a scholarship program was dropped from the act. Although there was a good deal of support in Congress for a scholarship program, it appeared that the sacrifice of the scholarships was the price of acceptance of the rest of the bill by many Members of Congress. I would think the outlook for the President's scholarship proposal this year to be a far brighter one. If such a general scholarship program is passed early enough in the 87th Congress, there will probably be a waning of the support for the proposal of another champion of higher education in Congress, Senator RALPH YARBOROUGH, Democrat, of Texas, for an extension of the GI bill for some half million peacetime veterans.

CONGRESSIONAL ATTITUDES

In attempting to assess the temper of Congress on legislation for higher education, I would say that most Members of Congress are aware of the immense pressures on the colleges and universities. The relentless projections show that college population will double by 1970 and that there will be a serious shortage of college teachers. Not only will it be necessary to raise faculty salaries to make university careers more attractive, but it will also be necessary to make the investment to expand satisfactorily the facilities and faculties for graduate study and research.

I believe that Congress will act to help the colleges meet the emergency of numbers. But this does not mean that we will see higher education "federalized." The values and the vitality of our mixed system of private and public institutions depend on their continued support by tuition, philanthropy, and State and municipal funds. I think it is clear, however, that the size of the Federal Government's contribution to higher education will grow, and in terms of the economics of higher education, must grow.

Members of Congress also know that in addition to specific Federal programs affecting higher education, the Government makes grants for research to universities totaling some half billion dollars a year, which amount to a significant 15 to 20 percent of university budgets.

Congressmen understand, as well, that many irritations and some genuine grievances are generated both by the system of grants and by the Federal aid programs, which can be more accurately described as a purchase of services by the Government. For example, although 15 percent overhead payments do not fully cover such costs, no provision for administrative expenses is made in Federal loan programs. To cite another example, some argue that the Government gets campus facilities for ROTC programs free.

Not all of these difficulties can or should be resolved in such a way as to enable the universities to participate in Government programs at a bookkeeping profit. Yet I am convinced that a much wiser and more efficient use of Federal funds can be made and that new Federal programs can be better programs if university authorities take a greater part in what political scientists call the decisionmaking process.

We Need Relief for Textiles, but Not at Expense of Farmers

EXTENSION OF REMARKS

OF

HON. JAMIE L. WHITTEN

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. WHITTEN. Mr. Speaker, I am serving my 12th year as chairman of the Agriculture Appropriations Subcommittee. I have probably worked as close to the cotton and cotton textile problem for a long period of time as any other Member here.

This year I joined with some 130 of my colleagues, with the gentleman from Georgia, Congressman CARL VINSON, acting as chairman, in efforts to get action by our Government to protect the domestic textile industry against increased imports of textile goods. Such imports have more than tripled in a very short time. It is my opinion that the cheap labor which is available to foreign mills makes relief under section 22 of the Agricultural Adjustment Act necessary.

Unfortunately, efforts at relief now seem to be directed toward either giving up foreign markets for U.S. cotton or reducing domestic prices to world levels. I believe this has resulted because the full story has not been told to my colleagues and to the President.

On July 27, 1961, the gentleman from Georgia, Congressman VINSON, chairman of the congressional group, issued a news release in which, among other things, he stated the following:

> The next concerns the differential that now exists between the domestic price of cotton and the much lower price at which cotton can be purchased by foreign textile manufacturers. Until this differential is offset, the U.S. industry is at a serious competitive disadvantage.

Earlier, on May 2, 1961, following the visit of the gentleman from Georgia [Mr. VINSON] and Representatives of our group in the Congress with President Kennedy, the White House issued a news release which contained the following statement:

> Fourth, I have directed the Department of Agriculture to explore and make recommendations to eliminate or offset the cost to U.S. mills of the adverse differential in raw cotton costs between domestic and foreign textile producers.

Mr. Speaker, the American textile industry has, and does now receive, a cash differential to offset the competitive price of cotton sold abroad. Since we started offering cotton at competitive prices in world trade, the following payments have been made to the American textile industry to offset such competitive world price offerings in world trade:

1956–57	$13,895,998.11
1957–58	15,549,304.77
1958–59	13,159,356.04
1959–60	17,187,224.01
1960–61 (through Nov. 21, 1961)	14,208,530.78
Total	74,000,418.71

I am sure these facts have not been fully presented to our colleagues or to the President. It makes me fearful that the real desire of some outside interests is to use this issue to destroy all farm price supports. Some of these interests have opposed any price protection for the farmer over the years.

If cotton prices in the United States were dropped to world levels, with present high costs of production, it would bankrupt American cotton producers. On the other hand, unless our offering price on raw cotton in world trade is kept competitive, American cotton producers will lose their foreign exports which are one-third of their market; and this, too, would mean bankruptcy—and the effect in either case would be disastrous to the overall U.S. economy.

I repeat—relief for the American textile industry is needed. It should come under section 22 of the Agricultural Adjustment Act. The authority to limit imports is clear and the need is great.

In this connection, under leave to extend my remarks, I submit a statement on competitive sales in world trade, the necessity for it, its justification and history, which I issued on February 14, 1961. This statement was carried in full in the March–April 1961 edition of Cotton Farming.

May I say, subsequent to release of the statement, the majority leader advised me the quotation attributed to him by the press had been lifted out of context

The statement follows:

STATEMENT BY CONGRESSMAN JAMIE L. WHITTEN, APPROPRIATIONS COMMITTEE—CHAIRMAN, SUBCOMMITTEE FOR AGRICULTURE

An article carried by the American press under Associated Press dateline of February 10, 1961, quotes what purports to be a statement of the majority leader of the U.S. Senate, then visiting in Mexico, as follows:

"He said he hoped the cotton-dumping program would ease off, and pointed out that during the last 2 years it already has been decreased."

Competitive price is essential to sell and selling competitively certainly is in no way dumping. I trust if any such statement was made by our Senate majority leader it was in reply to a "loaded" inquiry and does not represent a prepared statement of the Government of the United States.

Selling at competitive prices in world trade is a right exercised by all nations of the world. Much of U.S. agriculture has historically been dependent upon export sales for its economic health. It is a matter of record that much of the present plight of U.S. agriculture is a direct result of our Government holding U.S. production off world markets for a number of years.

The words attributed to the majority leader are most unfortunate. They may be used by some to again argue that American products should be held off world markets at competitive prices. The Secretary of Agriculture of Mexico and other Mexican representatives have spent hours here in Washington trying to get us to agree to return to the policy of holding U.S. commodities off world markets at competitive prices, so as to hold an umbrella over the expanded Mexican production. This we have refused to do.

In the absence of international agreements, all countries offer the commodities they have for sale in world markets for what they will bring: competitive prices; and we have limited ourselves to less than our historical market. It appears, however, that those who can benefit from the United States holding its offering price above world market prices continue to claim that the United States should hold an umbrella over its competitors. They maintain that the United States is unfair when it attempts to preserve its share of export markets through competitive sales. They know that domestic price supports are to offset high American costs and have no relation to export sales at competitive prices. Except for competitive pricing, the Government would be billions of dollars worse off and American farmers completely bankrupt.

To return to the shortsighted, noncompetitive pricing of the past would wreck American agriculture, would greatly increase the drain on the U.S. Treasury, and would destroy any effort by the new Secretary of Agriculture to place American agriculture on a sound economic basis before he gets started.

We should review the record.

COMPETITIVE SALES FOR DOLLARS ESSENTIAL

The charter of the Commodity Credit Corporation has always provided for the sale of CCC-owned commodities in world trade at competitive prices. After wartime demand dropped off, the Department, as a governmental policy, refused to use this authority, presumably to help in the restoration of the economy of certain foreign governments. During a period of several years, the United States offered its agricultural commodities in world trade at fixed prices, which had the effect of holding an umbrella over our competitors, including Mexico, who offered their production at prices just under our offering prices. They got the markets, and we filled up our warehouses.

U.S. commodities, not offered competitively but held in warehouses, were then used to bring about further reductions in U.S. acreage for a number of basic commodities. During this period CCC holdings increased from $1 billion in 1952 to $5 billion in 1955.

Our committee, in an effort to find out why any department would follow such a policy, developed the fact that the chief proponents of this policy of holding U.S. production off world markets were the large U.S. international producers and merchants who have huge investments and holdings in Mexico and other countries. The names and facts are to be found in volume I of our hearings for 1957, pages 121 to 149.

With regard to cotton during this period, the United States attempted to bring world production and supply into balance by reducing its production. Special committee studies show that acreage in the United States was reduced from a prewar average of 28.4 million acres to 16.5 in 1955. They also indicate that during this period when the United States reduced its acreage, foreign acreage increased at a rate which more than offset U.S. production (pp. 100–102, vol. I, 1957 hearings).

These studies show further that foreign cotton production increased 49 percent between 1949 and 1954, while U.S. production, as a result of cuts in acreage, decreased 16 percent (p. 4, special CCC hearing, 1956).

While the statement attributed to the Senate majority leader has to do with cotton, the erroneous and shortsighted policy of our Government for a number of years applied to all commodities of which we had a surplus. Our committee studies show that, during the period 1951 to 1955, foreign countries increased production of all basic commodities (p. 83, vol. I, 1957 hearings).

COMPETITIVE SALES PROGRAM SUCCESSFUL

It was at the instance of our committee that the Department was finally prevailed upon to move back into world markets on a competitive basis, in line with the policy followed by other countries.

In 1954 the Department offered a limited number of commodities at competitive prices in world markets. These included small amounts of peanuts, whey, barley, beans, cottonseed oil, linseed oil, oats, rye, flaxseed, vetch, and grain sorghums. Sales totaled about $93 million (pp. 1691–1692, vol. IV, 1957 hearings).

In 1955, after further urging by our committee, the Department offered all CCC-held commodities except cotton for sale in competitive world trade, including butter, dried milk, cheese, corn, rice, wheat, and soybeans, not previously offered. The resulting sales reached $219.5 million (pp. 1693–1695, vol. IV, 1957 hearings).

By December 31, 1955, holdings of CCC-owned cotton had reached 7.9 million bales worth nearly $1.5 billion—all held off world markets due to the Department's erroneous export policies (p. 1686, vol. IV, 1957 hearings).

In January 1956, under continuing pressure from our committee, the Department finally offered 1 million bales of cotton for sale in world markets at competitive prices. Much to the surprise of Department officials, who expected a 6-month program, this cotton was sold in less than 2 months (pp. 11–35, special CCC hearing, 1957).

Despite this successful experience, however, the Department delayed further offerings at the request of the large American international cotton traders. After three successive failures to make such offerings, the Congress passed the "Export Sales Act of 1956" which required the Department to use its authority to sell cotton and other commodities competitively in world markets. Special studies made by the committee indicated that this new policy was well accepted abroad and gave confidence to users of American commodities that the United States would again become a regular and dependable world supplier of such commodities (p. 106, vol. I, 1958 hearings).

As a result of this new law, and further urging by our committee, the Department again began offering its commodities, including cotton, for export sales on a competitive basis. Dollar exports of U.S. products totaled $2.8 billion in fiscal year 1957, including 4.2 million bales of cotton worth $660 million. In fiscal year 1958, dollar exports again reached $2.8 billion, including 5.7 million bales of cotton worth $553 million.

The Department again abandoned its competitive export sales program for cotton for the crop year 1958–59 at the insistence of the same international cotton traders. While dollar exports were $2.4 billion during this period, cotton exports dropped to 1.3 million bales worth only $153 million (about one-fourth of the 2 previous years when the competitive export program was in effect).

After a full investigation of the Department's failure to maintain export sales on a competitive basis in 1958–59, the Comptroller General of the United States ruled that it was in violation of the Export Sales Act of 1956. He stated, "This action, in our opinion, does not comply with the requirement of section 203 of the Agricultural Act of 1956 (7 U.S.C. 1853)."

Competitive sales were started again for the 1959–60 crop year as the result of special hearings and strong recommendations of our committee. As a result, dollar exports for the fiscal year 1960 increased to $3.2 billion. Cotton exports increased to 5.4 million bales worth $671 million, the levels of 1957 and 1958 when the competitive export program was in effect.

SIGNIFICANT FINDINGS

Special investigations made by the committee during the years 1954 through 1957 developed the following significant findings:

1. Reductions in U.S. agricultural production did not cut back world production. Foreign production increased as U.S. production was reduced. Between 1951 and 1955, foreign production of the basic commodities increased as follows: Cotton, 28 percent; wheat, 6 percent; corn, 19 percent; rice, 13 percent; tobacco, 9 percent; peanuts, 14 percent (pp. 83–89, vol. I, 1957 hearings).

2. Much of the increased production in other countries has been supported by American capital and know-how. The assurance of a U.S. umbrella over world prices has enabled those concerns to develop profitable operations in countries where labor and other costs of production are much below those in the United States (pp. 89–92, vol. I, 1957 hearings).

3. Nearly $1 billion of U.S. foreign aid has been used between 1948 and 1955 to promote agriculture in foreign countries. In addition, $710 million of U.S. counterpart funds has been used to improve and increase agricultural production. At one time, there were 738 U.S. agricultural technicians abroad under the foreign aid program advising other countries in these matters (p. 79, vol. I, 1957 hearings).

4. Cotton production in Mexico increased from a prewar 5-year average of 334,000 bales to 1.8 million bales in 1954. Mexican cotton exports increased during the same

period from 105,000 bales to 1.2 million bales (p. 95, vol. I, 1957 hearings).

5. During the period 1935 to 1939, the United States had 42 percent of the world export markets for cotton. By 1955–56, this was reduced to only 19 percent and Mexico had become the second largest exporter with 16 percent of the world cotton market. Much of this expansion was U.S. financed (p. 249, vol. VI, 1958 hearings).

Schedule of Grassroots Conferences in Third Ohio District

EXTENSION OF REMARKS

OF

HON. PAUL F. SCHENCK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. SCHENCK. Mr. Speaker, it is an honor and a privilege to represent the people of the Third District of Ohio here in the Congress of the United States. I am deeply grateful for this opportunity to be of service, and it is my constant desire to serve my constituents in the best way possible. During my service here I have made it my regular policy to keep in close touch with the people of my district so that I may know how they feel about the many important issues facing us here in Congress.

In the face of the critical worldwide conditions presently before us these conferences become even more meaningful in reflecting the opinions of the folks in our district.

I have considered it my duty, as the representative of this great district, not only to be well informed of the opinions of my constituents but also to be of the greatest possible service to persons having problems dealing with agencies or departments of our Federal Government.

Ten years ago I initiated the idea of holding grassroots conferences throughout our district, and I have continued this practice each year during the time Congress is in adjournment. I also have a full-time congressional service office at the U.S. postoffice building in Dayton, where I can meet with people personally at any time that my official duties permit me to return to the district.

During the time I am in Washington attending to legislative and official duties, a competent secretary is in charge of my district service office to assist callers and to help them with requests for aid in dealing with the Federal Government so that I can be of every proper assistance to them.

In these ways I have sincerely tried to keep well informed as to the personal opinions of my constituents, and I have also tried continuously and sincerely to be of every proper service to them.

Members of Congress are constantly called upon to give careful and earnest consideration to legislation dealing with many complex national and international problems. These day-to-day decisions often affect the lives and living of every citizen in our Nation. Consequently, these personal and private conferences help me to serve all of the people in my district in a much more effective manner.

This year, during our official congressional recess, I am again taking time to hold these grassroots conferences throughout our district at convenient public buildings. I deeply appreciate the fine cooperation of the many officials who have made these meeting places available to me as an aid in rendering this public service.

This is the schedule I have arranged:

Dayton Post Office, room 314, October 2 and 3, 9 a.m. to 4 p.m.

Germantown City Building, October 5, 4 p.m. to 8 p.m.

Miamisburg City Building, October 6, 4 p.m. to 8 p.m.

Phillipsburg City Building, October 7, 1 p.m. to 3 p.m.

Brookville City Building, October 7, 4 p.m. to 8 p.m.

Hamilton Courthouse, October 9, 9 a.m. to 4 p.m.

Middletown American Legion, October 10, 9 a.m. to 4 p.m.

Oxford Municipal Building, October 11, 4 p.m. to 8 p.m.

Fairfield City Building, October 12, 4 p.m. to 8 p.m.

I have been greatly encouraged by the increased attendance at these conferences each year. It is sometimes surprising to see how much can really be accomplished when a citizen and his Congressman can sit down face to face and talk over problems of mutual concern.

Special appointments are not necessary for these conferences, and I sincerely urge individuals or groups to meet with me on the date and at the place most convenient to them. The knowledge obtained through these grassroots conferences will help me to render better service, both legislative and personal, to all of the people of our important Third District as their Representative in the Congress of the United States.

Nation's Top Teenage Driver To Be Honored

EXTENSION OF REMARKS

OF

HON. J. EDWARD ROUSH

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. ROUSH. Mr. Speaker, the importance of safe driving habits in our youthful drivers cannot be overemphasized. The traffic toll in loss of human life, in human suffering, and in property destruction is staggering. If we are to ever make significant progress in accident prevention, our young people who are just learning to drive must prepare to assume their responsibilities for safety behind the wheel.

Tonight, here in Washington, America's top teenage driver will be honored. For the past 4 days, 50 young men and 1 young girl representing each of the States and the District of Columbia have been competing for the distinction and honor of being our Nation's outstanding young driver.

The occasion is the 10th annual Teenage Safe Driving Road-E-O of the U.S. Junior Chamber of Commerce. This year Jaycee-sponsored Road-E-O's in more than 2,000 local communities across the land attracted nearly one-half million contestants. Although just one youngster will be honored tonight, all America will benefit from this competition, because nearly a half million of her newest drivers have learned more about driving and the need for safety on the road.

I congratulate the U.S. Junior Chamber of Commerce for this fine program of traffic safety education. I commend the sponsors of the Road-E-O whose contributions make the program possible. They are the Insurance Institute for Highway Safety, the Pure Oil Co., and the Chrysler Corp. I urge that they continue to promote safe driving through this worthwhile program.

The purpose of the National Teenage Safe Driving Road-E-O is "to instill in the minds of the Nation's youth in their formative years skill in driving, knowledge of the rules of the road, and to promote the establishment of driver training programs in all public high schools."

The contestants in the national finals here this week are champions all. I would like to recognize them and congratulate them on their achievement. They are: L. E. Ladnier III, Mobile, Ala.; Duane Torgeson, Ketchikan, Alaska; Thomas Edward DeKellis, Tempe, Ariz.; Bob Manatt, Hot Springs, Ark.; Nicky Ellis Carter, San Jose, Calif.; David C. M. Wood, Boulder, Colo.; Garry H. Sutliffe, Manchester, Conn.; Jay Todd, Seaford, Del.; S. Weldon Brown, Washington, D.C.; Henry C. Dolive, Deland, Fla.; Dewey Moss, Dalton, Ga.; Paul Kanemitsu, Kaunakakai, Molokai, Hawaii; Mike L. Taylor, Rupert, Idaho; David Robinson Bullen, Wheaton, Ill.; Gary Leslie, Indianapolis, Ind.; Alan Arthur Kirchhoff, Humboldt, Iowa; Janice Nusser, Garden City, Kans.; Dean W. Dixon, Russellville, Ky.; Lee Graves, Slidell, La.; Raymond Nelson, Hampden Highlands, Maine; John Carlson Ames, Pasadena, Md.; Paul Jasper, Boylston, Mass.; Carl Pickles, Clayton, Mich.; John Benedett, St. Charles, Minn.; Kyle Stephens Wood II, Hattiesburg, Miss.; Dwayne Ralph Brees, Princeton, Mo.; Carl Donald Lawson, Great Falls, Mont.; Robert L. Johnson, Hastings, Nebr.; Ronald Dee Larsen, Ely, Nev.; Andrew Christie, Jr., Kingston, N.H.; James Gottschamer, Kenvil, N.J.; Fred Smith, New Mexico; David Brownell, Castleton, N.Y.; Turner Bryson, Franklin, N.C.; Darryl Gait, Carrington, N. Dak.; Gary Clea Smith, Blair, Okla.; Tom Fountain, Springfield, Oreg.; J. Kenneth Gurysh, Northumberland, Pa.; Peter H. Yost, East Greenwich, R.I.; John Caldwell, Frogmore, S.C.; Larry Hanson, Rapid City, S. Dak.; Larry Davis, Covington, Tenn.; Jeff Crossland, Howe, Tex.; Robert E. McGee, Provo, Utah; Larry J. Day, Williamstown, Vt.; Mack W. Pitts III, Falls Church, Va.; Gordon D. Ham, Bellevue, Wash.; Paul Gock-

stetter, Benwood, W. Va.; Leighton John Mangels, Jr., Brookfield, Wis.; James R. McCue, Cheyenne, Wyo.

These young contestants aspire to driving excellence and they recognize the seriousness of our traffic problems. In a letter addressed to the President and left with one of his assistants on their visit to the White House they asked his support for a program of positive action in the field of highway safety. They wrote:

> In view of the serious crisis confronting our Nation and all the free world it is more important than ever that the United States have all its strength and power to cope with the many exigencies of the times. We, the finalists of the 10th annual National Teenage Safe Driving Road-E-O call upon you, Mr. President, to invoke a meeting of all the Governors of all the States for the purpose of presenting the citizens of the United States with a plan for reducing the high toll of traffic accidents and fatalities.

Again, I commend the U.S. Junior Chamber of Commerce and its affiliated clubs throughout the Nation for their worthwhile and imaginative program of safe driving education. I thank their cooperating sponsors for helping make America a safer place to drive and I urge that they continue to enjoy the success which has marked the first 10 years of this fine program.

Why I Will Vote Against House Concurrent Resolution 351

EXTENSION OF REMARKS

OF

HON. MICHAEL A. FEIGHAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. FEIGHAN. Mr. Speaker, House Concurrent Resolution 351 is scheduled to be considered first under suspension on the floor of the House next Monday, August 7.

I will vote against House Concurrent Resolution 351. A reasoned conviction compelled me to this decision, which was arrived at only after long and careful study of the language of that resolution in the light of President Kennedy's reply to the Russian demands on Berlin and his forthright address to the American people on July 25. It is not an easy decision to take a stand which may set one Member apart from his colleagues on an issue of this magnitude.

I will vote against House Concurrent Resolution 351 for the following reasons:

I am convinced beyond doubt that its language is inconsistent with the political objectives outlined by President Kennedy on the third Berlin crisis. President Kennedy has called for a change in the present unnatural situation with respect to Berlin and a partitioned Germany. That is, a change for the better based upon the freely expressed will of the German people. House Concurrent Resolution 351 does nothing more than call for a maintenance of a status quo on Berlin. That is, support for the partition of Germany which makes it convenient for the Russians to provoke a crisis in Berlin at times and under circumstances of their choosing. No expression of Congress should avoid the basic issue of a free and united Germany.

House Concurrent Resolution 351 will accomplish nothing more than is already known to and accepted by every American—that we will not stand by while the Russians extinguish the flame of freedom which burns in free Berlin. In my view Congress should not be used as a forum for telling the American people or any other people something they already know.

The Berlin crisis is primarily a political problem and secondarily a military problem. It is a political problem first because the people in East Berlin and in the Russian zone of military occupation have been denied the right of self-determination. The Russian autocrats have denied 17 million German people this universally accepted political principle and have imposed upon them an alien regime which lacks popular support and serves no interest but those of the leaders in the Kremlin. Unless we resolve that political problem we will be faced with recurring military crises on Berlin. President Kennedy has proposed that the political problem be resolved so that the military threat to the peace will be removed. The formula proposed by President Kennedy for resolving the political problem, is application of the principle of self-determination to the 17 million people in East Germany. House Concurrent Resolution 351 turns its back on this political problem and denies the solution thereto proposed by President Kennedy. Moreover it restricts our position to a defense of our legal rights to be in Berlin. I oppose such restrictions because it would tend to tie the hands of our President in his courageous efforts to bring a peaceful solution to the basic political problem resulting from the unnatural partition of Germany.

For all too long Presidents of the United States have been roundly criticized for advocating policies which are no more than reactions to Russian initiative. President Truman and President Eisenhower received more than their fair share of such criticism. Up until a few days ago President Kennedy was the target of criticism calling for positive, affirmative action to meet the worldwide challenge of imperial Russian communism. But his meaningful reply to the Russian aide memoire on Berlin and his stirring call for a positive solution to the problem of Germany has stilled, at least temporarily, those voices of criticism. The language of House Concurrent Resolution 351 provides no support to President Kennedy in the political initiative which he has taken. It advocates no more than maintaining the present unnatural situation with respect to Berlin and a partitioned Germany. Congress should not put itself on record as opposing change for the better in that situation of perpetual crises. My vote against House Concurrent Resolution 351 will put me on record as favoring change for the better and as an opponent of status quo.

Anti-Communist Instruction for Military Personnel

EXTENSION OF REMARKS

OF

HON. CRAIG HOSMER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. HOSMER. Mr. Speaker, the Los Angeles Herald Express recently carried an editorial cartoon of particular significance. It showed a bombastic character labeled "Leftwing American Strategists," snatching out of the hands of an American soldier a document entitled "What Communism Is and How To Fight It." The cartoon was titled "Yours Not To Reason Why, Yours But To Do and Die."

The editorial accompanying the cartoon read as follows:

> MUZZLING THE SERVICES
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> Perhaps one of the greatest shocks to the people of this Nation in peacetime was the order to commanders of military services which has practically shut their mouths against attempting to imbue their troops with patriotism and knowledge of the enemy—communism.
>
> Imagine what would have happened if such an order had been issued while our fighting men were engaged in the First World War against Germany, or the Second World War against Germany and Japan.
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> It is all right to say, we are not at war now, but we are right on the doorstep, and the American people should know more about the present enemy who has threatened to "bury" us and to annihilate 140 million people.
>
> And yet the troops who will have to do the fighting if war actually comes have been denied the privilege of having leaders or lecturers tell the truth about the enemy they must fight.
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> Who is responsible for this order?
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> According to dispatches from Washington, the roots lie in what is referred to as a memorandum from Senator J. WILLIAM FULBRIGHT, Democrat, of Arkansas, to Secretary of Defense Robert S. McNamara.
>
> In this memorandum, Senator FULBRIGHT objected to military sponsorship of public forums featuring what he referred to as "radical rightwing speakers." No reference was made to "radical leftwing speakers."
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> Subsequently, there was a Defense Department directive on the subject.
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> All over the country, this chilling influence is now being felt in the services. Generals, admirals, captains, colonels, and those of even lower rank are afraid to open their mouths for fear of being disciplined from the very top.
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> Senator STROM THURMOND, Democrat, of South Carolina, is hotly critical, referring to this insidious memo as attacking efforts of military leaders "to give American citizens the facts about communism and the cold war."
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> Senator THURMOND has charged that Communists originated an "anti-anti-Communist campaign subtly concealed behind a nonexistent conflict between civil authority and military leadership."
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> He said the campaign is focused principally "in an attack on our military leaders."
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> The South Carolina Senator also declared that "there is specific evidence that attempts to create the impression that this administration wants anticommunism soft-pedaled have borne fruit."
>
> He added that he certainly did not believe either the President or responsible officials

in the administration want anticommunism soft-pedaled.

But he also charged that "this censorship of military men's speeches spills over to the point where it allows no criticism of any Marxist-Socialist-Communist theories or practices."

Just where does this leave the common, ordinary citizens of America? At the least, it leaves most in a state of utter confusion.

It leaves before them a frightening question as to the future of this country.

At about the same time the Herald-Express ran the above items, the Long Beach Press-Telegram ran a letter to the editor along much the same lines. It reads as follows:

WHAT'S WRONG WITH HITTING ENEMY?

EDITOR:

President Kennedy should instruct the Department of Defense to initiate forceful anti-Communist programs and cease from subjecting patriotic Americans to harassment, censorship, and disgrace, as for instance, Major General Walker and Admiral Burke.

It seems now to be becoming popular in the National Government to investigate and censure military men who have any words of warning to say about Communist influences in American life.

Men who have fought in wars must wonder what kind of struggle we are waging when it becomes a censurable offense to discuss the tactics of the enemy.

Even though our peril is so great, we find a situation developing where military commanders are in danger of being charged with rightwing political theories if they have the temerity to call attention to our danger and point out the methods used by our enemies.

We are counting on the President to help save our country and shall be praying for his wisdom and guidance.

IDAH K. JENSEN.

The disturbing thing both the Herald and Mrs. Jensen hint at but do not discuss in detail is that not only do people in the armed services need basic instruction in what communism is and how to fight it, but Americans generally. Both anti-Communists and anti-anti-Communists tend to intermix politico-socio-economic issues legitimately within the framework of American political action with the question of communism.

By way of extreme examples it works this way: The anti-Communist properly denounces communism and seeks to fight it; he also holds strong beliefs about keeping the private enterprise system uncontaminated by such things as say, social security; although he may not intend it, soon his listeners are gaining the impression he is labeling "social security" as "communism" and anybody that is for it is a Communist. Then along comes the anti-anti-Communist. He is for social security; although he may not intend it, soon his listeners are gaining the impression that anybody against social security is some kind of a nut and therefore anybody that is against communism must also be some kind of a nut.

I repeat that the foregoing example is extreme, but it illustrates the point, many who may be on either side of this issue understand the nature and danger of communism so vaguely, at least, in relation to what is not involved and what is involved, that the business of how to get on with disposing of the challenge to freedom gets obscured by the resulting oratorical smog. And it is precisely this, meeting and disposing of the challenge, that is our vital business today. Muzzling the services under the drooping banner of anti-anticommunism only serves dangerously to gum up that business. Mixing up a lot of non-anti-Communist issues with legitimate anticommunism merely gums it up in another way.

What we really need, and what thus far our Government and even our schools have failed in great part to supply, is a nationwide education program which deal sensibly and understandably with just what communism is and just how to fight it, without mixing it up with anything else.

And we must never forget, that the job of fighting it successfully is one which requires mobilization of the spirit and efforts of every American in Government service and in private life. It seems to me that Mr. Kennedy should dramatically fuse this country's effort together to do this job. A good way to start would be to require every person on the Government payroll, from himself on down, to satisfactorily pass a good course in "What Communism Is—and How To Fight It" before he can draw his paycheck.

The Hanford Sham Battle

EXTENSION OF REMARKS

OF

HON. JAMES E. VAN ZANDT

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 3, 1961

Mr. VAN ZANDT. Mr. Speaker, on July 31, the Washington Post carried a lead editorial entitled "The Hanford Battle." Because of the tenor of the statement and the shallowness of its arguments, I think the editorial should have been more appropriately titled "The Hanford Sham Battle."

It was a significant editorial, however, because it clearly identifies the Hanford proposal for what it really is. Despite the protestations of its proponents in both the Senate and the House that the Hanford project should not be considered in the light of the so-called private versus public power controversy, the Washington Post identifies it as "the major public power controversy before this Congress." Let the Members of this House not be fooled about the true public power nature of the proposal; the Washington Post certainly was not.

Mr. Speaker, those of us who are opposed to the addition of 800,000 kilowatts of electric generating capacity to the plutonium production reactor being constructed at Hanford have been consistent in our efforts to keep the record straight by sound and reasonable arguments devoid of emotionalism. As a continuation of this policy, I think it would be appropriate to examine carefully the Washington Post editorial to see how well it stands up under the glaring light of exposure.

Let us examine it sentence by sentence. The editorial begins by saying:

The major public power controversy before this Congress concerns the proposal to construct a $95 million nuclear plant at Hanford, Wash.

As indicated before, this statement clearly recognizes the Hanford proposal as being a public power controversy. It might also be pointed out that there is more involved than merely a $95 million power generating plant because, if this project be authorized, an additional $20,850,000 will be required to construct the transmission system necessary to carry the power from the generating facility to power-consuming centers. There is every indication, also, that an additional several million dollars will be required later to construct additional transmission lines. Perhaps we should use a figure of almost $120 million rather than $95 million when discussing this project. The editorial continues:

In essence, the choice is whether the new plant should be restricted to producing plutonium weapons, or whether in addition it should provide public power for the Northwest.

Again the editorial openly admits the public power nature of the proposal. It is a gigantic oversimplification to say the choice is whether the new plant should be restricted to producing plutonium or whether it should also provide public power. Those of us who have listened carefully to the extensive hearings and debate on this proposal are well aware that the issue is far more serious than the Washington Post editorial would have its readers believe. It would be more realistic to say the choice is whether we should lose hot air or waste Federal taxpayers' funds at this time in our national life when we are going to be called upon to spend ever-increasing quantities of funds for our national security and survival. The separate statement to the Joint Committee on Atomic Energy report on the AEC authorization bill signed by myself and four other members of that committee clearly and succinctly elaborated upon 10 compelling reasons why this project should not and must not be authorized. I would heartily recommend that this statement be made compulsory reading for the advocates of the Hanford project.

The editorial stated:

The Senate has already approved a dual-purpose plant, but in the House foes of public power have succeeded in deleting the provision for power from the atomic energy authorization bill.

The construction of this sentence seems to be designed deliberately to deceive the reader into believing that the House has created this disagreement. The record is clear—the House bill—H.R. 7576—which we are still considering, did not contain the Hanford project, but the Senate initiated the controversy by amending H.R. 7576 to include this and another project.

Here, also, the editorial attempts to characterize any Members of this House who in their wisdom and conscience

evaluated this unnecessary project and alined themselves with the best interests of their taxpaying constituents as being "foes of public power." If this be the criterion for being a "foe of public power," then I can only say proponents of public power must be blind in their approach to any issue regardless of its merits and regardless of its cost to the Nation's taxpayers.

Continuing the editorial said:

To further complicate matters, Republican Majority Leader Charles Halleck is trying to prevent a House-Senate conference from agreeing on a dual-purpose plant.

I am sure the gentleman from Indiana will be both pleased and surprised to note that the Washington Post now considers him to be the majority leader, but I am not too sure our distinguished colleague from Massachusetts [Mr. McCORMACK] will be willing to admit to the veracity of at least this statement in the Washington Post editorial.

It is completely unfair and purposefully misleading to accuse the gentleman from Indiana [Mr. HALLECK] of trying to prevent a House-Senate conference from agreeing on a dual-purpose plant. If the writer of that editorial had taken the trouble to read the gentleman's brief statement in objecting to the unanimous-consent request for the House to ask for a conference with the Senate on this question, he would have realized the purpose was to protect the rights of the majority of the House. The gentleman from Indiana [Mr. HALLECK] properly pointed out—

Already in this session of Congress on several occasions the House has been foreclosed from working its will on a conference report because the other body acted first, and discharged the conferees.

It should be remembered that the issue in controversy was raised by the Senate when it amended H.R. 7576. The House of Representatives is not disagreeing with the Senate, but rather the Senate is disagreeing with the House. For this reason, it would seem to me to be appropriate for the Senate to request a conference to resolve the disagreement. As an example of what would seem to be the reasonable approach to such a question, may I refer my colleagues to page 14164 of the CONGRESSIONAL RECORD for Monday, July 31, 1961, which shows the Senate action on the independent offices appropriation bill. On that occasion the distinguished senior Senator from Washington [Mr. MAGNUSON] said upon passage of the bill:

Mr. President, I move that the Senate insist on its amendments and request a conference with the House on the disagreeing votes of the two Houses.

If the other body had followed this same procedure and requested a conference with the House on the disagreeing vote on the AEC authorization bill (H.R. 7576) the present situation would not have arisen. The distinguished gentleman from Indiana [Mr. HALLECK] then would not have been compelled to try to protect the rights of the majority of the House of Representatives.

He is asking the Rules Committee to intercede so that the House would have an opportunity to strike out any public power authorization from a conference committee report.

The discussion on the previous sentence should be sufficient to indicate the desire of the gentleman from Indiana on this matter. As he so properly pointed out in his colloquy with the chairman of the Joint Committee on Atomic Energy [Mr. HOLIFIELD]:

After the measure left this body, it went to the other body. That item was put back in the bill in the other body; the bill was messaged back with the amendment. Under the regular rules that generally operated, the House would have acted first on the conference report. I have some very definite convictions about the right of the membership of the House of Representatives to have something to say about what finally shall be in these bills.

Mr. HALLECK seems determined to prove that nothing smacking of socialism will take place in Hanford.

All that I think needs to be said about this particular sentence is—thank heavens for Mr. HALLECK or anyone else who will do everything in his power to see that socialism does not get a hold in Hanford or anywhere else in this fair land of ours.

But scare words should not be permitted to becloud a simple question of commonsense.

This sentence is so ridiculous that it should not be dignified by any comment. It just serves to prove the old adage that commonsense is a very uncommon thing, and this Nation can well do without this kind of commonsense. The Montana Standard Post, of Butte, Mont., editorially "belled this particular cat" on July 24. The editorial pointed out that "socialism, not electricity [is] seen as byproduct." I recommend the reading of this editorial to my colleagues so I am inserting it in the RECORD at the conclusion of my remarks.

When the Hanford plant is constructed, it will necessarily generate steam which can be used for power as well as weaponry—the estimate is that it could produce from 700,000 to 800,00 kilowatts of power.

This, of course, is a misstatement of fact. The Hanford production reactor will produce byproduct heat which can be turned into steam.

It will not necessarily generate steam. The editorial does not point out that it would be uneconomic and wasteful to spend almost $120 million on the generating and transmission facilities required to use the heat for power production. Nor does it point out that these $120 million could be spent to far greater advantage in a multitude of other ways to strengthen our defense posture at this time when the President is calling for sacrifices from all of us.

If the Hanford plant should produce for peace as well as war, it would become by far the biggest nuclear powerplant in the world.

The editorial might have gone on to say that it would be the biggest, most obsolete and unnecessary boondoggle in the world. As the distinguished senior Senator from Utah [Mr. BENNETT] so aptly pointed out during debate in the other Chamber on this project:

This would be like building the biggest model T factory in the world.

He went on to say that "the wasteful expenditure of $95 million for an outdated, antiquated, inefficient 800,000-kilowatt teakettle would make us the technological laughingstock of the world."

Although it would involve no technical innovations, the size alone would be an advertisement of this country's determination to use atoms for peace.

Well, at least the editorial admits that this proposal would not contribute to technological development of the nuclear art. As far as Hanford's contribution to America's prestige, our extremely able colleague from California [Mr. HOSMER] has already pointed out the fallaciousness of such an argument by saying:

How much international prestige are you going to get by going back almost a century and a half in technology? None at all. The people overseas are going to look at such foolishness and laugh at us. We would not gain prestige; we would lose it by foolishness like this.

Furthermore, the Northwest is in desperate need of additional power to assure the region's growth.

In my opinion this, too, is an untrue statement. The public power proponents attempt to tell us that in the years 1965–66 there may possibly be a shortage of something over 100,000 kilowatts of power in the Bonneville area. They play down the fact that this shortage could only occur if there is at that time an almost unprecedented shortage of water in the Columbia River system.

The proponents fail to point out, however, that there is in the western part of the Northwest nearly half a million kilowatts of steam-electric generating capacity which at this moment is on reserve and which could be used in 1965 to meet any deficiency in hydropower. Furthermore, by 1965 there will be some 300,000 to 500,000 kilowatts of surplus power in Idaho, Montana, and Utah which can be exported to the western areas of the Columbia Basin to meet any possible power deficiency. So, I fail to see the "desperate need of additional power" in the Northwest. There is a desperate need for wise and sound use of Federal funds at this time.

The Hanford plant could also be used to facilitate the tieline which the Department of the Interior hopes to construct as a power link between southern California and the Pacific Northwest.

This is perhaps the most significant sentence in the entire editorial, for it clearly points out perhaps the true reason for the public power proponents' vigorous fight to get Hanford authorized. There is obviously more than meets the eye. They must have this project as a key part in their plans to federalize western power development through steam-generating facilities and, more importantly, to justify a prime leg of an all-Federal transmission grid.

Significantly, the dual-purpose conception is warmly endorsed by the Joint Committee on Atomic Energy and by the Atomic Energy

Commission, the agency which would administer the plant.

This, again, is an untrue statement. Some of the members of the Joint Committee endorse this project, but there is also a sizable number of the Joint Committee members who are vigorously opposed to it.

The editorial concluded:

For these reasons, we hope that Mr. HALLECK's maneuver will be rejected by the Rules Committee, and that Congress will have an opportunity to make the Hanford plant more than a factory for destructive weapons.

Mr. Speaker, in light of the sham battle which the Washington Post editorial attempts to purvey, I sincerely hope the large majority of the Members of the House of Representatives reject forthrightly the opinions expressed by that editorial. We should stand foursquare with the gentleman from Indiana [Mr. HALLECK] in his sincere effort to assure that we have the proper opportunity to express again the will and determination of this body to delete the Hanford steamplant from the AEC authorization bill; and, thereby, save the taxpayers of this Nation almost $120 million for more vital purposes.

[From the Montana Standard-Post, Butte, Mont., July 24, 1961]

SOCIALISM, NOT ELECTRICITY, SEEN AS BYPRODUCT

The question of whether electric power will be generated as a byproduct at a plutonium plant at Hanford, Wash., being built by the Atomic Energy Commission will be settled by a conference between the Senate and House, the Senate having approved the idea while the House rejected it.

Because Democrats will dominate the Joint Committee, it has been predicted that the measure which calls for an expenditure of an extra $95 million will win approval.

But, meanwhile, let us in our mild way register an objection.

We might be in favor of it if we knew all about it or if we could even find out all about it. But we can't. Neither can anybody else. So much of the project is hidden by secrecy that it is not possible to make a clear judgment.

It is argued that sufficient heat to make 800 kilowatt-hours of electricity will be generated in the process of manufacturing plutonium out of uranium. It is enough electricity to serve a city of a million people. But how is anyone to know whether or not this is the most efficient use of the heat? It is said that otherwise the heat will be wasted. But how do we know?

It is impossible to get meaningful cost statistics, so no one excepting a few Government functionaries would know how much the electricity is costing.

We do not know whether the most important factor is politics, economics, defense, or what. There was a strong suspicion among House Members that the most important factor was political, so the Members of that body defeated the proposal to hook on electrical generators to the $145 million reactor.

If the dominant factor is politics, then it is the old scheme by Fabian Socialists to capture or control the power of the Nation in order to implement their Socialist desires. It worked in the United Kingdom. Their motto is: "If you control the nation's power you control the nation."

This part of the argument deserves more than cursory consideration.

A project as steeped in secrecy as this one would be an ideal vehicle for Socialist plotters. Working behind a screen, they could have the country in their grip without anyone knowing about it until they sprung their trap.

But are we not making the plutonium in the first place to protect ourselves against just such a contingency?

So is not socialism the real byproduct, and not electricity?

SENATE

FRIDAY, AUGUST 4, 1961

The Senate met at 10 o'clock a.m., and was called to order by the President pro tempore.

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

This day, O Master, let us walk with Thee. Teach us Thy patience. Help us to learn more and more to live by the faith that life's true values are spiritual and are expressed in our daily contacts, by character unsullied, and kindness, cheerfulness, humility, and compassion. In Thy light may we see clearly that the chief issues we face lie deeper far than human praise or blame and have to do with life's meaning and purpose and ultimate goals.

God, the all righteous One.
Man hath defied Thee;
Yet to eternity, standeth Thy word;
Falsehood and wrong shall not tarry
beside Thee;
Give to us peace in our time, O Lord.

Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 3, 1961, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (S. 2034) to amend the Communications Act of 1934, as amended, in order to expedite and improve the administrative process by authorizing the Federal Communications Commission to delegate functions in adjudicatory cases, repealing the review staff provisions, and revising related provisions, with an amendment, in which it requested the concurrence of the Senate.

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 MEETINGS DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate Committee on the District of Columbia; the Subcommittee on Aviation of the Committee on Commerce; and the Committee on Commerce were 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, beginning with the new reports.

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

EXECUTIVE MESSAGES REFERRED

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

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

The PRESIDENT pro tempore. If there be no reports of committees, the nominations on the calendar, beginning with the new reports, will be stated.

POST OFFICE DEPARTMENT

The Chief Clerk read the nomination of William J. Hartigan, of Massachusetts, to be an Assistant Postmaster General.

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

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

The Chief Clerk read the nomination of John E. Cosgrove, of Maryland, to be an Assistant Director of the Office of Civil and Defense Mobilization.

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

THE MARINE CORPS

The Chief Clerk proceeded to read sundry nominations in the Marine Corps.

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